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Chair

The Honourable Maxime Bernier

Standing Committee on National Defence

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● (1430)

[*Translation*]

The Chair (Hon. Maxime Bernier (Beauce, CPC)): Good afternoon, everyone.

[*English*]

Welcome, everybody. I call the meeting to order.

We will start meeting number 43 of the Standing Committee on National Defence.

I want to welcome today's witnesses. From the Offshore Helicopter Safety Inquiry, we have the inquiry commissioner, Mr. Wells, and also Ms. Fagan, inquiry counsel. Thank you for being with us.

From Seacom International Inc., we have Mr. Clay and Mr. Rodriguez. *Merci d'être avec nous aujourd'hui.*

We have an hour. I will give Mr. Wells of the Offshore Helicopter Safety Inquiry five to seven minutes to do his presentation, and then we'll give the floor to Seacom International Inc. for five to seven minutes. Members will be ready to ask questions at that time.

Thank you, Mr. Wells. You have the floor.

Hon. Robert Wells (Inquiry Commissioner, Inquiry into Matters Respecting Helicopter Passenger Safety for Workers in the Newfoundland and Labrador Offshore Area, Offshore Helicopter Safety Inquiry): Thank you, Mr. Chairman. Ladies and gentlemen, thank you for inviting me.

As we have spent a year and a half studying offshore helicopter safety on the inquiry—and of course, response times are important in that—I felt that it may be helpful to your committee and to this group if you were able to ask questions of me, and that it could be helpful in the decisions and the recommendations that you will make in due course to your colleagues in the House of Commons.

With me today, as you've said, Mr. Chairman, is Ms. Anne Fagan. She is one of the inquiry counsel. The other, Mr. John Roil, is not able to be here today.

Ms. Carla Foote is also here. She is the person who has guided us in the last year and a half in our relations with the media.

Very briefly, everyone, I suppose, knows of the Atlantic Accord. That's when the Government of Newfoundland and Labrador and the Government of Canada, about 26 or 27 years ago, agreed that the offshore would be jointly managed. To jointly manage it, they have set up a board called the Canada-Newfoundland and Labrador Offshore Petroleum Board, usually referred to as C-NLOPB, which is a mouthful until you get used to saying it.

When there is a serious accident or incident in the offshore, that board is required under the legislation to call and have a public inquiry. That inquiry was set up shortly after the crash in March 2009, which killed 17 people in our offshore.

There are many facets to the inquiry itself, because it deals with offshore matters and safety generally, but it is largely focused on helicopter transport, which is most practical and really much more convenient, of course, for everyone concerned. It's not exclusively the only way you can get people back and forth, but ship transport or boat transport, when you're talking about hundreds of kilometres, is both slow and rough going in our ocean.

There are a couple of things I should bring to your attention at the outset. One is that the Transportation Safety Board of Canada is examining that accident from the technical point of view—from the point of view of what actually caused the accident and the various related factors—but they're also entitled to comment on things like life-saving methods and the suits that people wear if they should be immersed in water if a helicopter goes down. On a lot of things there is some overlap. I, of course, was not able—nor did I wish to, nor did I have the staff—to look at anything that is within the principal role of the Transportation Safety Board.

They're going to report eight days from today, and that report will be very interesting.

I have completed phase one. Phase two will be an examination of the Transportation Safety Board's findings to see if there are any additional recommendations or observations that I may wish to make to, say, C-NLOPB.

So I can't deal with or touch anything to do with the Transportation Safety Board's primary role. The other limitation is that I can't advise and I couldn't look into what the Department of National Defence does—not so much what it does, but where it stations its equipment and how it is organized. This is for the simple reason that when the Atlantic Accord was signed and the enabling legislation passed, there was nothing delegated to the board that would impact on the Department of National Defence and its search and rescue modes and what it does. That was outside my terms of reference, but I do want to make one point, and I'm glad of the opportunity to make it publicly. Although I couldn't inquire into what DND does in search and rescue, I found DND to be one of the most helpful entities that interacted with the commission.

● (1435)

We had a senior officer, Colonel Drover, come from Ottawa to explain the role of DND. Later in the year—this past summer—DND took me and two counsel on a daylight practice mission and on a nighttime mission. That was very valuable to the three of us, and to me especially, in learning how search and rescue actually works, rather than reading about it or being told about it.

It was one of the best days, actually, in the whole of the work of the commission, and as a Canadian citizen I want to say how proud I am of these people, who take daily risks without fuss and furor when they are engaged in rescues. I do want to make that point.

To come back to the inquiry, search and rescue arose really as a formal issue after the tragedy of the *Ocean Ranger*, and that's nearly 27 years ago now. There was a five-person commission set up. I have one of the recommendations here in front of me and I will read it to you if I can find it—

The Chair: Mr. Wells, I would ask that you go ahead and conclude. The seven minutes just passed, but if the members agree, I'll give you another minute, because it's interesting for all the members.

Please go ahead.

● (1440)

Hon. Robert Wells: This is, I suppose, an occupational hazard.

The *Ocean Ranger* inquiry recommended that there be a search and rescue based in St. John's, or as they put it, in the port nearest to the offshore. St. John's happens to be that port. The inquiry said it should be “provided by either government or industry”.

