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**THE REPUBLIC OF TRINIDAD AND TOBAGO**


**COMMISSION OF ENQUIRY INTO ALL THE CIRCUMSTANCES WHICH LED TO  
THE TRAGIC INCIDENTS WHICH OCCURRED ON FRIDAY FEBRUARY 25, 2022  
AT FACILITIES OWNED BY PARIA FUEL TRADING COMPANY LIMITED  
(PARIA), LOCATED AT NO. 36 SEALINE RISER ON BERTH NO. 6, WHICH LED TO  
THE DEATHS OF FOUR (4) EMPLOYEES OF LMCS LIMITED.**


\*\*\*\*\*

**SUPPLEMENTAL STATEMENT OF RANDOLPH ARCHBALD**  
**HSEQ LEAD, PARIA.**

1. I am the HSEQ (Health, Safety, Security and Quality) Lead at Paria Fuel Trading Company Limited ("Paria").
2. This statement is supplemental to my principal statement which was submitted to the Commission of Enquiry ("the Commission") on August 16<sup>th</sup> 2022.
3. On Monday December 5<sup>th</sup> 2022 a thread of email messages created in February 2022 between Mr. Ahmad Ali of LMCS Limited and me was submitted to the Commission on behalf of Paria. A true copy of the said email thread is attached to this supplemental statement and marked "R.A.1".
4. The email thread concerns an incident which occurred at Paria on February 17<sup>th</sup> 2022 where LMCS Limited mobilized their barge to commence works on the job which is the subject of the Commission prior to the issuance of any permit to work by Paria. This incident caused the suspension of the job by Paria and an investigation into the incident to be launched by LMCS Limited for Paria's review.
5. The email thread contains an email sent on February 17<sup>th</sup> 2022 where I asked Mr. Ahmad Ali several questions targeted towards the prevention of a re-occurrence of a similar incident and his responses by email sent to me on February 18<sup>th</sup>. In his response to my third question as to whether a self-check or checklist system would be implemented, Mr. Ahmad Ali indicated, among other things, that LMCS Limited felt that the permit itself already served as the most powerful control document in the existing system and that it would be of little value to add another form recapping the same requirements as were already documented.

Dated this 5<sup>th</sup> day of January 2023.

  
.....  
**RANDOLPH ARCHBALD**  
HSEQ Lead  
Paria Fuel Trading Company Limited

  
.....  
**GRETEL BAIRD**  
Instructing Attorney-at-Law for  
Paria Fuel Trading Company Limited

**TO: SECRETARY OF THE COMMISSION**  
**Email: commissionsecretariat@coe2022.com**



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## THE REPUBLIC OF TRINIDAD AND TOBAGO

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THE DEATHS OF FOUR (4) EMPLOYEES OF LMCS LIMITED.

\*\*\*\*\*

R.A.1

**From:** Kazim Ali <[lmcsLtd@gmail.com](mailto:lmcsLtd@gmail.com)>  
**Sent:** Friday, February 18, 2022 12:08 PM  
**To:** Archbald, Randolph <[Randolph.Archbald@paria-tt.com](mailto:Randolph.Archbald@paria-tt.com)>  
**Subject:** Re: Incident Report - un-Permitted Barge movement

[EXTERNAL]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day,

In response to your questions (LMCS responses in blue):

"

Based on the Incident Report Form, Mr. Guerra acted alone and seems to be fully responsible for the breach. Further, LMCS has removed Mr. Guerra from a supervisory role which will prevent a recurrence from him directly.

Yes. Corrective Actions 1 & 2 have already been implemented as of today, the 18<sup>th</sup>. Corrective Actions 3 & 4 have yet to be scheduled.

**Q1** What will LMCS be implementing to prevent a recurrence from any other supervisor?

**A1** From a Control of Work standpoint: Our other current Supervisors have been appraised of the Incident and the investigation findings. They have been reminded of the PTW process and their own training in this system. This has thus far been communicated verbally. It is our practice to hold a dedicated Safety Talk to review Incidents and findings, and this will be documented once it occurs at the restart of work.

