June 4, 2018

Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: SNL-045-2018]

On May 8, 2018, Service NL received your request for access to the following records/information:

“All occupational health and safety directives and stop work orders for Newdock/ St. John’s Dockyard from January 1 2009-December 2015”

I hereby inform you that a decision has been made by Service NL to provide access to the requested information for stop work orders for Newdock from January 1, 2009 to December 2015. Safety directives issued for Newdock during those dates were previously provided to you in ATIPP request file SNL-040-2018. Access to specific text contained within the records, that would reveal personal information if identifiable individuals if provided, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

Section 40(1): “The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party’s personal privacy.”

In accordance with your request for a copy of the records, the appropriate copies have been enclosed. As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal. The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500
You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact me by telephone at 709-729-7437 or by email at ellenhaskell@gov.nl.ca.

Sincerely,

[Signature]

ELLEN HASKELL
ATIPP Coordinator

Enclosures
Access or correction complaint (Section 42)

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days
   a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
   b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to
   a) a request that is disregarded under section 21;
   b) a decision respecting an extension of time under section 23;
   c) a variation of a procedure under section 24; or
   d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant (Section 52)

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days
   a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45 (2).
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch

(COPY)

Toll Free: 1-800-563-5471
Accident Reporting: 729-4444

INSPECTION / OFFICER'S REPORT

Reference #: 0830199
Inspection: AUG 1, 2011
MAY 10, 2018

NEWDOCK ST. JOHN'S DOCKYARD LTD.
475 WATER STREET
ST JOHNS
NL
A1E-6B5

Firm #: 260015
WCC #: 1011570
Tel: 709-758-6800
Fax: 709-758-6826

Worksite: NEWDOCK
Location: WATER ST. ST. JOHN'S
Employer Co-Chair:
Employee Co-Chair: [Redacted]
Worker Rep/Designate: N/A

Employees:
NIC: 3271
Insp. Time: 10:30AM

REPORT:

Section 40(1)

On August 1, 2011 Industrial Hygienist Dawn Higgins and Occupational Health and Safety Officer Ed Wade performed an inspection at NewDock in St. John's, NL. During this inspection officers met with [Redacted] to discuss various operations at the facility and the controls that are currently in place. Following this meeting a walk through of the facility was performed and the following details have been noted:

Respiratory protection is being utilized by workers at this facility. There is currently no respiratory protection program in place and workers have not been fit tested since 2001. Orders issued.

Workers at NewDock have been identified as having noise induced hearing loss. There is currently no hearing conservation program in place at this facility. Orders issued.

Spray Painting is being performed in the North Side Shops and outdoors. There is a spray painting booth located in the facility however, it has not been assessed to ensure ventilation meets the American Conference of Governmental Industrial Hygienists (ACGIH) requirements. In addition workers wear full face air purifying respirators when working in this area. Depending on the work that is being performed and the airborne levels this may not provide sufficient protection.

Paints containing isocyanates were identified during this inspection. Isocyanates are sensitizers and must be used in accordance with these regulations. Orders issued.

Sandblasting activities are being performed at NewDock [Redacted] indicated that this is typically done to remove rust from metal. However, it is also utilized to remove paint from various ship components. The blasting booth ventilation has not been assessed to determine if it meets the ACGIH requirements. Orders issued.

Various types of welding and machining are being performed in the North Side Shops. There is general and local exhaust ventilation in these areas however, it has not been assessed to determine if it is adequate for the operations being performed. Orders issued.

Workers are currently melting lead babbitts to make bearings at this facility. The babbitts used are Harris Heavy type and contain 74.85% lead. Workers currently have no procedures or precautions in place for this work. Orders issued.

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
Propane and diesel forklifts are being utilized and have not been having regular emissions testing performed. Order issued.

The chemical storage room is not ventilated. This area shall be assessed in accordance with the MSDS for the products stored to determine if the storage area is adequate. Orders issued.

It is also noted that NewDock has been actively enforcing the Smoke Free Workplace Regulations.