What happened over the years was that there was no dedicated helicopter provided for search and rescue. Rather, there was a standby helicopter that had to be reconfigured before it set off. This was important in the tragedy that occurred in March. Word came that a helicopter was in trouble, and then it very shortly afterward crashed, but a helicopter had to be reconfigured. That took 45 minutes, so it didn't leave the ground until 50 minutes after the word came in. The accident was 30 nautical miles offshore, which is about 45 kilometres. There was a 50-minute delay before the helicopter took off, and then it took 22 minutes to get to the scene, so it was about 76 minutes before it got there and was in a position to rescue.

The other thing I should mention—and I'll mention very quickly why this is important—is that my inquiries have led me to believe that our offshore waters are the most hostile in the offshore oil world. The North Sea is the nearest comparator, but our waters are colder than the North Sea because of the Labrador current. Because of the jet stream pulling in low-pressure systems, our winds tend to be consistently higher. Our waters are bitterly cold, the winds are high, and fog is frequent, so the whole panoply of the Canada-Newfoundland and Labrador offshore is, I believe, more dangerous than offshore areas elsewhere in the world because of natural conditions.

It means that we, in my opinion—and I've made this very clear in my report—need search and rescue that is second to none. As I learned more, and as I learned more about the North Sea, I began to learn that response times in the North Sea and elsewhere in the world—and interestingly, elsewhere in Canada, although we and Nova Scotia have the only offshores in Canada at this time—are a lot less than the hour we had. In the Gulf of Mexico, response times were 15 to 20 minutes instead of the hour that we had. It was because the helicopter as provided by the industry had to be reconfigured. This concerned me.

After reading what happened in other jurisdictions—not in every jurisdiction, because I tended to concentrate on the North Sea as the nearest comparator—and seeing the evidence that was laid before the inquiry about search and rescue times and what was possible, I became very concerned. I made an interim recommendation, which the terms of reference allowed me to do, in February of last year, 11 months ago. I recommended that although the inquiry was not finished, we should start right away to work toward a 15-minute to 20-minute response and a fully dedicated helicopter.

I must say that the C-NLOPB board rose to the occasion, and the oil operators rose to the occasion. I knew that it would take some time to do this, because a helicopter would have to be acquired—another S-92—in the circumstances. That took until July. To get to the 15-minute to 20-minute response time, there has to be a special hangar, and the helicopter has to be ready to go at all times. At the moment, we're down to half an hour, but when that hangar is constructed and everything is in place, we will be down to 15 minutes or 20 minutes.

The Chair: I want to thank you. Do you want to add something, just briefly?

Hon. Robert Wells: I was going to say that in offshore safety, almost everything is interrelated. You have the speed of response, because people don't live indefinitely long in our bitterly cold waters and high seas, even in the suits they have on. The other important thing is training for the people who are the passengers in the helicopter, training and knowledge about what to do if you have to ditch. A crash is a different thing, but if you have to ditch and you don't know what you have to do to save your life and get out of the helicopter.... They overturn because all the weight is in the top—the two engines, the gearbox, and the rotors—and almost always, especially in high seas, they tip over. You are then submerged. You have to be able to knock out the window, fix your disorientation, keep your head, and keep your wits about you. You have to be trained to do that, because an untrained person, in my view, would have very little chance of survival.

Those are some of the interrelated things. I won't take up any more time, but I would be happy to answer any questions provided they don't get outside the terms of my study.

The Chair: Thank you very much. I'm sure the members will have a lot of questions.

Before that, I'll give the floor to Mr. Clay or Mr. Rodriguez.

You have seven minutes.

Mr. Paul Clay (President, Seacom International Inc.): Thank you, Mr. Chairman and committee, for inviting us today.

I'm not as well known, obviously, as Mr. Wells, so I'll give you a 30-second brief history of who I am and what we do.

My name is Paul Clay. I have a company called Seacom International, and we're an emergency preparedness company located in St. John's, Newfoundland. We've been here for 15 years. About 70% of our business is related to oil and gas and marine, and the other 30% is mining, etc. In other words, they're large industries that operate in quite often remote and dangerous locations.

Because of that, we have a lot of insight into how emergency preparedness is managed in other countries—specifically, the physical response itself, be it by helicopter, by boat, or through a combination; how long it might take; what the standards or norms are in other countries; and how to interpret some of the information that one may look at from other countries, which can at times be very confusing. One may often see a response time of 15 minutes or 30 minutes or 45 minutes, but there are reasons for those response times, so we have to keep a little bit of an open mind as we interpret the data.

That's enough about who we are.

What I'd like to do is move forward. What I'm going to talk about today and answer questions on.... As I said, we have a lot of information, but we can look at specific areas of the world—Australia, obviously Canada, the Republic of Ireland, Mexico, Norway, the United Kingdom, Northern Ireland, the United States, Brazil, Venezuela, and other countries where we've worked—where we have specific data and information about search and rescue response times. We can look at not only the actual time, but in a lot of cases the reasons those times exist.

Of course, one must always consider that a number of factors go into determining what a response time may be, one being the distance to the location where the response may be anticipated. Just to give you an example, in the oil and gas industry we're now operating more than 500 kilometres offshore. That's a long way. It substantially limits the time one might have on location to physically do a search and rescue operation. Helicopters can go only so far.

On the onshore side of Newfoundland and Labrador, we have extremely large projects operating in Labrador in remote locations. Projects coming, such as lower Churchill, for example, will, if they go ahead, have maybe 2,000 to 3,000 people and operate in very remote locations, with lots of helicopters and lots of potential for problems.