From a PTW Process standpoint: Our other current PTW signatories (a Supervisor and LMCS' Operations Director) are currently being re-evaluated for this role through Paria's own PTW Evaluation. An additional batch of signatory candidates are also currently being evaluated after recent Training. These persons will act as on-site resources for checks / auditing of the PTW process implementation on LMCS' behalf.

**Q2** Will there be some sort of oversight by management on Permit required activities?

**A2** The oversight that has existed thus far has been through personal intervention of Management on site. Each day's work is discussed and planned the day before, with LMCS Managers/Supervisors and with LMCS Managers/Paria. At the start of each work day, either the HSE Manager, the Operations Director, or the Managing Director, or some combination of those, is on site overseeing Permitting.

The normal practice is that Management be appraised on the plan of action for the day while at OSSD. This is not documented as communication is directly person-to-person. It will be insisted on in future that such communication is made for ALL works, through phone contact if no one is on-site to report to directly. Further, it shall be a requirement going forward that NO WORK, including mobilization, is to take place without direct acknowledgement and approval of at least one Manager. Communication of this requirement is documented in attachment.

**Q3** Will self-check or Checklist system be implemented?

**A3** As indicated in A1, the checks on-site will be a range of personnel also PTW trained, followed by verification by Management as described in A2. A checklist can be created, but we feel that the Permit itself already serves as the most powerful control document in the existing system and another form recapping the same requirements as already documented there is of little value.

**Q4** Will the crew be empowered and trained to prevent breaches whether deliberate or inadvertent?

**A4** The crew is already empowered through LMCS' STOP Work policy (see below excerpt from HSE Manual). Training of this was part of rollout of the LMCS HSE Management System and is brought back up intermittently through Toolbox Talks and the on-boarding process. A reminder of this Policy shall be conspicuously posted on-site prior to restart of works.

“

#### **4.6.1. STOP WORK POLICY (LMCS-HSE-PRD-SWP-00)**

##### *Purpose*

*LMCS intends to empower employees to partner with the company to ensure all work is conducted in a safe manner. LMCS will not tolerate any short cuts in the execution of tasks. To meet this vision, employees must be empowered to stop unsafe work whenever it is observed. This procedure is separate from the Refusal of Unsafe Work procedure in section 4.6.3 of this manual.*

##### *Scope*

*This process applies to ALL LMCS operations.*

##### *Responsibilities*

- *Management has a responsibility to listen to employees and investigate all cases where work is stopped for a safety concern.*
- *Management will ensure that all tasks are properly planned and risk assessed prior to commencement.*
- *Employees are responsible for bringing to the attention of the supervisor any unsafe situation they observe and having the job stopped. This is known as a "time out for safety". (Refer to Stop Work Record)*
- *Employees are responsible for understanding the task to be executed, participating in the relevant risk assessments, JSA and tool box meetings.*
- *If during the execution of the task, the employee observes an unsafe situation developing, they must raise it to the attention of the supervisor.*
- *Employees are to exercise responsibility when stopping work and not abuse this system.*

*Employees who stop work as a nuisance to disrupt operations may place themselves and others at risk. Where it can be shown that the concerns were addressed in the planning phase and the employee was involved, or there is reason to believe that the process is being abused by the employee, they can be referred to the HSE Management Representative for coaching. This coaching is critical as employees must understand that the process is for everyone's safety and unnecessarily calling a time out for safety can actually place others at risk as well as having negative business impacts.*

*Process*

- *Once a time out for safety is called, the supervisor will assess the concern;*
  - *If the concern is a valid one, the safety measures will be implemented and the Supervisor will engage the HSE Management Representative to determine if the task can proceed or if the risk assessment needs to be revisited.*
  - *ALL time out for safety events will be reported to the HSE Management Representative and reported in the monthly HSE reports.*
  - *The HSE Management Representative will treat each valid time out for safety as an incident and assess it based on its actual and potential impacts. Investigations will be conducted based on this.*
- "

"

Regards,

Ahmad Ali

LMCS Ltd.

657-1016 (Office)

491-0341 (Mobile)

On Thu, Feb 17, 2022 at 11:26 PM Archbald, Randolph <[Randolph.Archbald@paria-tt.com](mailto:Randolph.Archbald@paria-tt.com)> wrote:

Thank you very much.