See attached Orders.

Received By: 
Position: 
Officer's Name: Higgins, Dawn
Wade, Ed

Date: MAY 10, 2018
Time: 3:12 PM

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
TOLL FREE: 1-800-563-5471

NEWDOCK ST. JOHN'S DOCKYARD LTD.
475 WATER STREET
ST JOHNS
NL

ORDER FORM

Firm #: 260015
WCC #: 1011570
Tel: 709-758-6800
Fax: 709-758-6826

A1E-6B5

TAKE NOTICE THAT YOU ARE TO COMPLY WITH THE FOLLOWING ORDER(S) ISSUED UNDER AUTHORITY OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, REVISED STATUTES OF NEWFOUNDLAND AND LABRADOR 1990, CHAPTER 0-3 AS AMENDED AND REGULATIONS PASSED PURSUANT THERETO.

ORDER: 0830199

ACT: Occupational Health and Safety
27 - 1 a - Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace, and

REGULATION: Part VII - Personal Protective Equipment
83 - Respiratory protection program

Where required, an employer shall establish, implement and maintain, and revise where necessary, a written respiratory protection program in accordance with CSA Standard Z94.4 "Selection, Use and Care of Respirators".

TO WIT:

Any person required to wear a tight fitting respirator shall not perform his/her duties until they have been qualitatively or quantitatively fit tested for the make, model and size of respirator they are using. Fit test records shall be submitted to this Division upon completion.

This Order shall be carried out on or before: AUG 8, 2011

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR  
Service Newfoundland and Labrador  
Occupational Health and Safety Inspections Branch  
(COPY)

Toll Free: 1-800-563-5471
Reference #: 0830199
AUG 1, 2011

ORDER FORM

YOU ARE TO NOTIFY THE INSPECTOR IN WRITING UPON COMPLIANCE.  
FAILURE TO COMPLY WITH THE ABOVE ORDER(S) IS AN OFFENCE UNDER SECTION 67 OF  
THE OCCUPATIONAL HEALTH AND SAFETY ACT, RSNL 1990, CHAPTER 0-3 AS AMENDED.  
AN ORDER MADE BY AN OFFICER MAY BE APPEALED, IN WRITING, TO THE ASSISTANT  
DEPUTY MINISTER WITHIN 7 DAYS OF THE ORDER.

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<thead>
<tr>
<th>Received By:</th>
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<tr>
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<td>P.O. Box 8700</td>
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<tr>
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<td>St. John’s, NL, A1B 4J6</td>
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<tr>
<td>Position:</td>
<td>Fax: (709) 729-3445</td>
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<tr>
<td>Officer’s Name:</td>
<td>Date: MAY 10, 2018</td>
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<td></td>
<td>Time: 3:13PM</td>
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<tr>
<td>Higgins, Dawn</td>
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A copy of this inspection/order report must be provided at the earliest possible opportunity  
to your OHS Committee, Worker Representative or Workplace Designate.

SNL-045-2018
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR  
Service Newfoundland and Labrador  
Occupational Health and Safety Inspections Branch  

(COPY)  

Toll Free: 1-800-563-5471  
Accident Reporting: 729-4444  

INSPECTION / OFFICER'S REPORT  

NEWDOCK ST. JOHN’S DOCKYARD LTD.  
475 WATER STREET  
ST JOHNS  
NL  

A1E-6B5  

Worksite: NEWDOCK  
Location: WATER ST. ST. JOHN’S  
Employee Co-Chair:  
Employee Co-Chair:  
Worker Rep/Designate: N/A  

Firm #: 260015  
WCC #: 1011570  
Tel: 709-758-6800  
Fax: 709-758-6826  

Employees:  
NIC: 3271  
Insp. Time: 8:55AM  

REPORT:  
I arrived on site August-23, 2011 with Officer Dawn Higgins, Industrial Hygienist and Reg Bennett, Director of Occupational Health & Safety to observe confine space entry. Met with [REDACTED] and proceeded to the engine room of the Placentia Pride where confine space entry was scheduled. Officer Higgins along with Mr. Bennett questioned the procedures for the confine space entry. Based upon the procedures observed and the documentation previously submitted to this Division a Stop Work Order has been issued for all Confined Space Entry for NewDock employees unless approval has been given in writing by this Division.  