Again, when one considers search and rescue response times and physical locations of helicopters and all that sort of stuff, it's very important to look outwards and in, not necessarily inwards and out. In other words, maybe it's not what the Department of National Defence has to do or what the oil industry has to do, but what the needs are of the greater community that is expecting us to provide service to them—so 530 kilometres from Gander and some 435 kilometres from St. John's, which is a difference of about 40 minutes in response time if you look at dispatching a helicopter from St. John's or a helicopter from Gander.

There are a number of factors that must be considered when interpreting the data that we will give you today, such as the area of responsibility and how big it is. How big is the area that we must respond to? We have three aircraft in Gander, two of them operational, that have to respond to an enormous geographical area. There are the incident patterns: where do most of the problems occur? Are they marine? Are they terrestrial? Are they fishing boats? Are they oil industry? A fishing boat with a crew of five is five people who may have a problem. An oil and gas installation could have two people on board, and you could lose the installation in five minutes, so response times become critical. As the Honourable Mr. Wells has pointed out, two or three minutes in the waters of Newfoundland is a long time.

Is it a land versus marine response? What is the population to be protected? Is it one person, two hundred, a thousand? There is also the type of industry those services must be provided to, and there's the number of search and rescue assets, such as helicopters, that may or may not be available.

I do have specific data for each country. I'm not sure whether you would like me to address those now, very briefly....

● (1445)

The Chair: You still have three minutes.

Mr. Paul Clay: Okay. I'll go through the physical response times very quickly, but again, bear in mind the points I made.

In Australia, as an example, search and rescue is governed, as in most countries, by the Department of Defence or the federal government. They have the mandate to respond, but there are no physical assets dedicated to the civil marine and oil and gas industries. They have search and rescue efforts of opportunity. In other words, if an emergency happens, they have some 60 fixed-wing and rotary-wing aircraft they can deploy to a given location, depending on what they are doing currently.

What does that mean? When they say they have a “wheels-up” time of 30 minutes, the time it takes to launch the helicopter, that's 30 minutes to find a civil aircraft and to launch that aircraft to a location, if one is available. However, the defence resources are not dedicated to oil and gas; they are dedicated to air force response, primarily when pilots are in training.

So the Australian Defence Force has a 30-minute wheels-up response time. Civil search and rescue units launch within five minutes to one hour; however, the five minutes is questionable, because it really depends on how the aircraft is configured and what that aircraft will do. Some of these search and rescue assets are not, as you might imagine, a Cougar helicopter or a helicopter from Gander or somewhere else, but they have five minutes to one hour. Others, in other parts of the country, launch in 15 minutes. Other oil and gas operators have no response times because there are no aircraft that can respond on their behalf. It's all done by aircraft of opportunity.

In the U.S.A. 30 minutes is the standard. If you're looking at the federal government, the United States Coast Guard, you're looking at a 30-minute response. They have 30 minutes to get up in the air. Then they have a number of hours to be physically on location. However, private industry also participates in search and rescue for marine operations. The Cougar is launched in operation in the Gulf of Mexico and has a response time of 20 minutes in the day and 45 minutes at night. Chevron has a fleet of some 17 helicopters that launch in 45 minutes day and night. However, they only can do medevacs; they can't do search and rescue and they can't fly at night, etc., so again one must consider all the factors when looking at these numbers.

With regard to Mexico, one would think that Mexico would have a terrible response infrastructure. There are some 5,000 people working on installations in two regions, meaning 10,000 in total, and there is a fleet of 27 helicopters to service them. None are equipped for search and rescue, so the military do that on their behalf, but their wheels-up time is 40 minutes, day and night. Their response requirements are somewhat limited because each installation has a doctor on board, so if there's an urgent medevac to be conducted, a doctor on board can physically attend to the patient much more than could be done in other areas.

In the United Kingdom, the Maritime and Coastguard Agency times are 15 minutes between 0800 and 2200 and 45 minutes between 2200 and 0800. Those assets, though, are now civil assets: the coast guard manages the operation, but the assets are owned by private helicopter companies. In many ways that type of operation is a lot easier to manage, because they don't have the restrictions that a federal department might.

● (1450)

The Chair: Do you want to conclude, Mr. Clay?

Mr. Paul Clay: The Royal Air Force wheels-up time is 15 minutes, but it is up to 45 minutes in the evening. In Norway, it is 15 minutes by day and night. The assets are located physically offshore at or near the installations, so they can be there very quickly. The federal resources in Norway are managed by a Canadian company, CHC Helicopter, or operated by them. The Republic of Ireland has response times of 15 minutes and 45 minutes for day and evening respectively.

In Canada, of course, we know that we have a federal response of two hours at night. Cougars are currently down to 30 minutes and 45 minutes, and that will come down shortly.

That's the information in a nutshell. I'd be happy to take any questions to try to clarify some of those points for you.

The Chair: Thank you very much.

I will give the floor to Mr. Simms.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Thank you, Chair, and thank you to our guests.

Mr. Wells, it's nice to finally get to speak to you in person after reading so much about you and the work that you've done. I think a lot of us appreciate what you've done over the past while. You gave us a great little précis of what you've worked on in the past year or so. As well, the speech was so good you brought the lights down. There you go; it was very good.

I want to ask you, though, and I want to generalize to a point where.... With regard to the situation that occurs offshore, Mr. Clay alluded earlier to the large number of people who work in the offshore industry. I appreciate that fact. When it comes to the Department of National Defence, there is a very broad area. It's what they call the SRR, the search and rescue region, as you know. There may be two fishermen in trouble on the northeast coast off Bonavista. There might be 200 people in trouble across Hibernia. Thousands of people travel the gulf every day. On my first time on the job in 2004, the first thing I heard about was a medevac in northern Labrador, in Nain. It's incredible. The fact that search and rescue is tasked to do medevac as well certainly makes it an intense place to be, as you've experienced, and as I have too.