I have a few questions for Mr Ali:

Based on the Incident Report Form, Mr Guerra acted alone and seems to be fully responsible for the breach. Further, LMCS has removed Mr Guerra from a supervisory role which will prevent a recurrence from him directly.

What will LMCS be implementing to prevent a recurrence from any other supervisor?

Will there be some sort of oversight by management on Permit required activities?

Will self-check or Checklist system be implemented?

Will the crew be empowered and trained to prevent breaches whether deliberate or inadvertent?

Please advise how the safety management system will be improved to address this gap.

Randy

**From:** Kazim Ali <[lmcsLtd@gmail.com](mailto:lmcsLtd@gmail.com)>

**Sent:** Thursday, February 17, 2022 2:40 PM

**To:** Rampersadsingh, Terrence <[Terrence.Rampersadsingh@paria-tt.com](mailto:Terrence.Rampersadsingh@paria-tt.com)>; Archbald, Randolph <[Randolph.Archbald@paria-tt.com](mailto:Randolph.Archbald@paria-tt.com)>

**Subject:** Incident Report - un-Permitted Barge movement

[EXTERNAL]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day,

Following the Incident involving un-Permitted Mobilization of LMCS's Barge this morning, an investigation was done. The following documents were created:

- 1) an Incident Report Form with relevant findings and recommendations documented, and
- 2) Mr. Guerra's statement.

Please see both attached for your information.

Regards,

Ahmad Ali

LMCS Ltd.

657-1016 (Office)

491-0341 (Mobile)

*Disclaimer: This email message is intended only for the named recipient(s) above and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you have received this message in error or are not the named recipient(s), please immediately notify the sender by email and delete this email message.*

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# HSE MANGEMENT SYSTEM

LMCS-HSE-FM-21 Rev 0

## SAFETY TALK

Page 1 of 1

Date and Time: 18 FEB 2022 FRI @ 11:30 a.m. / p.m.

Speaker(s): R. ALI, K.J. ALI, A. ALI

Topics Discussed : NEW WORK INSTRUCTIONS: No start of work without notification and authorization from LMCS Management, even with signed Permit.

NAME			SIGNATURE
1	Ernesto	Acosta	
2	Ishbar	Ali	
3	Lockhart	Austin	
4	Dane	Beharry	
5	Christopher	Boodram	
6	Jason	Charles	
7	Daniel	Deonarine	
8	Victor	Dhillpaul	
9	Justin	Duncan	
10	Vishnu	Gangabissoon	
11	Errol	Gonzales	
12	Rudolph	Gonzales	
13	Dexter	Guerra	
14	Yusuf	Henry	
15	Felix	Hospedales	
16	Beverly	Howe	
17	Steve	Joseph	
18	Fyzal	Kurban	
19	Sunil	Lalsingh	
20	Clint	Mohammed	

NAME			SIGNATURE
21	Renold	Munroe	
22	Rishi	Nagassar	
23	Christopher	Paul	
24	Steve	Rajkumar	
25	Dave	Ramjitsingh	
26	Issiah	Rooplal	
27	Anan	Sahadeo	
28	Kenyon	Salazar	
29	Brent	Samaroo	
30	Anand	Singh	
31	Keshan	Singh	
32	Essarie	Warrick	
33	Atmas ALI		
34	KAZIM ALI S.		
35	KAZIM ALI		
36			
37			
38			
39			
40			



## Incident Report Form

Document # LMCS-HSE-FM-18

Revision # 03

Issue date 17 FEB 2022

Name of Employee: n/a

Date: 17 FEB 2022

Job Title: n/a

Time: ~7:00am

Contact Number(s): n/a

Location: OSSD / PARIJA Harbor

This report is being filled out due to a(n):

- |  |   |
|--|---|
| <input type="checkbox"/> Near Miss             | <input type="checkbox"/> Accident / Personnel Injury          |
| <input type="checkbox"/> Illness               | <input type="checkbox"/> Accident Equipment / Property Damage |
| <input checked="" type="checkbox"/> Unsafe Act | <input type="checkbox"/> Substandard Condition                |

**DETAILED INCIDENT DESCRIPTION:**[ Was First Aid Given? ☐ YES ☒ NO ☐ OFFERED, BUT REFUSED ]

On the morning of the 17<sup>th</sup> February 2022; a decision was made to mobilize Barge Adventurer I to Paria's Berth 6 for the continuation of works on the SL36 riser. The order to mobilize was issued by LMCS Supervisor Mr. Dexter Guerra prior to receipt & sign-off of necessary Permit documents from Client, Paria Fuel Trading Company.