In the engine room there were several workers who were not wearing appropriate personal protective equipment. We left the Placentia pride and completed a walk through of the yard and the OSO Division/ north side shop and the following safety deficiencies were identified:  

- In the yard we observed a number of JLG man lifts with the controls not properly marked,  
- we observed workers working on the edge of the Gallipoli cleaning sand blasting material from the deck with out any form of fall protection in place, workers were advised twice during this inspection about wearing fall protection when working near the edge of the boat,  
- we inspected the chain hoist locker, some of the chain hoist were numbered for inspection purposes, there were a number of them that had the safety latch missing or not properly functioning,  
- there was a Thomas 255 two speed bob cat that had the front door missing,  
- there are a large number of electrical extension cords being used outside, electrical extension cords must be plugged into GFI outlets,  
- in the north side shop in the area of the water table there was a scrap box in need of repair, missing a lifting hook/ positioning hook. It is the responsibility of the employer when constructing boxes and installing lifting hooks that they determine the lifting load limit as determined by a professional engineer,  
- in the sand blasting booth there was a glass light panel that was broken,  
- out side the Gallipoli there was a paint pump that was not grounded,  
- we returned to the engine room of the Placentia Pride to ensure that workers were wearing appropriate personal protective equipment. Upon entering there was a worker standing on a rail welding with out fall protection, there was a fire extinguisher left in the engine room that had been discharged, it was questionable if the fire watch was adequate and there was a worker in a confine space/ bellows with out a confine space attendant.  

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch

(COPY)

Toll Free: 1-800-563-5471
Accident Reporting: 729-4444

INSPECTION / OFFICER'S REPORT

Reference #: 0711114
Inspection: AUG 23, 2011
MAY 10, 2018

Please note that authorization has been given to NewDock to perform limited confined space duties on the Placentia Pride. This is strictly limited to grinding in the forepeak under ventilation and respiratory protection. Entry to the freshwater/void to remove any remaining materials prior to filling and chlorinating tank. Entry into the Box Cooler void to weld a bracket and replace a rusted bracket and pull cables. This shall be ventilated and respiratory protection shall be worn.

Directives issued

Received By: ____________________________________________

Position: ____________________________________________

Date: MAY 10, 2018
Time: 3:30PM

Officer's Name: _______________________________________

Wade, Ed

Higgins, Dawn

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
ORDER FORM

NEWDOCK ST. JOHN'S DOCKYARD LTD.
475 WATER STREET
ST JOHNS
NL

A1E-6B5

Firm # : 260015
WCC # : 1011570
Tel : 709-758-6800
Fax : 709-758-6826

TAKE NOTICE THAT YOU ARE TO COMPLY WITH THE FOLLOWING ORDER(S) ISSUED UNDER AUTHORITY OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, REVISED STATUTES OF NEWFOUNDLAND AND LABRADOR 1990, CHAPTER 0-3 AS AMENDED AND REGULATIONS PASSED PURSUANT THERETO.

ORDER: 0711114

ACT: Occupational Health and Safety
27 - 1a -Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

REGULATION: Part XXVII - Confined Space Entry
512 2-a Corrective precautions

An employer shall ensure that a worker does not enter a confined space until an adequate assessment of the hazards related to the confined space has been carried out;

TO WIT:

No confined space entry shall be performed until an adequate hazard assessment has been performed by a qualified individual. Hazard assessments shall be submitted to this Division upon completion.

This Order shall be carried out on or before: AUG 23, 2011

ORDER: 0711114

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch
(COPY)

ORDER FORM

Reference #: 0711114
AUG 23,2011

Toll Free: 1-800-563-5471

ACT: Occupational Health and Safety
27 - 1a - Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

REGULATION: Part XXVII - Confined Space Entry
512 1- Corrective precautions

Upon first entering a confined space, a worker shall assume the space is hazardous until the contrary is demonstrated.

