



BC FERRY & MARINE WORKERS' UNION

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MESSAGE FROM SOC PRESIDENT DAN KIMMERLY PASSENGERS ON ENCLOSED DECKS

All too often tragic events give rise to regulation to prevent further deaths. For example, the International Convention for the Safety of Life at Sea (SOLAS) Treaty was passed in 1914 in response to the sinking of the RMS *Titanic*, which prescribed numbers of lifeboats and other emergency equipment along with safety procedures, like continuous radio watches.

Marine underwriters have witnessed an increased frequency of fires in the car/ro-ro passenger vessel segment; it is currently twice that of most other vessel types. Additionally, alternative fueled vehicles are becoming more frequent, and pose their own risks around fire, smoke and extinguishment.

"The deadly fires aboard the ferries *Norman Atlantic* in December 2014 and the *Sorrento* in April 2015 prompted an international response from the International Marine Organization (IMO) in May 2015. The number of fire incidents on ro-ro passenger vehicle decks had already been examined by the IMO Correspondence Group on Casualty Analysis in 2012, noting that there 'is no sign of these (fires) diminishing.'

In November 2016, the IMO Maritime Safety Committee instructed the Sub-Committee on Ship Systems and Equipment to 'review SOLAS chapter II-2 and associated codes to minimize the incidence and consequences of fires on ro-ro and special category spaces of new and existing ro-ro passenger ships,'" (*Insurers Warn on Ro-Ro Fires*, Marex, 2017-02-08) with the draft seeking all decks be either enclosed or weather decks in recognition of the dangers.

The *Joseph and Clara Smallwood* fire provided the extra heat to forge Cargo Fumigation and Tackle Regulations (CFTR SOR/2007-128) section 152, which have been drafted to restrict passengers on enclosed vehicle decks.

The enforcement of this regulation on the West Coast has been inconsistent. Passengers who wish to remain in non-compliance often vent their frustrations toward BCFMWU members. After an assault on one of our Officers, we were able to arrange joint meetings with Transport Canada and the Company. After multiple joint meetings we were left with promises, including:

1. Proper signage at the terminal and vessels stating regulatory requirements.
2. Physical gates on the vessels preventing passengers from entering enclosed decks.
3. Announcements in the terminals notifying passengers of the requirement.

Further, we have stressed countless times the importance of not sailing until the ship is in compliance, however Transport Canada seems to be ok with sailing as long as the passengers are notified of the regulation.

We have now learned that BC Ferries has applied to sail the *Queen of Surrey* to Langdale with the stern doors open, skirting the regulation that defines enclosed vehicle decks, i.e., a space that is closed at each end and has less than 10% of the side plating or deckhead permanently open to natural ventilation.

Transport Canada has given approval for the *Surrey* to sail with the stern doors open without a joint BCFMWU / BC Ferries risk assessment. It seems likely that BC Ferries will sail in this fashion once the risk assessment is complete, regardless of any objection we might raise.

BC Ferry & Marine Workers' Union
1511 Stewart Avenue, Nanaimo, BC V9S 4E3
Email: mailroom@bcfmwu.com Phone: 1.800.663.7009 or (250) 716.3454
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