What I want to know—and maybe you can allude to the North Sea example as a good comparator—is where the responsibility is for private industry, as opposed to the government resources of the Department of National Defence. In other words, where is DND's role when it comes to the offshore operations?

● (1455)

Hon. Robert Wells: I think the primary responsibility, certainly for first response, should be and is with the oil operators. To my understanding and from my visit to the North Sea, Norway, and the U.K., the oil operators are very much involved in first response.

With regard to the North Sea, you can approach an oil installation or a downed helicopter from both sides of the North Sea. There are various countries involved—Denmark, Norway, and the U.K. from the English, Scottish, and Shetlands sides—and there are helicopters on the installations, so you can get a quick convergence onto a disaster scene in the North Sea, more so than probably anywhere else in the world, and certainly more so than we can, because our helicopter can come from only one direction and we have no helicopters stationed offshore.

I see DND as being the backup. My understanding is that when things go wrong, it is DND out of the Halifax office in this region that has the primary responsibility to direct even the private SAR helicopter owned by the companies. As an example—

Mr. Scott Simms: I'm sorry to interrupt, but I don't have much time.

I'd love to hear you go on, but here's the question. Since it's the S-92 and you're looking at a vertical lift rescue operation, do you see DND providing top cover—the fixed-wing element of a search and rescue operation—most of the time, or maybe all of the time?

Hon. Robert Wells: I do, and maybe that mindset has been brought about by the fact that it's what actually happens. The oil operators have no top cover, no fixed-wing aircraft, so therefore it's DND. When the Cougar crash occurred, fortunately there was a Provincial Airlines ice-spotting plane in the area. It provided a degree of top cover, but the DND top cover arrived very quickly, relatively, from Greenwood.

In the course of this, I have seen top cover and overall direction as coming from DND and first response as coming from the oil operators.

Mr. Scott Simms: I see what you mean. I think the service provided by Provincial Airlines during the whole thing makes them one of the unsung heroes.

You mentioned the harsh climate, and there's no doubt that a good comparator is the North Sea in this particular situation. Going back to that one, obviously the reduced response time—and this is a hard thing to say—is more essential for a harsher climate like this than it would be otherwise, simply for the sake of survival against hypothermia.

Hon. Robert Wells: Absolutely.

Mr. Scott Simms: Obviously a nearer fixed-wing element—something stationed, say, in Gander—would be ideal. You don't have to respond to that.

Hon. Robert Wells: No, I won't.

Mr. Scott Simms: That's my own little bit of politics.

When it comes to the recommendations, you mentioned the transport report that's coming out about eight days from now.

Hon. Robert Wells: Yes, it's from the Transportation Safety Board.

Mr. Scott Simms: Beyond that, am I right that you're going to have more recommendations?

Hon. Robert Wells: Yes. What I have to do with counsel is examine the Transportation Safety Board report. Of course, I will invite the public and those who play a part in the industry to respond also, because it is a public inquiry. Then we can draw conclusions as to what I might be able to recommend to C-NLOPB arising out of the board's report. I have no idea what they're going to say. There may be nothing, or there may be very meaty aspects. I don't know.

● (1500)

Mr. Scott Simms: I was going to ask you for a sneak peek, or for your gut instinct on this one, as the vernacular goes. Are you able to enlighten us as to what you think is going to be in this report? You say it's going to be meaty, but....

Hon. Robert Wells: No, I'd have to be clairvoyant to do that. Seriously, they're going to look at the real causes of the accident, and not just the fact that the titanium bolts broke. They've already told us that. They will go into much broader matters, I suspect, as well. They may also go into things that overlap with what I've done.

Mr. Scott Simms: Am I done?

The Chair: You have 30 seconds.

Mr. Scott Simms: I have 30 seconds.

I love St. John's. It's a great city.

Voices: Oh, oh!

Mr. Scott Simms: Very quickly, can I get you to respond to that as well? Comments were made about the harsh climate here in comparison to Australia, and I'm very interested in the international comparisons that you use. In other jurisdictions, would you say that there's more of a private element involved in search and rescue operations?

Mr. Paul Clay: I have two responses. First, the private element involved is from a contracting point of view; in other words, the federal government contracts a service out to Bond Offshore Helicopters or somebody like that. The second response is that a country like Australia has a warm climate. There are lots of fishermen out there all the time. There are always boats readily available. There are lots of helicopters and lots of tourists. We don't have that in Newfoundland. In St. John's we don't have 50 helicopters waiting around to launch; they do.

[*Translation*]

The Chair: Thank you.

Mr. Bachand, the floor is yours.

[*English*]

Mr. Claude Bachand (Saint-Jean, BQ): You'll need your translation devices because I'll be speaking in French.

Do you guys understand French? No? How about our honourable guest?

Hon. Robert Wells: Well, years and years ago, when I did an undergraduate degree, I wasn't too bad, but that was a long time ago.

Mr. Claude Bachand: If you want to be a “right honourable” at the Supreme Court, you have to speak both languages.

[*Translation*]

First, I would like to thank our guests for being here. I feel they gave a great presentation that will be useful to us.

I will first ask Mr. Wells some questions.

Mr. Wells, as members of Parliament, we are used to submitting our reports and recommendations to the government. We then expect the government to respond to our recommendations and give us an answer within a fairly reasonable timeframe.