TO WIT:

No worker shall enter a confined space which may contain a hazardous atmosphere until adequate sampling by a competent person demonstrates it is safe for entry.

This Order shall be carried out on or before: AUG 23,2011

ORDER: 0711114 04

ACT: Occupational Health and Safety
27 - 1a - Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

REGULATION: Part XXVII - Confined Space Entry
512 2-e Corrective precautions

An employer shall ensure that a worker does not enter a confined space until a written work permit documenting the tests and safety precautions has been completed; and

TO WIT:

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
A stop work order has been issued until the confined space entry permits have been reviewed and edited to reflect all required information. This shall include, but is not limited to, length of permit (should not extend beyond one shift), Date, Time in and expiry, purpose of entry, name of authorized entrants, name of standby, location and description of space, signature of supervisor, limitations on permit, ventilation requirements including cfm and ach, calibration info for gas monitors, serial number of monitor, calibration completed by, workers in confined space (time in and out) PPE required, control measures and emergency contact info.

This Order shall be carried out on or before: AUG 23,2011

ORDER: 0711114   05

ACT: Occupational Health and Safety
27 - 1a -Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

REGULATION: Part XXVII - Confined Space Entry
512  2-f Corrective precautions

An employer shall ensure that a worker does not enter a confined space until a set of written safe work procedures has been developed and a worker has been instructed in these procedures.

TO WIT:

Safe work procedures shall be developed for any work performed in confined spaces. This shall include but is not limited to, painting, welding, ventilating, atmospheric testing, blasting, inspecting, as well as any other duties that may be performed in a confined space.

This Order shall be carried out on or before: AUG 23,2011

ORDER: 0711114   15

ACT: Occupational Health and Safety
27 - 1a -Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch
(COPY)

ORDER FORM

Toll Free: 1-800-563-5471

Reference #: 0711114
AUG 23, 2011

risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

REGULATION: Part XII - Powered Mobile Equipment
251 - Operation and maintenance

Mobile equipment shall be maintained in safe operating condition and operation, inspection, repair, maintenance and modification shall be carried out in accordance with the manufacturer’s instructions or, in the absence of instructions, as approved by a registered professional engineer.

TO WIT:

The employer shall ensure that the Thomas 255 Two Speed bob cat door is replaced prior to use.

This Order shall be carried out on or before: AUG 23, 2011

ORDER: 0711114 16

ACT: Occupational Health and Safety
27 - 1a - Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

REGULATION: Part XIV - Cranes, Hoists & Other Lifting Equipment
288 - a Cranes, derricks and hoists

Except as otherwise provided in these regulations, a crane, derrick, hoist and similar equipment shall be designed, constructed, erected, maintained, operated, inspected, disassembled and modified as specified by the manufacturer to meet the requirements of the applicable CSA standard;

TO WIT:

All chain hoist shall be inspected and repaired before use. Documentation shall be submitted to this Division and kept on file at NewDock.

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
ORDER FORM

This Order shall be carried out on or before: AUG 23, 2011

ORDER: 0711114   - 20

ACT: Occupational Health and Safety
27 - 1a - Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

REGULATION: Part X - Fall Protection
141 - a& d h General requirements

Where a worker is exposed to the hazard of falling from a work area that is 3 metres or more above the nearest safe surface or water; the employer shall ensure that

(d) the worker is provided with a fall arrest system that meets the requirements of section 142;

(e) a guardrail that meets the requirements of section 28 is constructed or installed at the work area;

(f) a personnel safety net that meets the requirements of section 143 is installed at the work area;

(g) temporary flooring that meets the requirements of section 146 is constructed or installed at the work area; or

(h) the worker is provided with another means of fall protection that provides a level of safety equal to or greater than a fall arrest system that meets the requirements of section 142.

