

CANADA-NOVA SCOTIA OFFSHORE PETROLEUM BOARD

Draft Incident Reporting Guidelines

FOR MORE INFORMATION, PLEASE CONTACT

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1.0 INTRODUCTION

1.1 Purpose

These Guidelines provide direction on general duties and prescribed regulations specifically respecting the reporting of health, safety and environmental (HSE) incidents that occur in the Nova Scotia Offshore Area. For the purpose of these Guidelines, an HSE-related 'incident' is defined as an occurrence that could or does result in an event, or set of circumstances, causing immediate or delayed harm to workers or the environment.

1.2 Scope & Authority

These Guidelines are intended to assist Operators, and other workplace parties, to comply with requirements of the Accord Acts, Regulations, and the terms and conditions of Board approvals and authorizations. These Guidelines are made pursuant to Section 156(1) of the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and Section 148 of the Canada-Nova Scotia Offshore Petroleum Resources Implementation (Nova Scotia) Act. These Guidelines apply to all offshore operations in the offshore area that are conducted under the authority of a work authorization issued by the Board; this includes but is not limited to all:

- Installations
 - Production platforms
 - Floating production, storage, and offloading vessels
 - Drill ships
 - Semi-submersible drill rigs
 - Jack-up drill rigs
 - Diving installations
 - Accommodation installations
- Vessels
 - Conducting geophysical, geotechnical, geological or environmental monitoring activities
 - Support vessels, including standby and supply vessels
- Aircraft
 - Conducting geophysical activities
 - Helicopters used for personnel transportation.

All Operators are advised to review the specific conditions of their respective authorizations to determine compliance requirements in the Nova Scotia offshore area. These Guidelines provide interpretation of legislative requirements and are not statutory instruments.

2.0 INTERNAL MANAGEMENT SYSTEMS

2.1 Incident Reporting

The Board primarily regulates HSE matters in offshore operations through the authorization and monitoring of Operator HSE Management Systems. The CNSOPB OHS Requirements list various elements of management systems and paragraph 4.3(3)(f) of Element 1 specifically requires procedures for incident reporting.

During management system evaluations, the Board requires Operators to demonstrate the adequacy and effectiveness of mechanisms that are provided for internal and external reporting of HSE incidents. The timely and accurate reporting of incident information is very important as it directly affects incident response, investigation, and tracking. In following with this, Operators should be able to verify the following items to the Board upon request

- Written procedures define lines of internal and external notification for HSE-related incidents;
- Individuals are aware of their duties and responsibilities for notifying appropriate parties of identified HSE-related incidents;
- HSE incident notifications are procedurally linked to critical decision making mechanisms for internal incident / emergency response and investigation programs;
- Dedicated documentation and communication tools are provided to ensure that HSE incident notification and tracking information is accurate, complete, and timely; and,
- HSE incident notification feedback channels are defined for both internal and external parties.

Employers contracted to perform work under an Operator work authorization may hold independent obligations for reporting of incidents to regulatory authorities. Operators must ensure that these reporting protocols have been established at the employer level and are properly implemented.

2.2 Employee Reporting

Paragraph 3.5(2) of Element 1 of the OHS Requirements states that: Where an employee believes that any condition, device, equipment, machine, material or thing or any aspect of the workplace is or may be dangerous to the employee's health or safety or that of any other person at the workplace, the employee shall:

1. Immediately report it to immediate supervisor;
2. Where the matter is not remedied to the employee's satisfaction, report it to more senior site officials, the safety committee, or the safety representative, if any; and,
3. Where the matter is still not remedied to the employee's satisfaction, they are to report it to the Board.

Employee reporting requirements for accidents, or other occurrences causing injury, are detailed in section 15.2 of Element 2 of the OHS Requirements and are essentially addressed in the above reference. Safety-related complaints and work refusals are discussed in other sections of the OHS Requirements, and they also follow the same general 'graduated' reporting protocol.

2.3 Reporting to the Committee

Depending on the circumstances, there may be two types of committees that require notification of an HSE-related incident.

Part 5 of Element One of the OHS Requirements establishes a **Site Safety Committee** that would be required to be notified by the Operator of health and safety-related incidents that occur at the worksite. This committee holds ultimate safety committee responsibility for site-specific OHS matters.

