

VII. Requests for Specific Comments

Alternative approaches. Our third issue involves alternative

QUESTION 3: Under one alternative to our proposals, the Coast Guard would not directly oversee TPO audits of commercial diving operations and would allow TPOs to self-certify that their audits comply with Coast Guard standards. However, we would indirectly oversee audits by investigating reported marine casualties and associated civil penalty proceedings. Under a second alternative, neither the Coast Guard nor a TPO would conduct inspections or audits of commercial diving operations. The only compliance oversight would come through casualty investigations and civil penalty proceedings.

The Coast Guard requests input on what merits and drawbacks may be associated with these two alternative approaches?

Response; A major problem within the commercial diving industry has been a total lack of any enforcement of the current CFRs. If the Coast Guard again counts on the industry to self-regulate no matter how good the regulation we will have exactly what we have now: If someone dies a lawsuit, usually settled with all information gathered sealed by the court.”By agreement to get a settlement” The above two methods will leave the commercial diving in the state it is today No Enforcement.

Note 1; As to any form of TPO Audit, I find it troublesome that the Coast Guard would disregard its own recommendation in the report, it generated itself, against the use of any Third-party organization! I quote the Commandant of the Coast Guards Rig 12 Report. **“The Rig 12 report also recommended against delegating Coast Guard dive safety enforcement duties to third-parties.”** I find the explanation given for how this would function weak and ambiguous! It seems to indicate that these would be ADCI auditors? If that is the case I am totally against it. I will close with: The reason our industry is in the state it is today is being allowed to self-regulate/no enforcement. This appears to be more of the same. **If it is to be successful it must be tightly administrated by the Coast Guard!**

Sincerely
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