TO WIT:

The employer shall ensure that workers who are required to work at heights must be protected from falling at all times. This must be communicated to all employees and document. A copy of the documentation shall be forwarded to this division.

This Order shall be carried out on or before: AUG 24, 2011

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR  
Service Newfoundland and Labrador  
Occupational Health and Safety Inspections Branch  
(COPY)

ORDER FORM

Toll Free: 1-800-563-5471
Reference #: 0711114  
AUG 23, 2011

ORDER: 0711114  22

ACT: Occupational Health and Safety  
27 - 1a - Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

REGULATION: Part III - General Duties  
18  1 - Safety inspections

Regular inspections of all buildings, excavations, structures, machinery, equipment, work practices and places of employment shall be made by the employer or his or her representative at intervals to ensure that safe working conditions are maintained and that unsafe conditions found as a result of the inspection are remedied without delay.

TO WIT:

A stop work order is being issued on the lifting of all scrap boxes/ dumpster until the lifting attachments have been certified for the load limit and identified on the boxes. The employer shall ensure that all scrap box are repaired. It is the responsibility of the employer when constructing boxes and installing lifting hooks that they determine the loaded and lifting load limit as determined by a professional engineer. Documentation to be forwarded to this division.

This Order shall be carried out on or before: AUG 24, 2011

ORDER: 0711114  30

ACT: Occupational Health and Safety  
27 - 1a - Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch
(COPY)

ORDER FORM

Page: 7 of: 8
Reference #: 0711114
AUG 23, 2011

Toll Free: 1-800-563-5471

REGULATION: Part X - Fall Protection

141 b& d General requirements

Where a worker is exposed to the hazard of falling from a work area that is above a
surface or thing that could cause injury to the worker if the worker were to fall on
the surface or thing; or the employer shall ensure that:

(d) the worker is provided with a fall arrest system that meets the requirements
of section 142;

(e) a guardrail that meets the requirements of section 28 is constructed or
installed at the work area;

(f) a personnel safety net that meets the requirements of section 143 is
installed at the work area;

(g) temporary flooring that meets the requirements of section 146 is
constructed or installed at the work area; or

(h) the worker is provided with another means of fall protection that provides a
level of safety equal to or greater than a fall arrest system that meets the
requirements of section 142.

TO WIT:

In the engine room of the Placentia Pride a worker was standing on a rail with out any form of fall
protection. The employer shall ensure that appropriate work platforms are provided and used by all
workers or other form of fall protection. This must be communicated to all employees and document.
A copy of the documentation shall be forwarded to this division.

This Order shall be carried out on or before: AUG 24, 2011

YOU ARE TO NOTIFY THE INSPECTOR IN WRITING UPON COMPLIANCE.
FAILURE TO COMPLY WITH THE ABOVE ORDER(S) IS AN OFFENCE UNDER SECTION 67 OF
THE OCCUPATIONAL HEALTH AND SAFETY ACT, RSNL 1990, CHAPTER 0-3 AS AMENDED.

AN ORDER MADE BY AN OFFICER MAY BE APPEALED, IN WRITING, TO THE ASSISTANT
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<tr>
<td>Officer's Name:</td>
<td>Fax: (709) 729-3445</td>
</tr>
<tr>
<td></td>
<td>Date: MAY 10, 2018</td>
</tr>
<tr>
<td>Wade, Ed</td>
<td>Time: 3:31PM</td>
</tr>
</tbody>
</table>

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch

(COPY)

Toll Free: 1-800-563-5471
Accident Reporting: 729-4444

NEWDOCK ST. JOHN’S DOCKYARD LTD.
475 WATER STREET
ST JOHNS
NL

SNL-045-2018

Reference #: 0592124
Inspection: MAY 25, 2012
MAY 10, 2018

Firm #: 260015
WCC #: 1011570
Tel : 709-758-6800
Fax : 709-758-6826

Worksite: MV Alex Gordon
Location: Newdock St. John’s NL

Employees: 40
NIC: 3271

Section 40(1)

Insp. Time: 10:00PM

Section 40(1)

REPORT:

Section 40(1)

Arrived on site to conduct an investigation into an accident that occurred aboard the MV Alex Gordon.

