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Docket Ref: USCG-1998-3786 -8
Proposed changes to 46CFR197 Commercial Diving Regulations

Having spent the better part of my working life in the commercial diving industry, I welcome the opportunity to comment upon the recommended proposed changes to 46CFR Part 197 as submitted by the Association of Diving Contractors (ADC).

To further validate my comments I offer the following background information:

1. 30+ years in the Commercial Diving industry, 20 years as the Equipment Superintendent and later Equipment Manager of a major offshore contractors diving division and 2+ years in diving equipment sales
2. Chairman of the ADC Technical Committee for 5+ years where I chaired working group meetings on developing recommendations for changes to 46CFR197, and delivered the original proposal to Capt. Williams USCG, Washington D.C. in Oct. '94
3. Member of the ASME-PVHO Main Committee for 7 years
4. Chairman of the Special Working Group Diving for ASME-PVHO -5 years
5. Industry representative on USCG delegation to IMO 38th session, London in Jan. '95 on the revision of the Code of Safety for Diving Systems

The proposed recommendations for change were well thought out and debated over a period of two years through several committees and working groups. The submittal represents a consensus not only of the ADC, but other members of the committees at the time. These included representation from USCG and OSHA as well as ABS, DnV and Lloyds Registry.

As past chairman of the ADC Technical Committee and chair of many of the meetings drafting the submittal, I endorse and support the acceptance of such. Incorporating the ADC Consensus Standards by reference into the CFR just makes good sense. This action would represent a cooperative joint effort between government and industry promoting

safety. Since the Part 197 Commercial Diving Regulations affect only the commercial diving industry, this would seem to be a most logical step.

The existing regulations are dated and in many instance vague and hard to read due to lack of continuity and language. They do not reflect many things, which are commonplace in today's industry, such as: improvements in equipment and procedures, saturation diving techniques, Dynamic Positioned (DP) dive support vessels and working with remote operated vehicles (ROV's).

The industry has changed significantly over the last twenty years, as has the industry organization. The Association of Diving Contractors has grown and matured from a Gulf Coast contractors group into a truly International organization, dedicated to diver safety. This commitment is evident in the ADC's Consensus Standards for Commercial Diving and its mission statement of "Communication, Education & Safety". This document addresses all aspects of commercial diving from personnel requirements to operating procedures, equipment requirements, DP operations and Safety. This comprehensive set of guidelines has gained widespread acceptance and is being used not only in the United States, but internationally as well.

The ADC has also developed a web-site with technical information along with an outstanding industry magazine, which is filled with articles giving guidance on safety, training and technical developments. This publication has gained national as well as worldwide readership and respect.

An area of concern I have is the 197.328 PVHO General: Clarification of the ASME-PVHO-1 reference would be beneficial. This is an area of much mis-interpretation over the last 20 years. The ASME-PVHO committee has used the reference as a license to try to expand its scope into systems and in-service operations of pvho's.

I believe that this is not in the best interest of either ASME or the commercial diving community. The PVHO-1 is, and should remain, a new construction standard. In-service issues are well addressed in the CFR and the industry standards. There are no statistics that indicate a need for further guidance. Together the CFR and the ADC Consensus Standards have served the industry well in this regard. What PVHO-1 offers is good guidance on the construction of a pvho, and most importantly the proper construction techniques for the acrylic windows used in these pressure vessels.

Perhaps 197.328 (a) should be amended to allow construction to PVHO-1 *or a standard of construction, which gives consideration to human occupancy*. It seems to me that we should not ignore the fact that internationally there are other standards of construction to which pressure vessels for human occupancy are built and safely operated. Just because these pressure vessels were not built to ASME standards does not make them unsafe. I believe that we need to take a hard look at pvho's built to Classification Society requirements such as IACS members having published rules for diving systems, many of these are more stringent than the current PVHO-1 document, or USCG regulations. The majority of foreign built pvho's are built to Class requirements and maintained as such,

yet when operated in the U.S. they are typically downrated by approximately 20%. This seems to be mainly driven by reliance on the ASME 4: 1 safety factor. Recently the ASME has taken under consideration a reduction to a 3 : 1 safety factor in order to harmonize with international standards. The USCG should take another look at this area.

Dive Support Vessels operating in the Dynamically Positioned mode, although in existence in '79 were not in widespread use particularly in U.S. waters. However, today there are a considerable number of these vessels either operating or in the planning stages. Several of these vessels are equipped with diving systems comprised of foreign built pvho's. It has always struck me strange that the USCG can allow these vessels to operate without operational limitations and yet at the same time apply operational restrictions to the diving system pvho's incorporated in these vessels even though they are maintained in-class, just as the host vessel.

In addition to the comprehensive changes put forth in the original and subsequent additions, I would further recommend additional clarification in 197.300, calling for repairs to pressure vessels to be in accordance with the National Board of Boiler and Pressure Vessel Inspectors NB-23 or Class society requirements as applicable. Current wording is misleading. It should be noted that ASME-PVHO-1, ASME Section VIII Division 1&2 are new construction standards and as such do not address in-service issues. The ADC Technical Standards 1 & 2 give good guidance in this area.

In the recently released revision to 197.462 dated 30 September, 1997 I would call your attention to (b) which states:

Pressure vessels and pressure piping shall be examined annually for mechanical damage or deterioration. Any defect that may impair the safety of the pressure vessel or piping shall be repaired and tested to the satisfaction of the Officer in Charge, Marine Inspection.

Is it the intent of USCG to have defects on pressure vessels and pressure piping requiring repairs to be reported to USCG and further that the repair of such be inspected by the OCMI? I think not. Perhaps the wording of this section should stop at *repaired and tested*, or perhaps it should read.. . . shall be repaired and tested in accordance with (d) Actually, I favor the old 197.462 (a) that requires examination and testing every 12 months. The new wording of (a) does not address a time frame, thus leaving things open to interpretation.

I believe that the overall cost impact will be minimal given that most diving contractors are safety conscious. For the most part they already employ many of the suggested changes as a matter of safe operating procedures. Given the hazardous nature of the workplace, statistics will indicate that the commercial diving industry has an outstanding safety record.

Thank you for the opportunity to comment on this important issue. I am confident that the ADC's recommendations will be adopted and the resultant changes in the CFR will be to the benefit of everyone, particularly to improving safety for the diver on the end of the hose.

Respectfully,

A handwritten signature in black ink, appearing to read "Paul S. LeBlanc", with a long horizontal flourish extending to the right.

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