Part 15 of Element Two of the OHS Requirements discusses the **Employer Safety Committee** that would be required to be notified by the Employer of health and safety-related incidents involving an employee of that company as they hold safety committee responsibility for employer-specific matters.

Although the Board recognizes the role of the Employer Safety Committee, the primary regulatory focus lies with the Site Safety Committee. If the Site Safety Committee has an expanded mandate for environmental matters, notification of environmentally-related incidents would be required to be made by the Operator to this committee as per their internal rules of procedure.

2.4 Internal Investigations

Paragraph 4.3(3)(f) of the CNSOPB Occupational Health and Safety Requirements requires that Operator Management Systems include incident investigation, record keeping and statistical analyses. During regulatory authorizations and audits, the Board may require Operators to verify adequacy of investigation programs, including the ability of incident causation to be understood and affect continuous improvement.

Section 15.4(2) of Element 2 of the OHS Requirements requires employers to submit written reports to an officer and the Employer Committee within 14 days of a hazardous occurrence. In following with Parts 5 and 13 of Element 1 of the OHS Requirements, Operators hold responsibility for making this report to the Site Safety Committee and to the Board. Employers retain the responsibility of submitting a written report to their own committee or safety representative as appropriate.

3.0 REGULATORY REPORTING

3.1 Overview

To become fully aware of regulatory expectations respecting HSE reporting to the Board, all Operators must review legislation, regulations, requirements, guidelines, and any specific conditions of authorization assigned to their application. In general, there are three types of HSE incidents that are required to be reported to the Board under Accord Act legislation:

1. Hazardous occurrences defined by the OHS Requirements which applies to all authorized work activities;
2. Spills to the environment as defined by the Accord Acts, and in following with accepted reporting protocols of the marine environment, which applies to all authorized work activities; and,
3. Activity-specific reporting requirements as required by regulations which apply only to those offshore work activities governed by these regulations.

A full narrative of the precise legal references for HSE reporting under the Accord Acts, Regulations and Board Requirements, is provided in Appendix A.

3.2 Aggregated Reporting Requirements

Upon review of the law, the Board recognizes the potential for Operators to be unclear about regulatory expectations with respect to the reporting of HSE incidents. To clarify this, the Board developed the following aggregated list of HSE-related incidents that require immediate reporting.

AN INCIDENT RESULTING IN ANY ONE OF THE FOLLOWING OUTCOMES MUST IMMEDIATELY BE REPORTED BY THE OPERATOR TO THE BOARD:

A human fatality or disabling injury as defined in paragraph 15.4(1) of Element 2 of the CNSOPB OHS Requirements;

An environmental spill other than that permitted by the Offshore Waste Treatment Guidelines or a condition of authorization as granted by the Board;

An incident causing significant damage to property;

The use or implementation of emergency escape, evacuation, or rescue equipment or procedure (including mustering); or

An incident posing a serious threat that could, under different circumstances, result in any of the above outcomes.

The above list is intended to encompass all of the references listed, discussed, and defined in Appendix A. These reporting requirements shall be interpreted by the Operator in accordance with legal definitions, regulatory convention discussed in Appendix A, and in a context that is practicably broad enough to include all of the specific incident scenarios that are recognized in law.

4.0 REPORT INFORMATION

4.1 Incident Reporting to the Board

The Board maintains a 24-hour on-call service to receive HSE incident reports. The following number must be made readily available to all of the necessary parties in the workplace that may have a duty to report, on behalf of the Operator, to the Board.

CANADA-NOVA SCOTIA OFFSHORE PETROLEUM BOARD

902-422-5588

Any incident that requires immediate reporting must be made verbally through the above number. During normal working hours, the call will be immediately directed to an appropriate Board representative. After hours, the Board on-call service will collect basic information regarding the incident and all necessary contact information of the Operator representative making the call. A Board representative will then be dispatched by the answering service to contact the Operator to obtain more specific information regarding the incident.

Upon making contact, the Board representative will typically review the consequences of the incident, immediate (and ongoing) response efforts, and any further actions that are planned. At this time, the Board representative may provide direction to the Operator regarding the need for further regulatory monitoring and/or investigation. The Board representative may also require the Operator to maintain periodic contact and provide updates on the response.

