

CMSG National Office

From: "TSEP-CESNC" <tsep-cesnc@tc.gc.ca>
To: "CMSG National Office" <cmstgott@on.aibn.com>
Cc: "Rampersad, Sita" <sita.rampersad@tc.gc.ca>
Sent: June 14, 2013 3:36 PM
Subject: RE: CMSG Submission to Tanker Safety Expert Panel
Dear Mr. Boucher,

Thank you for your submission to the Tanker Safety Expert Panel. We are very interested in your views and appreciate that you took the time to send us your comments. Your submission will be considered carefully as we prepare our report.

As indicated on the Panel's website (<http://www.tc.gc.ca/eng/tankersafetyexpertpanel/menu.htm>), all submissions received by the Panel and all information contained therein, other than private information or information identified by the originator as commercially sensitive, will be published, as they are received, on the Panel's website, unless you clearly indicate that your submission should not be published. Please contact us within the next five (5) business days if your submission contains such material or if you do not want your submission posted.

All submissions are subject to the Access to Information and Privacy Acts.

Thank you again for your interest in the work being undertaken by the Tanker Safety Expert Panel.

Yours truly,

Captain Gordon Houston
Chair, Tanker Safety Expert Panel

From: CMSG National Office [mailto:cmstgott@on.aibn.com]
Sent: June 14, 2013 2:23 PM
To: TSEP-CESNC
Subject: CMSG Submission to Tanker Safety Expert Panel

Attached is the Canadian Merchant Service Guild's submission to the Tanker Safety Expert Panel.

When you have an opportunity, please acknowledge that this document has been received.

Thank-you,

Mark Boucher
National President
Canadian Merchant Service Guild
613-727-9531



The Canadian Merchant Service Guild

A NATIONAL ASSOCIATION OF MASTERS - MATES - PILOTS - ENGINEERS AND OTHER MARINE OFFICERS

La Guilde de la Marine Marchande du Canada

INCORPORATED 1919

ASSOCIATION NATIONALE DES CAPITAINES - OFFICIERS DE PONT - PILOTES - MÉCANICIENS ET AUTRES OFFICIERS MARINS

AFFILIATED WITH / AFFILIÉE À

INTERNATIONAL MARITIME PILOTS' ASSOCIATION - INTERNATIONAL TRANSPORT WORKERS' FEDERATION - NATIONAL JOINT COUNCIL OF CANADA

ASSOCIATION INTERNATIONALE DES PILOTES MARITIMES - FÉDÉRATION INTERNATIONALE DES OUVRIERS DU TRANSPORT - CONSEIL NATIONAL MIXTE DU CANADA

OTTAWA - VANCOUVER - THOROLD - QUÉBEC - DARTMOUTH - ST. JOHN'S

14 June, 2013

The Canadian Merchant Service Guild is pleased to have this opportunity to present three recommendations to Canada's Tanker Safety Expert Panel.

Executive Summary

Recommendation 1:

That the importance of the continued requirement for certificated engine-room personnel onboard tugs that assist oil tankers be recognized and that these engineering manning standards not be reduced on any tug that is assisting an oil tanker while connected with a line of any kind.

Recommendation 2:

As a precaution against inevitable unforeseen circumstances affecting tugs and tug crews, an assessment should be made of the advisability of requiring a standard safe manning level of not less than three qualified persons as the minimum total complement onboard tugs that assist oil tankers.

Recommendation 3:

To develop a national strategy to recognize the importance of giving a priority to the employment of Canadians on tankers carrying oil export resources out of this country by requiring that these products be transported aboard Canadian-flagged vessels.

The Canadian Merchant Service Guild (“the Guild”) was incorporated by an Act of Parliament in 1919 to represent the interests of Canadian ships’ officers and marine pilots. The Guild has Western and Eastern Branches, which together today are comprised of over 4000 members in Canada. Guild members are employed on board oil tankers, tugs, ice-breakers, passenger & vehicle ferries, offshore-supply vessels, bulk carriers, and all manner of ships operated in this country. The Guild advocates for effective safety measures and improved efficiencies in the marine industry that contribute to sustainability while maintaining the proven track record of safe operations and the protection of the environment by Canadian seafarers.