I met with Manager and Coordinator.

I was informed that at approximately 20:00 hrs May 25, 2012 two welders were in a confined space namely the # 4 Port water ballast tank. The workers were in the process of doing welding touch ups and removing lugs. At this point a fire broke out in the tank causing extensive smoke to fill the space.

They were both taken to Hospital by ambulance for treatment. It is unknown at this point the extent of their injuries.

A stop work order is here by placed on the # 4 Port water ballast tank until such time it is determined safe to resume work in that space.

As a result of this preliminary investigation Newdock shall submit to this Department a full and comprehensive accident investigation report which will include remedial measures taken to ensure that this type of accident doesn’t reoccur in the future.

Received By: ____________________________ Date: MAY 10, 2018

Position: ____________________________ Time: 3:51PM

Officer’s Name: ____________________________

Kelly, Blaine

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Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch
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ORDER FORM

Toll Free: 1-800-563-5471

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475 WATER STREET
ST JOHNS
NL

Firm #: 260015
WCC #: 1011570
Tel: 709-758-6800
Fax: 709-758-6826

A1E-6B5

TAKE NOTICE THAT YOU ARE TO COMPLY WITH THE FOLLOWING ORDER(S) ISSUED UNDER AUTHORITY OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, REVISED STATUTES OF NEWFOUNDLAND AND LABRADOR 1990, CHAPTER 0-3 AS AMENDED AND REGULATIONS PASSED PURSUANT THERETO.

ORDER: 0592124

ACT: Occupational Health and Safety
27 - 1b - Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the condition at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out before resuming the work, to take the remedial measures specified in the order that are in the opinion of the assistant deputy minister or officer necessary to ensure that the work can be conducted without further risk to the health and safety of the workers or other persons at or near the workplace.

REGULATION: Part XXI - Welding, Burning & Cutting Op
449 4- Gas welding and burning

Before gas-welding or burning equipment is put into use, a worker shall ensure that parts are free from defects, leaks or oil and grease and only standard fittings, designed and manufactured for the specific compressed gas service shall be used.

TO WIT:

The employer shall ensure that all welding hoses and torches are free from defects and are safe to use.

This Order shall be carried out on or before: MAY 26, 2012

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Service Newfoundland and Labrador
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ORDER FORM

YOU ARE TO NOTIFY THE INSPECTOR IN WRITING UPON COMPLIANCE.
FAILURE TO COMPLY WITH THE ABOVE ORDER(S) IS AN OFFENCE UNDER SECTION 67 OF
THE OCCUPATIONAL HEALTH AND SAFETY ACT, RSNL 1990, CHAPTER 0-3 AS AMENDED.

AN ORDER MADE BY AN OFFICER MAY BE APPEALED, IN WRITING, TO THE ASSISTANT
DEPUTY MINISTER WITHIN 7 DAYS OF THE ORDER.

Received By: ___________________________        Received By: ___________________________
Position: _______________________________        Position: _______________________________
Officer's Name: __________________________        Officer's Name: _________________________

Return Address: P.O. Box 8700
St. John's, NL, A1B 4J6
Fax: (709) 729-3445

Date: MAY 10, 2018        Time: 3:51PM

A copy of this inspection/order report must be provided at the earliest possible opportunity
to your OHS Committee, Worker Representative or Workplace Designate.
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch

(COPY)

Reference #: 0630239
Inspection: MAY 29, 2012
MAY 10, 2018

NEWDOCK ST. JOHN'S DOCKYARD LTD.
475 WATER STREET
ST JOHNS
NL

A1E-6B5

Worksite: MV Alex Gordon
Location: Newdock St. John's NL
Employer Co-Chair: [redacted]
Employee Co-Chair: unknown
Worker Rep/Designate: unknown

REPORT:

On Tuesday May 29, 2012 Industrial Hygienist Dawn Higgins along with Officer Blaine Kelly continued
the investigation into the confined space entry fire on board the MV Alex Gordon on May 25, 2012.