If I am not mistaken, your commission of inquiry was set up to make recommendations to the C-NLOPB, the Canada-Newfoundland and Labrador Offshore Petroleum Board.

Could you tell me who is on the board of directors of this organization?

[*English*]

Hon. Robert Wells: There is no question my recommendations were to the C-NLOPB. I also made observations that I hoped might interest a wider audience, but the recommendations themselves went to C-NLOPB.

[*Translation*]

Mr. Claude Bachand: Who is on the board of directors of the C-NLOPB? Who are the members?

[*English*]

Hon. Robert Wells: I can't give you all the names, but there are three provincial representatives, three federal representatives, and a chair and CEO who is chosen by both. The chair and CEO is Mr. Max Ruelokke. There are other members, but I can't—

Mr. Claude Bachand: Are the others members of the petroleum industry, or...?

Hon. Robert Wells: Oh, no. No, they are not. They are citizens who have been asked by their respective governments to serve on the board.

[*Translation*]

Mr. Claude Bachand: Your report has 29 recommendations. I assume they are for the Canada-Newfoundland and Labrador Offshore Petroleum Board.

Have you received a reply from the board? Will these people respond in writing to the 29 recommendations?

● (1505)

[*English*]

Hon. Robert Wells: Yes, I consider it a very positive response; of the 29 recommendations, they accepted 27 and are going to work on putting them into effect.

Of the two that were not accepted, the 28th was about night flying. I agonized a lot over night flying. The reason I agonized was that statistics show that if an accident happens or a helicopter is forced to ditch at night, the fatality rate is much higher than if it happens in the day. Not only are you risking the lives of the passengers, but you're also risking the lives of the SAR technicians who are trying to rescue them. The whole risk is greater. At the same time, a bare-bones S-92 helicopter costs $20 million; fully equipped, it's $25 million. These are not cheap. Nobody would be expected to have several of them sitting around just in case a backlog occurred.

It's a really difficult problem, and I suggested a possible compromise. I suggested that a worker representative, a C-NLOPB representative, an oil operator representative, and a helicopter operator representative have a committee, and if it was imperative that there be night flying to clear up a backlog and if the weather and everything else were suitable, then they could authorize it. That's how I approached it.

The other recommendation, which C-NLOPB has not commented on but has submitted to the two governments, was that there should be a separate safety authority, as in the United Kingdom, in Norway, and in the United States. The presidential commission recently reported—on January 11, I think—and also recommended a separate safety agency.

The federal government has not said anything about that recommendation as yet, but the provincial government has announced that it's in favour of it.

[*Translation*]

Mr. Claude Bachand: According to your mandate, you have made recommendations to the organization we are talking about. Your first recommendation is:

[*English*]

that the first-response helicopter be up in the air in 15 to 20 minutes.

[*Translation*]

So this means that you recommend that oil companies have their own helicopters ready for take-off in the first 15 or 20 minutes. But should the funding for this operation and the helicopter go beyond oil companies?

[*English*]

Hon. Robert Wells: Yes. I consider the improved response time and the helicopter that they've acquired now—an S-92, which is dedicated and is always ready—to be oil company responsibilities.

[*Translation*]

Mr. Claude Bachand: Did you analyze the state of the helicopter in the days before the tragedy? Was that your mandate or was it the mandate of the Transportation Safety Board of Canada?

[*English*]

Hon. Robert Wells: It is solely within the jurisdiction of the Transportation Safety Board to determine all of the events or factors that they find to have been part of the accident and the tragedy.

[*Translation*]

Mr. Claude Bachand: Thank you.

The Chair: Thank you, Mr. Bachand.

[*English*]

Thank you very much.

I will give the floor to Mr. Harris for seven minutes.

Mr. Jack Harris (St. John's East, NDP): Thank you, Mr. Chair, and thank you to both of the presenters.

First of all, Commissioner Wells, I want to thank you for your contribution to the whole issue of offshore safety. If our committee's recommendations, particularly on the speedy response time for the Cougar helicopter, were so readily accepted by Parliament, our committee would be a lot happier if we could have that kind of influence. That was a particularly important ruling, and one that was based on not only your seeing what happened in other places, but also on the imperative of getting there as fast as possible.

I think my colleagues know that I had standing at the inquiry as a party to ask questions of witnesses. One of the issues that came forward was the recognition that in this case the industry—Cougar—was the first responder. In other words, it didn't necessarily have the primary responsibility, but it was the first responder, the one that could get in the air first and be there first, because it was closer. That was the idea of being in St. John's.

In this Cougar helicopter crash, to use it as an example, there were two people in the water when the first responder arrived 76 minutes later. There were 18 people on the helicopter when it ditched. I suppose if it had been a more successful ditching, we would have had 18 people in the water.

Leaving aside the first responder, what's the importance of the second responder? What issues are related to the second responder? In this case DND has responsibility. What do you have to say about that?

● (1510)

Hon. Robert Wells: You mentioned a ditching. I see it as a crash.

Mr. Jack Harris: This one was a crash, yes.

Hon. Robert Wells: They lost control, whereas a ditching, to my mind, is a controlled alighting or landing on the water, which is not such a shock. This helicopter hit hard, and pieces came off everywhere, as we know. That's one aspect of it.

The difficulty is that helicopters in oceans usually turn over, and they turn over very rapidly, so a lot of training goes into survival, because if you are not trained in getting out of the helicopter, you're going to drown. If you have gone through the training—especially if you're physically fit, mentally strong, don't panic, know what to do, and have a plan as the ditching begins to take place—you have a much better chance of getting out of the helicopter.