The Guild appreciates this opportunity to present a submission to the Tanker Safety Expert Panel and we are pleased to see initiatives that pay keen attention to the activities of oil tankers, the protection of the marine environment and the prevention of oil pollution. We wish to emphasize that the Guild puts its full support behind initiatives that will prevent pollution and has always encouraged the introduction of reliable measures to ensure safety and protect the marine environment. This submission will concentrate on three important factors that in our view would contribute to a robust oil tanker safety regime.

Recommendation 1:

That the importance of the continued requirement for certificated engine-room personnel onboard tugs that assist oil tankers be recognized and that these engineering manning standards not be reduced on any tug that is assisting an oil tanker while connected with a line of any kind.

The Guild submits that there is a need to ensure standards are maintained to require that tugs that assist tankers have qualified engineering personnel onboard. The definition of a “tug” is found in the “Marine Personnel Regulations” of the *Canada Shipping Act 2001*, as is the definition of an “oil tanker”. Distinctions that are made between tugs “escorting tankers” and tugs “berthing tankers” are sometimes unclear and not helpful. It is our position that it should not matter whether a tug assisting a tanker is escorting, berthing, un-berthing, towing or pushing. In all circumstances, special attention should be given to tugs assisting oil tankers. While we recognize that all ships are important and many carry hazardous cargo and bunker fuel and hydraulic oil and lube oil, we also recognize the reality that oil tankers attract extra precautions.

Some (but not all) of the tugs engaged in this important activity of assisting oil tankers are ultra-modern with sophisticated equipment and advanced engineering. The introduction of these new vessels has led to remarkable and ever-increasing capabilities and expectations for tugs under 100 feet in length. These advances have been accompanied by increased strain on towlines, heavier duty line-handling equipment, higher bollard-pull ratings and significant increases in engine horsepower.

The Guild has observed that this use of modern machinery equipment on tugs has in some quarters had a tendency to attract a keen interest in exploring opportunities for a reduction in the requirement for certified, skilled engineering personnel to operate this modern equipment. This is occurring at the same time that the Canadian Coast Guard and other organizations have introduced high-tech electronic developments to enable ever-larger and deeper-draft ships to operate safely in Canadian waterways. These increasingly larger vessels often rely on the use of tugs to manoeuvre safely.

When a tug is assisting an oil tanker, there are many stakeholders who are depending on a tug's engineering machinery to be available or kept operating at high levels of bollard-pull / engine load for an extended period of time in order to assist the tanker in maneuvering safely. A tug engaged in assisting a large oil tanker in a close-quarters situation needs to remain fully-operational in order to be useful. Having properly trained and certified engineering personnel onboard contributes to the tug remaining operational and being able to continue to assist the tanker to manoeuvre safely, day and night, often in inclement weather conditions.

In some cases, to determine vessel safe-manning requirements, it is understandable that regulatory regimes tend to pay closer attention to the type of voyage or size of a vessel or tonnage rather than the vessel's horsepower or the type of activity that the vessel is engaged in. However, there are significant differences between the work being performed by vessels of similar size and the Guild takes the position that a tug assisting a tanker be given special attention. A mechanical problem aboard a tug assisting a tanker requires immediate attention by the personnel aboard the tug. In the event of an unexpected ingress of water or an electrical problem or system failure or an unplanned reduction in propulsion power, releasing a tug to limp back to port to seek shore-side assistance may not be in the best interests of the tanker that is being assisted.

Guild members report that in the event of a failure in the propulsion system of a large modern tug, the primary focus of the design of new equipment is to protect the tug's machinery from catastrophic damage. After a warning alarm is sounded, if the problem is not rectified, the equipment will begin to shut down as a measure of self-preservation. The job of skilled engineering personnel is to quickly assess this type of unpredictable misfortune and to take steps to try to correct the situation prior to the automatic shutdown of the plant and to prevent an unplanned reduction in the effectiveness of the tug in assisting the large ship that is being manoeuvred.