In addition to the verbal notification, the Operator is required, as soon as reasonably practicable, to fax a short hard copy report to the Board at 902-422-1799 that contains the following information:

- Operator;
- Person reporting and company;
- Date and time of incident;
- Worksite identifier / location;
- Description of site operations and relevant environmental factors at time of incident;
- Events leading up to the incident;
- Incident outcomes (injury, person involved, equipment involved, spill/discharge, etc.);
- Immediate response action(s) taken; and
- Operator signatory.

4.2 Incident Reporting to Other Government Agencies

Communications regarding HSE incidents are typically coordinated by the Board as the lead regulatory agency for offshore oil and gas activities; however, in some instances, direct contact with other federal or provincial departments will also be required.

If the incident involves, or has the potential to involve, any element of marine search and rescue, the Operator must ensure that immediate notification is made to the Rescue Coordination Centre (RCC) at the following 24-hour contact number:

RESCUE COORDINATION CENTRE

1-800-565-1582

If the incident pertains to an environmental spill, the Operator must ensure that immediate notification is made to the Canadian Coast Guard, Regional Operations Centre at the following 24-hour contact number:

ENVIRONMENTAL SPILL REPORTS

1-800-565-1633

If the incident includes injury or illness to personnel working on a Canadian flagged standby or support vessel that is regulated under Part II of the Canada Labour Code, the Operator must ensure that the employer of the affected person reports the incident, in following with the Marine Occupational Safety and Health Regulations, to the Coast Guard Regional Operations Centre who will then transfer the notification to Transport Canada, Marine Safety.

TRANSPORT CANADA

902-426-6030

4.3 Investigation Reports

4.3.1 Board Inquiries

To maintain consistency of reporting under different regulations of the Accord Acts, the Board requires that any HSE incident that triggers an immediate regulatory report from the Operator to

the Board shall be investigated for causation and reported within 14 days of the incident. The investigation report shall include, but shall not be limited to, the following information:

- Operator;
- Date and time of incident;
- Worksite identifier / location;
- Events leading up to the incident;
- Cause of identified events leading up to the incident;
- Improvements made to prevent recurrence that specifically addresses identified root causation and demonstrates continuous improvement of the management system;
- Description of injury / illness:
 - Name of affected worker, nationality, occupation, employer, experience in position (years), experience in offshore work (years), number of days on rotation prior to incident, number of hours on shift prior to incident;
 - Classification according to Section 15.1 of Element 2 of the CNSOPB OHS Requirements;
 - Classification according to CSA Z795 Canadian Work Injuries Standard including event (type of incident), nature of injury, source of injury, and part of body;
- Description of environmental incident:
 - Substance(s) spilled / released and volume, and environmental media / endpoints put at risk;
- Response to injury / illness:
 - Summary of medical attention provided offshore and onshore;
 - Whether medivac or casevac was provided;
 - Names of medical professionals involved with offshore response, and verification of employer compliance with WCB requirements;
- Environmental Incidents:
 - Confirmation of Canadian Coast Guard notification;
 - Post incident monitoring;
- Evaluation of response actions taken and actions taken to improve response procedures ; and
- Operator Signatory; Affected Worker(s) and Safety Committee Signatories for injury / illness.

Depending on the circumstances, the Board may choose to independently verify regulatory compliance associated with an HSE-related incident. All workplace parties should be familiar with Section 194 of the Accord Act (Federal Version) which assigns powers to the Board Safety and Conservation Officers to:

- Enter any place for the purpose of carrying out inspections, examinations, tests or inquiries;
- Direct the person in charge to carry out inspections, examinations, tests or inquiries;
- Take photos or make drawings;
- Order that any place or thing not be interfered with for a specific period;
- Require the production, for inspection or copying, of any books, records, documents, licences or permits;
- Take samples or particulars and carry out, or have carried out, any reasonable tests or examinations; and,
- Require any person having knowledge relevant to an inspection, examination, test or inquiry to furnish information, either orally or in writing, in the form requested.

Section 170 of the Accord Act (Federal Version) also gives the Board the discretion to direct an inquiry into any HSE incident resulting in death, injury, or danger to the public or the environment. The Board may appoint any person it deems qualified to conduct this inquiry.