To the best of my knowledge, most people involved in helicopter crashes are not killed in the crash. They drown. However, if they don't drown, they face a further ordeal, especially in our very hostile waters.

Mr. Jack Harris: I think your commission also heard that the survival rate for ditchings at night was considerably lower than for ditchings in the daytime. I don't know if you remember the numbers.

Hon. Robert Wells: If I remember correctly, roughly 50% survive in the daytime—these are figures out of the North Sea, for the most part—but the fatality rate at night is 70%, more or less. That's the difference statistically from the past.

Mr. Jack Harris: So in terms of loss of life, it follows that the faster one can get to these circumstances, the better.

Hon. Robert Wells: I don't think there's any doubt about that. That's what they've done in the North Sea. As Mr. Clay said, for the most part they're at 15 minutes. Also, because of their geographical circumstances, they have very fast boats. I think BP, which we've heard so much about in the Gulf of Mexico, spent £1.3 billion about three to four years ago on fast boats that hang from the side of a mother ship. They can be released and go 30 knots or something. They have medical help, nursing, and all of that on board. When they rescue people in these fast boats, those rescued are considered to be in a place of safety.

They have so much more that has been built up over many years. There's the Royal National Lifeboat Institution. There are very many responders in that area of the North Sea. I don't think we could ever, given our geography, have the kind of coverage they have in the North Sea, so the coverage we have ought to be as quick off the mark as possible.

Mr. Jack Harris: Thank you, Commissioner.

Mr. Clay, I noticed that you were reading from a document. I don't know if you have a written report that you might be able to submit to us afterwards, but if you can do that, it would be appreciated. I know you were cut short in terms of trying to give us the details of these operations.

You talked about the United Kingdom having a 15-minute response time from 0800 to 2200, which is ten o'clock at night. It's 45 minutes thereafter. A report done for the defence department shows that incidents are actually time sensitive. In fact, the 2004 report I have here says that with our 30-minute standby time from 8:00 a.m. to 4:00 p.m., and two hours, the number of incidents that occur during that period from Monday to Friday, which is our coverage, is 17%, but if you increase that to, let's say, the time we're talking about in the U.K.—from 0800 to 2200—in fact 74% of the incidents would be covered. In this case, the example given is seven days a week and 16 hours of coverage from 8:00 a.m. until midnight.

Did you get that kind of analysis in other countries, or is that something that is too detailed for you to talk about? I do see that you talk about evenings in some cases, and night and day. Are there stretches of time? Can you give us more detail?

● (1515)

Mr. Paul Clay: I think we first have to clear up that there are different types of responses in different countries. In the U.K., there are four levels of response.

Her Majesty's Coastguard has the primary responsibility for all search and rescue, much the same as the Department of National Defence here in Canada. They have a response time of 15 minutes. The Royal Air Force also has four search and rescue aircraft, which are helicopters. They also have a response time of 15 minutes. They respond in a different way in different hours under different circumstances, and they are in different locations.

Then the oil companies, as Mr. Wells has already explained, have what they call Project Jigsaw, which is composed of dedicated search and rescue helicopters and extremely fast vessels that are the primary search and rescue means in the North Sea now. In fact, the helicopters are now the secondary means of search and rescue for the oil companies. The vessel that gets lowered, the fast rescue craft, is the primary means.

To answer your question, there is no simple answer to your question. It varies. There is no doubt that the quicker the response in the evening, the better, no matter where you are in the world.

The Chair: Thank you very much.

I have to give the floor to Mr. Payne for seven minutes.

Thank you very much.

I have to give the floor to Mr. Payne for seven minutes.

Mr. LaVar Payne (Medicine Hat, CPC): Thank you, Mr. Chairman.

I'd like to thank the panel for appearing today. It's a very important issue that we are talking about.

I certainly appreciate the work you have done on the commission, Mr. Wells. During your remarks, I was interested to hear you talk about training. I come from a petrochemical industry background, and training was of the utmost priority, particularly around safety, first aid, and responsible care practices.

I saw our industry as the primary responder to be able to meet those requirements in terms of emergency response, even including fires at our facility, so I would like to get your take on who has the responsibility in terms of the training. In particular, we're talking about the helicopter you mentioned and its passengers. Could you could elaborate on that point? Who has that responsibility?

Hon. Robert Wells: The primary responsibility in this jurisdiction is that of the oil operators. The training is done in two places. The great majority of training is done in a place called Foxtrap, near St. John's, and it is under the aegis of the marine sciences department of the university. The training takes place there.

I did that training, which was very instructive, and Ms. Fagan did it also. The training is demanding, and it gives people like ourselves a grasp of what's involved. It's not easy.

There is training done in Halifax by a private company called Survival Systems, but most of the training is done here in Newfoundland. It's done every three years. You update every three years. When I was in the North Sea, I was interested to find that their training is every four years. Our experts pretty well all said it should be more frequent even than two years, but you have to be careful because you don't want to cause injury to the trainees, so you walk a fine line. You don't want to drown anybody or anything like that, and you don't want to put them into water that is too cold, because somebody who may not be strong or who does not have a strong heart may die. There's a fine balance to be achieved, but I think physical fitness, training, and familiarity with water—especially cold water—is a help.