Certificated Engineering personnel have accredited skills, expertise and knowledge assessed by Transport Canada in order to be eligible to be assigned as a crew member on these vessels. Even the tugs that for the time-being are new, modern and very reliable will be subject to normal wear-and-tear. The interest in some quarters to reduce the requirement for certified engineering personnel on tugs assisting tankers needs to be resisted by Transport Canada in the interest of safety and protection of the environment.

Recommendation 2:

As a precaution against inevitable unforeseen circumstances affecting tugs and tug crews, an assessment should be made of the advisability of requiring a standard safe manning level of not less than three qualified persons as the minimum total complement onboard tugs that assist oil tankers.

The Guild recommends the introduction of a requirement for a minimum of a 3-man crew on any tug that is assisting an oil tanker while connected with a line. Guild members report the importance of having at least 3 qualified persons manning any tug that is assisting an oil tanker while connected with a line, because when things go wrong on the tug (as they will) then having only the Master and one other person onboard alone is not sufficient to deal with an emergency on the tug and also continue to be of use to assist the oil tanker at the same time.

The assessment of crew complement needs to consider realistic risks such as a tow-line breaking, a fire or flood, mechanical problems, an unexpected medical/health problem or injury, or other events that cannot be planned for or anticipated, and the potential effect of such an event on the tanker that is being assisted by the tug. The Guild contends that in the event of a problem on the tug, having at least 3 persons onboard the tug will contribute to the safety of the tanker that is being assisted.

Companies that operate tugs should be able to rely on a regulatory regime that is objective and consistent and that provides a level playing-field between different operators. We suggest that an assessment be done to examine the risks that exist when utilizing 2-man tugs to assist in the manoeuvring of oil tankers. Instead of relying on a company's prudent judgement when determining the manning level of their tugs, we suggest that it would be preferable to see this matter addressed by way of consistent proscriptive policies and regulations in order to avoid a preventable mishap that in our view may have potential to cause wide-ranging hardship and destruction.

Recommendation 3:

To develop a national strategy to recognize the importance of giving a priority to the employment of Canadians on tankers carrying oil export resources out of this country by requiring that these products be transported aboard Canadian-flagged vessels.

The Guild recommends that the Government of Canada introduce legislation to require that the ships that carry crude oil resources out of this country, should be Canadian-flagged and crewed by Canadians. It is not difficult to recognize that this is an ambitious proposal. Currently, oil tankers operating in Canada are not required to be Canadian-flagged or employ Canadian crewmembers unless the vessel is trading between two Canadian ports.

Our position is that Canadian companies and Canadian seafarers are bound to have a larger stake in the matter of the protection of the Canadian marine environment onboard vessels that they are operating themselves. Canadian seafarers and Canadian companies already have a very strong track record for safely operating large crude oil tankers and bulk carriers off our East Coast under the most demanding conditions. There is also a recent resurgence in Canada of newly-built Canadian-flagged bulk cargo vessels operated by Guild members to replace older vessels being phased out. A key ingredient of this encouraging development was the federal government's removal of the 25% tariff on foreign-built cargo ships. This same reduction in tariffs also applies to oil tankers.

In the event that crude oil exports out of Canada expand, there will be good, long-term, highly-skilled jobs for seafarers. The position of the Guild is that that these jobs involve significant environmental risks and challenges and that it is in the public interest for this work to be performed by Canadians who will have more of a stake in the safety of the operation and protection of the environment and more of a vested interest than foreign companies will have. In our view, mandating that these ships be Canadian-flagged and Canadian-crewed will contribute to security and safety.

We appreciate the opportunity afforded to the Guild to provide input into this important matter and are available in the event that further information is required. As requested in the submission instructions, the Guild hereby gives consent to have this document made public and posted on the Panel's website.

Respectfully submitted,

Mark Boucher
National President
Canadian Merchant Service Guild