4.3.2 Reporting to WCB of Nova Scotia

Section 157 of the Accord Act (Federal Version) directs employers of people working in the Nova Scotia Offshore Area to comply with applicable sections of the Worker's Compensation Act of Nova Scotia. Part of this obligation includes mandatory reporting of incidents to the Worker's Compensation Board (WCB) of Nova Scotia in the event where circumstances may entitle a worker to compensation. Section 86 of the Worker's Compensation Act (consolidated version 2002) requires that notification be made by employers to the Worker's Compensation Board within 5 business days of the incident. Reporting information and standardized report forms are available from the WCB of Nova Scotia at the following website:

WORKER'S COMPENSATION BOARD OF NOVA SCOTIA

<http://www.wcb.ns.ca>

In following with Section 3.1(2) of Element One of the Occupational Health and Safety Requirements, all Operators shall ensure that employers comply with this reporting requirement as referenced in the Accord Act.

4.4 Annual Reports

All Operators shall submit to the Board, not later than March 1 of each year, an annual HSE report for the preceding calendar year. This report shall contain:

1. Summary of injury and illness statistics as per the Annual Disabling Injury and Minor Injury Statistics Form (See Appendix C);
2. Brief discussion of HSE events that were required to be immediately reported to the Board. These discussions should not exceed three or four lines and include summaries of:
 - a. Identifiers – date, place;
 - b. Consequence(s);
 - c. Causation; and
 - d. Corrective Action(s); and
3. Summary discussion of leading indicators used to track or evaluate the implementation of HSE programs in offshore operations. These indicators will be system and Operator-specific. Depending on the type of work activity, leading indicators could, for example, include but are not limited to:
 - a. Number of gas-detection alarms;
 - b. Number of HSE audits conducted by the Operator;
 - c. Number of unsafe acts and unsafe conditions reported by employees;
 - d. Total volume of hydrocarbon in produced water; and
 - e. Emissions to air from cold venting, flaring, and fugitive emissions.

This submission is intended to verify implementation of HSE Management Systems and to effectively meet the annual report requirements for employers as listed in Section 15.6 of Element 2 of the Occupational Health and Safety Requirements.

Appendix A

Summary Narrative of Legal Reporting Requirements for HSE-Related Incidents Under the Accord Legislation

GENERAL INCIDENT REPORTING (ALL ACTIVITIES)

Occupational Health and Safety Requirements

Paragraph 13.1(1) of Element 1 of the OHS Requirements assigns responsibility for hazardous occurrence reporting to the Operator for all authorized offshore activities. Section 15.4(1) of Element 2 of the OHS Requirements requires reporting for the following hazardous occurrences to the Board as soon as possible but not later than 24 hours:

- The death of an employee;
- A missing person;
- A disabling injury [includes occupational disease] to an employee
- The implementation of emergency rescue, revival, or evacuation procedures;
- A threat to the safety or health of an employee that was caused by:
 - A fire or explosion,
 - A collision,
 - An uncontrolled flooding, or
 - A spill or leak of a hazardous substance;
- The free fall of an elevating device that rendered the elevating device unsafe for use by an employee;
- Loss of or damage to support craft.

Environmental

Section 166 of the Accord Act (Federal Version), requires that where a spill occurs in any portion of the offshore area, any person who at the time of the spill is carrying on any work or activity related to the exploration for or development or production of petroleum in the area of the spill shall, in the manner prescribed by the regulations, report the spill to the Chief Conservation Officer (CCO). In the context of spill reporting requirements to the Board, a 'spill' from offshore operations holds a wide conventional interpretation that includes, for example:

- Release of a deleterious substance as defined in Section 36(3) of the Fisheries Act;
- Contravention of ocean disposal or toxic substance requirements under the Canadian Environmental Protection Act; and/or
- Deposit of oil as prohibited by the Migratory Birds Convention Act.

Notwithstanding the above, a permissible discharge listed in the Offshore Waste Treatment Guidelines or as authorized otherwise by the Board is not considered to be a 'spill'.

