



DEPT. OF TRANSPORTATION
DOCKET SECTION

98 DEC -7 AM 9: 29

47681

ASSOCIATION OF COMMERCIAL DIVING EDUCATORS

Reply to: John **Schwitters**, Vice President - ACDE
c/o College of Oceaneering
272 South Fries Avenue
Wilmington, CA 90744-6399
(310) 834-2501 --- Fax (310) 816-1130
Email: johnschwitters@diveco.com

College of Oceaneering
Wilmington, California

Divers Academy of
the Eastern Seaboard
Camden, New Jersey

December 4, 1998

Divers Institute
of Technology
Seattle, Washington

Docket Management Facility
USCG - 1998-3786-67
U. S. Dept. of Transportation
400 Seventh Street, SW, Room PL-401
Washington, DC 20590-001

USCG-98-3786-75

Santa Barbara
City College
Santa Barbara, California

The Ocean Corporation
Houston, Texas

To Whom It May Concern:

Please accept this correspondence as the Association of Commercial Diving Educators' (ACDE) response to the comments made by Mr. Ross Saxon on 15 October 1998 on behalf of the Association of Diving Contractors. It is the position of the ACDE that the ADC's comments fall short of the true actions and purposes of the ACDE and its members.

In the ADC's comments it is submitted the ACDE's purposed training standards were "urged for the primary purpose of limiting market entry of alternate commercial diver training organizations."; and, the suggested "standards fail to reflect the general commercial diving industry consensus regarding need." It is the position of the ACDE that said comments are inaccurate and inappropriate for the following reasons.

The primary purpose behind the submission of the training standards are purposed by the ACDE is diver safety. And, if one were to believe that a primary purpose of the ADC's mission is diver safety then one should conclude that the purpose joint and mission behind both organizations is to assure that young men and women entering the commercial diving field do so with the appropriate training and expertise.

December 4, 1998
Page two

A review of the 'Consensus Standards for Commercial Diving Operations' published by the Association of Diving Contractors states as its purpose and mission as follows:

A. Purpose

The primary purpose of these consensus standards is to ensure the safety and well being of the commercial diver.

These consensus standards apply to all types of work, whether inshore or offshore, involving diving operations. It is meant for this standard to compliment applicable governmental rules and regulations as well as to supplemental industry codes of safe practices and diving operations.

If one were to review the Consensus Standards, one should agree that the **ADC's** standards mirror those found within the ANSI Standards as approved and submitted by the Association of Commercial Diving Educators.

Additionally, the present U. S. Coast Guard regulations, more specifically, subsection 197.420, requires the providence of an operations manual to be made available to all members of a dive team.

(d) The Operations **Manual** must contain the following:

1. Safety procedures and checklists for each diving mode used.
2. Assignments and responsibilities for each diver member for each dive mode used.
3. Equipment procedures and checklists for each diving mode use.
4. Emergency procedures for:
 - (i) small fire;
 - (ii) equipment failure;

December 4, 1998

Page three

- (iii) adverse environmental conditions including, but not limited to, weather and sea state;
- (iv) medical illness;
- (v) Treatment of injury procedures dealing with the use of:
 - (i) hand-held power tools
 - (ii) welding and burning equipment; and
 - (iii) explosives.

Once again, a review of the ANSI Standards mirrors those techniques and procedures required to be provided within a diving contractor's operations manual.

If, therefore, the primary mission and purpose of the ADC, its consensus standards and the Coast Guard's mandate for an operation manual is to assure that commercial divers are adequately trained and skilled in fact specific areas, why should there be any resistance to training organizations' providence and education of said skills?

It is anticipated the response to this position by the ADC and its members that the diving contractors themselves' is that they will provide appropriate and sufficient "on the job training" and formal educational opportunities to fulfill the needs of educating a commercial diver. However, it is respectfully submitted that reliance upon commercial diving contractors to provide "on the job training" will fall short of completing the mission of providing a work force that is skilled to the appropriate standards necessary for the industry.

Primarily, diving contractors are ill equipped to provide education and training in a safe and controlled environment; ACDE member institutions fulfill such a need. Secondly ADC "on the-job-training" fails to provide certification of divers which is recognized as an appropriate standard worldwide; once again, certification from an ACDE member institution is and has always been recognized worldwide as a standard of certification and qualification. Lastly, market conditions within the commercial diving industry may inhibit rather than

December 4, 1998
Page four

enhance the certification process. This is, a commercial diving contractor faced with high demand of commercial divers in a "bull market" would be encouraged to "expedite" the certification process thereby inhibiting rather than enhancing diver safety.

It is also submitted by the ADC that acceptance of minimum training standards "would also prohibit both ADC members and non companies from hiring the graduates of any school except those who are members of a particular organization. Any requirements set forth in federal regulations that would only "approve schools with course hours in excess of those required by industry would prohibit industry from free choice of its hiring practices.

However, it is the position of the ACDE that an implementation of mandated minimum standard requirements is not a new or novel approach within the marine industry; in fact, minimum certification is more the rule than the exception.

Presently, the U. S. Coast Guard through the Department of Transportation provides merchant marine officers and seaman licensing requirements for certification and registry for both licensing and raises of grades of many licenses within the commercial diving industry. One need only look to the Code of Federal Regulations Title 46, Chapter 1, subsection b part 10. Certainly, if an applicant for a merchant marine license is required to present satisfactory documentary evidence of eligibility why should not a commercial diver applicant do the same? Certainly, requirements for licensing and certification of merchant marine officers and seaman is not a restraint of trade or a violation of freedom of choice or hiring practices.

If the bottom line is diver **safety**, minimum standards for certification is imperative.

Lastly, the ADC submits that the ACDE is comprised of "a closed group of vocational training organizations." We, the ACDE, would like to point out with respect to the diversity of its membership, both geographically and construction, i.e., while Divers Institute of Technology, Divers Academy of the Eastern Seaboard, Inc., The Ocean Corporation and the College of Oceaneering are private commercial endeavors' the Santa Barbara Community College and California Institute for Men at Chino are state funded and operated institutions.

December 4, 1998

Page five

In conclusion, it is obvious that the ADC has a misperception of the **ACDE**, its members and its policy goals and mission. With this in mind, it is respectfully submitted that only through a public airing of such controversies via public hearings, can the primary mission of diver safety be accomplished.

Very respectfully yours ,

A handwritten signature in black ink, appearing to read "John Schwitters". The signature is fluid and cursive, with a large initial "J" and "S".

John Schwitters
Vice President - ACDE

c. Commandant (G-MSO-2)
Lt. Diane Kalina
Office of Operating and Environmental Standards
USCG Headquarters, 2100 2nd St., SW
Washington' DC 20593

ACDE Members (See Distribution List)