

February 8, 2010

Mr. Max Ruelokke, P. Eng
Chair and CEO
Canada-Newfoundland and Labrador Offshore Petroleum Board
Fifth Floor, TD Place
140 Water Street
St. John, NL
A1C 6H6

Dear Mr. Ruelokke:

The issue about which I am now writing has for several weeks been a growing concern for me. However, the evidence which I have heard at the Inquiry during the past two weeks causes me to believe it is a matter requiring immediate attention. It concerns the adequacy of the first response search and rescue capability located at St. John's.

You will remember Clause 9 of my Terms of Reference and in particular the last paragraph which says:

“Notwithstanding the above provision the Commissioner shall bring to the attention of the Board matters that come to the Commissioner's attention during the Inquiry that are of an immediate nature relating to any safety issues within the jurisdiction of the Board.”

I have read about response capability in the North Sea oilfields and elsewhere in the offshore exploration and production world. Under many other regimes, the first response by fully dedicated helicopters varies from 15 minutes (wheels up) to as much as 30 minutes. There are no doubt longer response times but a window of 15 to 30 minutes is I believe an acceptable standard.

The speed of response is especially important in the Newfoundland and Labrador Offshore, because our distances are great and the North Atlantic over which we fly, is perhaps the most hostile offshore helicopter environment.

If a helicopter is forced to ditch in our waters, the life expectancy of survivors is limited, even with the best immersion or floatation suits and the best training.

It has emerged at the Inquiry that our present response time involves about 40 to 45 minutes to prepare the helicopter for a rescue mission. Assuming a midpoint distance between St. John's and the Hibernia platform, 158 kilometers, our first response would require 45 or 50 minutes to prepare the helicopter, plus about 30 minutes to fly to the ditching scene. The total time at best would be one hour and twenty minutes and in adverse conditions and allowing for a search for survivors, it could take an hour and a half or even longer. Our furthest installation is now 500 kilometers out and would likely pose longer time frames and greater difficulties in the event of a ditching.

It has become obvious at the Inquiry that our St. John's "wheels up" time frames can be and should be improved.

I turn now to issues of equipment and personnel at the St. John's base.

I have no doubts about the skills of Cougar's pilots and rescue specialists, however a fulltime, dedicated and fully equipped response helicopter ready to go in 15 or 20 minutes is what is needed in St. John's, and needed as quickly as possible. It should be equipped with a forward looking infrared camera mounted externally, which is an indispensable tool for detecting objects or persons in the water at night. It is effective from a distance of 4 or 5 kilometers, depending on conditions. It requires to be mounted on a fulltime dedicated helicopter which is also equipped with auto-hover and a double winch and ready to go in 15 to 20 minutes. Appropriate auto-hover for the S92 is expected to be approved by Transport Canada by July of this year, but that should not delay the imposition of quicker response time which I believe is crucial. The S61 can already use auto-hover according to my information, and Cougar has one in St. John's according to their evidence.

It is quite feasible to equip a Sikorsky helicopter with the foregoing improvements and make it a fully dedicated first response helicopter which can be "wheels up" in 15 or 20 minutes. That is I believe an essential priority which should be addressed forthwith, and implemented as quickly as possible.

I believe there is another factor which makes this even more important. I have been told that the S92 is believed in the industry to be a good machine. Nevertheless, the aviation advisories which have come to public attention in recent months have not improved the confidence of offshore workers, their families and the public generally.

I believe that going forward at once with a fully dedicated first response helicopter and with substantially improved response times would reassure workers, their families and the public, that safety is being treated as the priority which it is. The present response from St. John's does not meet the highest standards.

Mr. Max Ruelokke, P. Eng
February 8, 2010
Page 3

I learned in the past week that Cougar has the ability to provide the kind of service which I have described and they are already providing that service in Alaska, the North West Territories and the Gulf of Mexico. They contracted only last week to provide it in Greenland. Other companies are providing comparable search and rescue responses in the North Sea, with wheels up in 15 minutes.

Another matter of concern is night flying. Night flying has been curtailed but not eliminated. I believe that night flying should be revisited and possibly be restricted to emergencies only, until a first response rescue helicopter is in service equipped with auto-hover and the forward-looking infrared device, both of which are very important for night rescue.

In closing I should emphasize that I believe these matters are of such urgency that they warrant my bringing them to the attention of the Board, as provided in Clause 9.

Yours/sincerely,



Honourable Robert Wells, Q.C.
Commissioner

RW:pt