During this time Officers from this Division met with [redacted] to discuss the May 25, 2012 events and gather information regarding the accident and the cause.

Resulting from this meeting and observations made at this time the following details were noted

Workers did not appear to have personal gas detectors on them at the time of the accident. The
Confine Space Entry Permit from that night indicates the gas detector in use was the Micro 5- SK308
-002249. It has been confirmed that there was a gas detector at the entrance to the space in Bay 1
however, the workers were working in bay 4 at the time of the incident. There is no records of any
other gas detectors being used for this confined space. The NewDock Confinned Space Entry
Procedure Section 7.1.3 states "Entrants to a confined space must ensure they have a personal
atmospheric monitor to ensure that negative changes in atmospheric levels are detected early and
space evacuated." This is also referenced in Section 4.3 stating "NewDock will ensure that each
authorized entrant is equipped with a personal atmospheric monitor and understands its function."

At the time of the accident [redacted] was unable to communicate with workers to
alert them of the hazard and order evacuation once smoke was noticed escaping from the space.
Under the Newfoundland and Labrador Occupational Health and Safety Regulations 70/09 section
513(3) states "Where a worker is required to enter a confined space his or her employer shall ensure
that an attendant (c) is in continuous communication with the worker using the means of
communication described in the relevant safe work procedure." This is also incorporated into
Newdocks Confined Space Entry Procedure Section 4.2.

During this investigation it was noted that the tubing attached to the extraction fans in Bay 3 of the
confined space were made of flammable materials. Order issued.

During this investigation various Newdock representatives indicated that is common practice to toss
welding rod stubs upon completion of work. Workers indicated that this practice may have contributed
to the fire by providing an ignition source. Section 453(1) of the NL OSH Regs states "Receptacles for

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electrode stubs shall be provided and used."

Due to the number of systems which failed leading up to this accident a Stop Work Order has been issued for all hot work in confined spaces until workers have been retrained and this training has been reviewed by this Division. See attached Order.

Please note additional orders may be issued as this investigation progresses. Please ensure that a copy of this report is provided to the health and safety committee.

Orders attached.

Received By: ____________________________ Date: MAY 10, 2018

Position: ________________________________ Time: 3:51PM

Officer's Name: ____________________________ Higgins, Dawn

______________________________ Kelly, Blaine

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Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch
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ORDER FORM

Toll Free: 1-800-563-5471

NEWDOCK ST. JOHN'S DOCKYARD LTD.
475 WATER STREET
ST JOHNS
NL

Firm #: 260015
WCC #: 1011570
Tel: 709-758-6800
Fax: 709-758-6826

A1E-6B5

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ORDER: 0830239 - 02

ACT: Occupational Health and Safety
27 - 1a - Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

REGULATION: Part XXVII - Confined Space Entry
512 2-d Corrective precautions

An employer shall ensure that a worker does not enter a confined space until the worker is qualified to safely enter and perform duties within the confined space;

TO WIT:

A stop work order has been issued on all hot work in confined spaces until workers have been retrained in confined space entry procedures and the training has been reviewed by this Division.

This Order shall be carried out on or before: MAY 29, 2012

A copy of this inspection/order report must be provided at the earliest possible opportunity to your OHS Committee, Worker Representative or Workplace Designate.
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch

(COPY)

ORDER FORM

Toll Free: 1-800-563-5471
Reference #: 0830239
MAY 29, 2012

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DEPUTY MINISTER WITHIN 7 DAYS OF THE ORDER.