OPERATIONS-SPECIFIC REPORTING

Offshore Petroleum Installation Regulations

Installation means a diving installation, drilling installation, a production installation, or an accommodation installation. Section 63(1) of the Installation Regulations requires Operators to prepare, in respect of every installation, an operations manual that contains procedure for notification of the Chief Safety Officer (CSO) of any reportable situations or events. Section 70(1) of the Installation Regulations requires every Operator to immediately inform the CSO of any situation or event involving:

- Danger or accident to a person or property, including loss of life;
- A missing person;
- Serious injury to a person;
- An imminent threat to safety of personnel or the public;
- Fire;
- Explosion;
- Loss of well control;
- Hydrocarbon or toxic fluid spills; or
- Significant damage to a pipeline, equipment or an installation.

Danger to a person or property is interpreted to include unplanned operational events having the real potential to impact on HSE, such as toxic/explosive atmosphere alarms or emergency shut-downs. The Board also requires reporting of severe weather that results in, or has the potential to result in de-manning of the installation. Section 70(2) of the Installation Regulations requires every Operator to submit a full written report to the CSO of any of the above referenced situation or events as soon as practicable.

Offshore Petroleum Drilling Regulations

These regulations apply to every Operator who explores or drills for petroleum and in respect of every well and test hole drilled under the Accord Act. Section 145 requires every Operator to immediately notify the CSO of significant situations or events including:

- Loss of life;
- Missing person;
- Serious injury to a person;
- Fire;
- Loss of well control;

- Imminent threat to
 - personnel
 - the safety of the drilling unit
 - drilling rig
 - drilling base
- Oil or toxic chemical spill; or
- Anticipated discovery of petroleum.

As soon as reasonably practicable, the Operator is required to submit a full written report to the CSO for any of the above situations or events occurring during an authorized drilling program. Some HSE-related incidents may lead to detailed internal investigations and/or research to address identified uncertainties. If such HSE-related research is carried out, Section 143 of the Petroleum Drilling Regulations requires that the information is to be reported to the Board.

Offshore Area Petroleum Geophysical Operations Regulations

A geophysical operation means the measurement or investigation, by indirect methods, of the surface of the earth for the purpose of locating petroleum or of determining the nature of the seabed and subsurface conditions at a proposed drilling site or of a proposed pipeline route. Section 27 of the Geophysical Regulations requires every Operator to inform the Chief Conservation Officer and the Chief Safety Officer immediately, by the most rapid and practical means of any serious accident or incident that occurs during a geophysical operation that:

- Causes injury to or loss of life of any person;
- Damage to property, or
- Constitutes a threat to the environment.

Offshore Area Petroleum Production and Conservation Regulations

These regulations apply to every Operator who develops a production site or produces petroleum in the offshore area and in respect of every operation related to the production of petroleum from a well in the offshore area. Section 53(4) of the Production and Conservation Regulations requires Operators to immediately report failures or unsuccessful tests of safety systems to the CSO. Section 56(2) requires that a written report be submitted to the CSO within 48 hours following any incident involving a standby vessel exceeding regulatory distance / time requirements without OIM consent.

Offshore Area Petroleum Diving Regulations

These regulations apply to any diving operation conducted in the Nova Scotia offshore area in connection with the exploration or drilling for or the production, conservation, processing or transportation of petroleum. Paragraphs 6(1)(i) and 6(1)(j) of the Petroleum Diving Regulations requires the Operator of a diving program to immediately notify the CSO or Safety Officer on a

Schedule III form (See Appendix B) of any accident or serious illness involving a member of a diving crew on a diving program or any incident in connection with the diving program.