**PART(S) OF BODY AFFECTED (CHECK ALL APPLICABLE BOXES) : N/A**

- |                                  |                                   |                                |  |  |   |
|----------------------------------|-----------------------------------|--------------------------------|--|--|---|
| <input type="checkbox"/> Head    | <input type="checkbox"/> Face     | <input type="checkbox"/> Neck  | <input type="checkbox"/> Eye ( L ) ( R ) | <input type="checkbox"/> Arm ( L ) ( R )       | <input type="checkbox"/> Leg ( L ) ( R )    |
| <input type="checkbox"/> Chest   | <input type="checkbox"/> Shoulder | <input type="checkbox"/> Back  | <input type="checkbox"/> Respiratory     | <input type="checkbox"/> Hand ( L ) ( R )      | <input type="checkbox"/> Foot ( L ) ( R )   |
| <input type="checkbox"/> Abdomen | <input type="checkbox"/> Hip      | <input type="checkbox"/> Groin |  | <input type="checkbox"/> Finger(s) ( L ) ( R ) | <input type="checkbox"/> Toe(s) ( L ) ( R ) |

Other (specify) :

**INJURY/ILLNESS TYPE (CHECK ALL APPLICABLE BOXES) : N/A**

- |   |                                       |   |                                      |                                       |  |
|---|---------------------------------------|---|--------------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Amputation       | <input type="checkbox"/> Burn / Scald | <input type="checkbox"/> Crush          | <input type="checkbox"/> Dislocation | <input type="checkbox"/> Hearing Loss | <input type="checkbox"/> Respiration     |
| <input type="checkbox"/> Break / Fracture | <input type="checkbox"/> Burn (Chem.) | <input type="checkbox"/> Cut / Abrasion | <input type="checkbox"/> Inflection  | <input type="checkbox"/> Irritation   | <input type="checkbox"/> Shock (Elec.)   |
| <input type="checkbox"/> Bruise           | <input type="checkbox"/> Burn (Elec.) | <input type="checkbox"/> Concussion     | <input type="checkbox"/> Ingestion   | <input type="checkbox"/> Poisoning    | <input type="checkbox"/> Sprain / Strain |

Other: (specify)





## Incident Report Form

Document # LMCS-HSE-FM-18

Revision # 03

Issue date 17 FEB 2022

ROOT CAUSE(S) (What underlying factors led to this incident taking place at all?):

1. Poor Planning - Mr. Guerra' misguided enthusiasm to get the job progressed at all cost caused an oversight where a critical aspect of the work process was not engaged with.
2. Failure to Follow Protocol – the Client's Permit To Work process was deviated from.

CORRECTIVE ACTION(S) (What should be done, or has been done, to prevent reoccurrence of this event?):

1. Remove Mr. Guerra from Supervising position and rescind signatory authority in PTW System.
2. Offer Mr. Guerra alternate employment in non-supervisory role; as Mechanic in this instance.
3. Offer Mr. Guerra re-training for supervisory position within LMCS Limited.
4. Offer Mr. Guerra re-training in Paria's PTW System.

NAMES AND CONTACT OF ANY WITNESSES:

HSE Representative

SIGNATURE

17 FEB 2022

DATE

Manager / Supervisor

SIGNATURE

Feb 17 2022,

DATE

Did Incident result in *injury* that:

- a) places life in jeopardy; b) produces unconsciousness; c) results in substantial loss of blood; d) involves the fracture of a leg or arm, but not a finger or toe; e) involves the amputation of a leg, arm, hand or foot, but not a finger or toe; f) consists of burns to a major portion of the body; or g) causes the loss of sight in an eye?