The survivor of the crash that we had, Robert Decker, was a young man of about 26 or 27. He was in good shape. He had been a sailing instructor in small sailing boats for years. He was familiar with tipping over and being under the boat and in cold water. My own opinion, and perhaps the opinion of others also, is that his background helped him, because he didn't panic and lose his head when he found himself in a helicopter that was sinking on its side.

He didn't panic. He was knocked out, shall we say, at the instant, but he came to quite rapidly; the helicopter was sinking because all the windows and doors were knocked aside in the crash, and the water was literally going up through the fuselage of the helicopter and up through the windows on top. It was sinking sideways. He looked up and saw the open window. He didn't panic and he got up to the surface. He is, of course, the only one who did. There was another young lady who was found on the surface, but she was deceased. I don't know any more than that about the circumstances in her case. Perhaps the Transportation Safety Board may.

I think training, fitness, and familiarity with cold water are assets for anybody in a ditched helicopter in our waters.

I was born on the northeast coast of Newfoundland and grew up close to these cold waters. I have some knowledge of cold water. When I say cold, I mean cold. These waters are cold because of the Arctic Labrador current.

● (1520)

Mr. LaVar Payne: I am a Prairie boy, so I don't have that kind of information. From what I've seen and heard, certainly the climate here is devastating to individuals.

I'm assuming that all of those individuals who were on the helicopter were wearing survival suits.

Hon. Robert Wells: Yes, they were properly suited and they had time. You see, after the emergency and the oil pressure dropped, they had about 10 minutes of flying time. They didn't know how long it would be, but they certainly had time to zip up the face seal and prepare for whatever happened. Unfortunately, there was a loss of control and a crash.

Mr. LaVar Payne: Thank you.

Mr. Chairman, I am going to share my time.

The Chair: Yes.

Hon. Laurie Hawn (Edmonton Centre, CPC): Help me to go into crash versus ditch, because I think that is fairly critical. We talked about the percentage of survival in a day ditch versus a night ditch, and that is significant, but we are not talking about a ditching here; we are talking about a crash.

Hon. Robert Wells: This was a crash.

Hon. Laurie Hawn: It was an out-of-control crash. I don't know whether TSB will make a judgment on this, but do you have any opinion on whether this was a survivable crash under normal circumstances?

Hon. Robert Wells: It may make such a determination, but the TSB gave three initial reports very shortly after the crash. They described what happened. There was a loss of control and a crash because the rear rotor became inoperable. The main rotor was operating, but they couldn't control the helicopter because the rear rotor, the steering rotor, was gone.

Hon. Laurie Hawn: Moving forward, that's critical in helping us to say what we should be doing. We need to make sure we are not saying that this was a ditching and was survivable as a normal ditching would be.

Hon. Robert Wells: It's interesting that when Mr. Decker, the survivor, came to and the helicopter was sinking, the only light was the lights on the shoulders of the survival suits of the people in the helicopter, and there was no movement.

● (1525)

Hon. Laurie Hawn: We know what that means.

Thank you.

[*Translation*]

The Chair: Very well.

[*English*]

Thank you.

I'll give the floor to Monsieur LeBlanc.

Hon. Dominic LeBlanc (Beauséjour, Lib.): Thank you.

Commissioner Wells and Mr. Clay, thank you for your presentations. I share the view of my colleagues that it's been very interesting. I'm from New Brunswick, and the regional Atlantic media have shown your commission's deliberations, including the rather dramatic day that the survivor went to testify. That really marked our imagination.

Commissioner Wells, I wonder if you have any simple recommendations on federal government assets that are available in search and rescue. Obviously the helicopters or the aircraft are key parts of this. This morning we had an interesting discussion with the coast guard. They have a critical role as well. Could you offer a wish list to this committee or to the Government of Canada of the changes that could be made to improve what I think is a phenomenal service already? The brave men and women in that service do phenomenal work.

It comes down to resources. I acknowledge that from the outset. If there were additional resources that could be found or changes that could be made, how would you go about improving this outstanding service? Take the discussion of night flight. There is a 30-minute standby that exists in certain air assets during the day. Maybe you could just flip that around. If the risk at night is so much higher, why wouldn't you have a 30-minute standby from 10:00 p.m. until 6:00 a.m., and then have a two-hour standby during the day? For a whole bunch of logistical and resource reasons, that's not simple, but what kind of things like that might you suggest?

Hon. Robert Wells: The question you're asking goes to the heart of what I'm not supposed to be talking about, which is the response of DND, or at least where it puts its—

Hon. Dominic LeBlanc: If I were to retain you, it would be a privilege to be able to offer a privileged opinion.

Hon. Robert Wells: The best I can say in cases of offshore helicopters going down or ditching is that if some people would be expected to live, speed is the important thing.

Hon. Dominic LeBlanc: You mean the time it takes to get on site.

Hon. Robert Wells: I mean speed of rescue.

Hon. Dominic LeBlanc: Every minute counts.

Hon. Robert Wells: If I may take a moment, there's interesting work being done by the National Research Council here in St. John's. They are testing. Since my report, Ms. Fagan and I and Mr. Roil have actually been in to see what they're doing. They are finding that wave and wind action reduces the efficiency of the suits. That is, if you are in still water, even though it may be cold, it is one thing, but wave and wind action makes it much more difficult to withstand the cold.

They test people in three-hour stints. They have moving water in their pool, and wind action. These are young people. They don't come to people my age and ask if we would like to participate. These are young people, and a lot of them cannot stay in these conditions for three hours even in a good immersion suit. They just have to come out. They're blue with the cold and shivering violently.