Received By: ___________________________ Return Address:
Position: ___________________________ P.O. Box 8700
Officer’s Name: Higgins, Dawn

St. John’s, NL, A1B 4J6
Fax: (709) 729-3445

Date: MAY 10, 2018
Time: 3:51 PM

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GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch

(COPY)

Toll Free: 1-800-563-5471
Accident Reporting: 729-4444

INSPECTION / OFFICER'S REPORT

NEWDOCK ST. JOHN'S DOCKYARD LTD.
475 WATER STREET
ST JOHNS
NL

Firm #: 260015
WCC #: 1011570
Tel: 709-758-6800
Fax: 709-758-6826

Worksite : NEWDOCK
Location : WATER ST., ST. JOHN’S
Employer Co-Chair : [redacted]
Employee Co-Chair : Unknown
Worker Rep/Designate: Unknown

INSPECTION / OFFICER'S REPORT

NEWDOCK ST. JOHN'S DOCKYARD LTD.
475 WATER STREET
ST JOHNS
NL

A1E-6B5

Employees : 50
NIC : 3271

Insp. Time: 1:00PM

REPORT:

Arrived on site in response to a report of a dive accident at this location with fellow officer Sean Foley at approximately 1:00 p.m.

Upon arrival officers Power and Foley met with Newdock Safety Officer [redacted] and informed him of the purpose of our visit. At this time [redacted] advised both officers that a [redacted] diver with Newdive Marine Limited, had been involved in a dive accident/incident and had been transported to hospital for treatment. [redacted] indicated that [redacted] was conscious at the time of departure and had been treated by EMS at the scene.

Following this preliminary meeting, [redacted] escorted both officer to the scene of the incident where it was determined that Newdive Marine Limited had been engaged by Newdock St. John's Dockyard to undertake the cleaning of pilings at this location from surface to approximately 10' below surface with the use of a pressure washer unit.

As a result of this accident/incident a Stop Work Order has been placed on any further work at this location as it relates to this accident/incident while the OH&S Division conducts its investigation.

A further Stop Work Order has been issued to this company for the suspension of any further use of the barge unit until such time as the supporting documentation for the barge that was being used at the time of this accident/incident is provided.

Received By: ___________________________ Date: MAY 10, 2018
Position: ___________________________
Time: 3:53 PM

Officer's Name: Power, Alex
Foley, Shawn

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GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch
(COPY)

ORDER FORM

Reference #: 0701989
APR 24, 2014

Toll Free: 1-800-563-5471

NEWDOCK ST. JOHN'S DOCKYARD LTD.
475 WATER STREET
ST JOHNS
NL

Firm #: 260015
WCC #: 1011570
Tel: 709-758-6800
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A1E-6B5

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ORDER: 0701989 - 01

ACT: Occupational Health and Safety
27 - 1a - Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

TO WIT:

The employer shall stop all work at the location of the accident/incident of April 24/14 at this location until such time as the OH&S Division concluded it's Accident/Incident investigation.

This Order shall be carried out on or before: MAY 30, 2014

ORDER: 0701989 - 02

ACT: Occupational Health and Safety
27 - 1a - Stop work orders

Where the assistant deputy minister or an officer is of the opinion that work is being carried out in a way that the conditions at the workplace pose an immediate risk to the health and safety of workers engaged in the workplace or other persons at or near the workplace, the assistant deputy minister or officer shall, in writing, order the person at the workplace responsible for the work being carried out to immediately stop all or a portion of the work and to vacate all or a portion of the workplace; and

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Service Newfoundland and Labrador
Occupational Health and Safety Inspections Branch

ORDER FORM

REGULATION: Part XXIII - Diving & Other Marine Opera
465 1- Floating work platforms

A floating work platform shall be designed by a professional engineer or other
person acceptable to the minister.

TO WIT:

The employer shall submit to the undersigned officers a copy of Engineer approved drawings and
documentation for the design and use of the barge unit being used at the time of the accident/incident
involving Newdive Marine Limited on April 24/14 as required under the attached OH&S Regulation.

This Order shall be carried out on or before: MAY 30, 2014

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Received By: ___________________________  Date: MAY 10, 2018
Return Address:
P.O. Box 8700
St. John's, NL, A1B 4J6
Fax: (709) 729-3445

Position: ___________________________
Officer's Name: Power, Alex

Date: MAY 10, 2018  Time: 3:53PM

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