Table 1. Summary of HSE Incident Reporting Under the Accord Acts

APPLICATION	REPORTING REQUIREMENT	REPORT TO*
General HSE Incident Reporting		
All Work sites	Death of employee	Safety Officer (SO)
	Missing person	SO
	Disabling injury	SO
	Emergency rescue, revival, use of evacuation procedures	SO
	Threat caused by fire, explosion, collision, uncontrolled flooding, spill or leak of a hazardous substance	SO
	Free fall of an elevating device	SO
	Loss of, or damage to, support craft	SO
	Environmental spill** as defined by regulation under the Accord Acts and as interpreted by convention as a release under the Fisheries Act, contravention of law under CEPA, or contravention of the Migratory Birds Act	Chief Conservation Officer (CCO)
Activity Specific Reporting		
All Installations	Danger or accident to property	Chief Safety Officer (CSO)
	Imminent threat to safety of personnel or the public	CSO
	Loss of well control	CSO
	Hydrocarbon or toxic fluid spills	CSO
	Significant damage to pipeline, equipment or installation	CSO
Production Operations	Failures or unsuccessful tests of safety systems	CSO
	Standby vessel outside of perimeter without OIM approval	CSO
All Drilling Operations	Anticipated discovery of petroleum	CSO
All Geophysical Operations	Serious accident or incident causing damage to property	CCO & CSO
	Serious accident or incident that constitutes a threat to the Environment	CCO & CSO
All Diving Operations	Accident or serious illness involving diving crew	CSO or SO
	Incident in connection with the diving program	CSO or SO

* Operator reports to CSO effectively meet SO reporting requirement.

** Permissible releases referenced in the Offshore Waste Treatment Guidelines or established by Board approval are not required to be reported as an environmental incident.

Appendix B

Schedule III, Petroleum Diving Regulations

Nova Scotia Offshore Area Petroleum Diving Regulations
Schedule III
(Paragraphs 6(1)(i) and (j))

Diving Accident / Incident Report

Name of craft or installation: _____

Operator: _____

Supervisor: _____

Diving Contractor: _____

Persons Involved: _____

Date: _____

Type of Dive: _____

Personal diving equipment used: _____

Diving plant and equipment used: _____

Dive Profile: Depth _____ Bottom time _____

 Time left surface _____ Tables used _____

 Ascent method _____

 Ascent rate & time _____

 Time returned to surface _____

Name of specialized diving doctor or
medical attendant who treated diver or pilot: _____

Treatment: Name of diver or pilot treated _____

 Treatment table used _____

 Diver's or pilot's medical condition after treatment

Number of dives made by diver or pilot in the 24 hours preceding accident / incident: _____

Gas mixture used in dive: _____

Gas mixture used in treatment: _____

Air temperature _____ Wind speed _____

Sea state _____

Type of sea bed _____ Visibility _____

Condition of personal equipment after accident / incident _____

Personal equipment examined at _____ by _____
location and date name of examiner

Summary if accident / incident (use additional sheets if necessary) _____

Signature of operator or operator's representative: _____

Signature of supervisor: _____

Appendix C

Annual Disabling Injury and Minor Injury Statistics Form



Disabling Injury and Minor Injury Statistics Form

Canada-Nova Scotia
Offshore Petroleum
Board

6th Floor, TD Centre
1791 Barrington St.
Halifax, Nova Scotia
B3J 3K9

Phone:
902-422-5588
Fax:
902-422-1799
URL:
www.cnsopb.ns.ca

This form is to be completed by the Operator and forwarded to the CNSOPB Chief Safety Officer by March 1. The information contained in this report shall pertain to the entire calendar year of the reporting period. Please extend the table if necessary. This report is required as part of the Annual HSE Incident Report as required by the CNSOPB Incident Reporting Guidelines .

Operator: _____

Calendar Year Reported: _____

WORKSITE IDENTIFIER (name of rig, platform, vessel, etc.)	WORKSITE DESCRIPTOR (installation, geotechnical vessel, support vessel, or aviation)	NUMBER OF EXPOSURE HOURS*	NUMBER OF FATALITIES	NUMBER OF DISABLING INJURIES**	NUMBER OF MINOR INJURIES**
1.					
2.					
3.					
4.					
5.					
6.					
7.					
Please extend table if necessary					
	TOTALS:				

Internal Use Only

Received by: _____
(Initial)

___ Doc Registered

Forwarded to: _____

___ CSO

___ Doc Control

*** Exposure Hour Calculations**

Installations: (# POB) X (12 hours/day) X (# days of operations/month)

Vessels: (#POB) X (12 hours/day) X (# days operation/month)

Aviation: (# people moved) X (average flight time) + (hours worked for aircraft support personnel and crew)

**** Definitions**

Definitions for 'Disabling Injury' and 'Minor Injury' are provided in Section 15.1, Element 2, *CNSOPB Occupational Health and Safety Requirements*