So conditions offshore are important, and so is speed.

Hon. Dominic LeBlanc: Thank you.

Mr. Clay, perhaps you don't have the restrictions that Commissioner Wells does; you might just offer us suggestions of what the Government of Canada could do to improve.

Mr. Paul Clay: From my perspective, it's simple. The intention of search and rescue times is to save lives, and the intention of those resources is to save lives.

Canada's two-hour response is the longest in the world, as far as I know. In my opinion, it is grossly where it shouldn't be. We should lower those times. Irrespective of the cost or the resources required, we should lower those times and provide a rapid response, irrespective of whether they have to go offshore or onshore.

I also believe there is a case to be made for not necessarily eliminating resources in Gander, but having another resource located in St. John's. That would be my opinion.

● (1530)

Hon. Dominic LeBlanc: Thank you.

[*Translation*]

The Chair: Thank you very much.

I will now turn the floor over to Ms. Gallant.

[*English*]

You have five minutes.

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Thank you, Mr. Chairman.

My first question goes to Mr. Clay. Do you keep a crew at the ready 24/7, 365 days a year? Is that what you do? Do you keep a crew ready 24/7?

Mr. Paul Clay: No, we're an emergency preparedness company. We write emergency response plans for our clients—the oil and gas industry, the marine industry, the aviation industry, etc.—with regard to how they plan to manage their emergencies offshore, at sea, on board ship, and on land. That's what we do. We don't respond physically to the emergency; we plan for the response.

Mrs. Cheryl Gallant: You plan for the response.

Then, Mr. Wells, if we have a dedicated chopper provided by the oil company, what number of crews do they have to have ready to respond for the different shifts during the day?

Hon. Robert Wells: They have to have pilots, of course—two pilots. They have to have at least three rescue specialists, as they call them in the private sector. They don't call them SAR techs, but they are the same people, and most of them were trained by the military. They leave the military in due course and go into the private world.

You'd have to have two shifts, and if it's around the clock, you'd have to have at least three shifts. Of course, it does become expensive.

Mrs. Cheryl Gallant: So you'd have to have three shifts—

Hon. Robert Wells: And you'd have to have living quarters out there. They'd have to be housed, to put it that way, at the hangar. If you're going to have a short response time, you can't drive two or three miles or kilometres from home, or that sort of thing.

Mrs. Cheryl Gallant: In other countries, some of the oil rigs have a chopper on site, on the platform. Is this a recommendation you've made as well?

Hon. Robert Wells: No, I didn't make that recommendation, because as yet Canada's offshore is quite small and I didn't feel that would be sensible. What I did say is that if the industry expands here on the east coast, the time will come when the C-NLOPB and the oil operators ought to begin thinking in terms of stationing a helicopter offshore.

The current installations offshore would not be able to accommodate a search and rescue helicopter as things stand now. That's my information.

Mrs. Cheryl Gallant: We have had the same type of briefing information come from the military side. They have said that they need three crews—actually, three choppers—situated in this circumstance in Gander, two under maintenance and one at the ready, just to have one response ready at any point in time, and it sounds as if the same is true for the dedicated chopper for the oil rigs.

Hon. Robert Wells: Just to fill you in, all through my working life I thought helicopters required two hours of maintenance for each hour in the air, but these heavy lift helicopters require three hours of maintenance for every hour in the air.

Mrs. Cheryl Gallant: What we've been told is that now it's up to 30 hours of maintenance per hour in the air, and that's collective—

Hon. Robert Wells: Oh, collectively, yes.

Mrs. Cheryl Gallant: So it does take three choppers to keep one in the air. It sounds almost that....

Also, we know that the private sector poaches employees from DND.

Hon. Robert Wells: Yes, I've heard.

Mrs. Cheryl Gallant: So we're almost working at cross-purposes, instead of augmenting one another in the way that's being proposed on the west coast. Rather than being in competition, we could be complementing one another.

Have there been any actions or even discussions on pooling resources, as opposed to working at odds with one another in some situations?

Hon. Robert Wells: There hasn't been one on pooling resources, but when, during this commission, the issue of a closer liaison between DND and the oil operators' helicopter operator and first response provider came up, I recommended a formal protocol if DND was prepared to enter into one, and I think there can be closer cooperation.

I'll tell you a little anecdote that came up as surprise to me, but a very happy surprise. I spoke to the International Regulators Offshore Safety conference in Vancouver back in the fall, and I was talking to an industry representative from Nova Scotia. He told me that after my letters to Mr. Ruelokke on improving the response time and the dedicated helicopter went around the industry—in this area, at any rate—they began to think about it. Whereas they had flown without reference to DND, after the letter they started thinking about it.

They only have one helicopter in their fleet in Nova Scotia. They worked out an informal system whereby, if they are going to fly, they first get in touch with DND. They tell them they want to fly today, tomorrow, or whatever, and they ask them what resources they have. I was told—and this person was in a position to know—that if DND does not have the resources available, they don't fly. However, DND is alerted that they're going to fly, and there's this liaison. Two or three of my recommendations talk about a closer liaison between DND and the private or oil operators' helicopter operator.

● (1535)

Mrs. Cheryl Gallant: Thank you.

The Chair: Thank you very much.

I want to thank Mr. Rodriguez, Mr. Clay, Ms. Fagan, and the Honourable Mr. Wells for your presence here this afternoon.

We'll have a short *pause pour quatre minutes*, and we'll be back for our other session.

Thank you.

The meeting is adjourned.

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