If so, the Incident **MUST** be reported to the OSH Agency at **623-6742 (OSHA)** within 48hrs.

<b>NAME:</b>	Dexter Guerra	<b>DATE:</b>	17 / FEB / 2022
<b>CONTACT:</b>	354-9574	<b>ID:</b>	92073916 (DP)
<b>ADDRESS:</b>	#3 Ivy Lane, Southern Main Road, Rousillac	<b>D.O.B.:</b>	14 / NOV / 1968
<b>EMPLOYER:</b>	LMCS Limited	<b>OCCUPATION:</b>	Supervisor (since 2000)
<b>PERIOD:</b>	26 years		

**Statement:**

I arrived on Site (Barger Docks / Badger Docks / Offshore Services Dock / OSSD) to arrange to go out to Berth 6 as was planned for today (17<sup>th</sup>) at meeting with LMCS/Paria.

On numerous occasions I attempted to contact Rajiv (Rajiv Mangalee) by phone. At 6:36am I received a call from Houston (Houston Marjadsingh) saying we would receive the #6 Permit(s) at Berth 6 after he got signatures.

At 6:55am I called the Shipping office and spoke to Mr. Seales [sp?] asking for permission to take Adventurer I (LMCS Crane Barge) from OSSD to Berth 6, as we normally do, because of concerns over high wind conditions which were forecast for later that morning.

It slipped my mind at this time that the Sunny Day (LMCS Tug) would need the mobilization Permit itself, as all other aspects of mobilization (like equipment / tool loading) were already in place from previous days and there seemed to be no other immediate use of that Permit, apart from launching the crew boat which could have waited for a later time.

Seales asked about Permit for the execution of the job (at Berth 6), and I answered that they would be brought to Berth 6 by the Applicant. I communicated that I wanted to take advantage of the calm weather at the time for Barge movement. He gave permission to proceed to Berth 6 and await Permits over that call.

On the way out of the channel, Rajiv called me and told me that the Sunny Day Permit was not signed, and that he was going to call Terrence (Terrence Rampersadsingh). After that, Terrence called me and told me to return to OSSD and await further instructions.

D. Guerra  
NAME

17/02/2022 13:15 HRS  
DATE & TIME



## QUESTIONS and ANSWERS

Q1: Did anyone come to OSSD from Paria prior to your leaving?

A1: No. All communication was over phone.

Q2: What is your Job title?

A2: Supervisor.

Q3: Is it normally your responsibility to issue instructions for mobilization?

A3: Yes.

Q4: Are you aware of Paria's Permit to Work (PTW) System and Orientation system?

A4: Yes.

Q5: Were you trained in the PTW System for your job?

A5: Yes.

Q6: Can you prove this training?

A6: Yes, we were issued cards for completion of the training by Paria. ~~[See attached]~~

NO ATTACHMENT  
[Signature]

Q7: Is it typical for Paria to issue verbal instructions regarding mobilization in anticipation of Permits being signed?

A7: Yes. Sometimes mobilization occurs and Permits are taken to the relevant jobsite for signature.

Q8: Was this task (the Berth 6 works) considered particularly important or high priority?

A8: Yes.

  
NAME

17/02/2022 1315HRS  
DATE & TIME



**Q9:** Why? (re: Q8)

**A9:** We needed to install the new riser section to the submerged segment to minimize risk of SL36 filling with water, and hydrocarbon-contaminated water getting out to sea.

**Q10:** At what point were you contacted to return to OSSD?

**A10:** At 7:24am by phone. We were just outside the channel off Berth 1 at the time.

**Q11:** What time did you leave OSSD?

**A11:** At ~7:00am. We had planned to leave at 6:00am.

**Q12:** What is the procedure for leaving OSSD?

**A12:** Call Shipping office for permission to leave, and describe the route and destination.

**Q13:** Does notification need to be made to your LMCS superior(s)? (re: Q12)

**A13:** No.

**Q14:** Where were the Permits for this task at the time of your departure (to the best of your knowledge)?

**A14:** With Rajiv (Mangalee)

  
NAME

17/02/2022 13:15 HRS  
DATE & TIME