



William Kraus

This is a Comment on the **Coast Guard** (USCG) Proposed Rule: **Commercial Diving Operations (Federal Register Publication)**

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Comment

Let me start by saying Water does not discriminate between who you are, where you are, how much money you make, how much power you have, how many in your organization, or how deep you are. You can not breath water! This is why there are "minimum" requirements.

Nor does an emergency discriminate between these same conditions. When an emergency takes place it happens fast, and again this is why there are "minimum" requirements.

We all may be on the same page here? But there are four points of clarification needed:

1) Where does this apply?

Page #78 General does explain it very well in its definition/wording, but needs an amended (note) Harbors,Bays,Rivers i.e. "Shallow water"

If its the intention to cover us all? Then clarify it, so there are no excuses. Obviously in OSHA's wording "100 feet or less" or ADC "0-80 fsw" is not good enough for some. CLARIFY please. We are willing to accept.

2) How many dive team members?

OSHA 29 CFR 1910.425(c)Procedures #3 page 31 and ADC 4.28.4 page 4-27 clearly states the "minimum" of three(3) with the teams duties and responsibilities. Using words such as: "shall" "continuously" "Note: these are minimum requirements" "planning and assessment" "that level of manning is strictly optimal conditions", "Note: in establishing the number of dive-team members required for a dive; proper consideration must be given to", etc. etc. Very easy reading and understanding for a professional, so now with a five(5) man minimum looming there should be no more excuses with the three(3) man MINIMUM already in place. But where clarification is also needed is with how many dive team members are needed per diver in the water? What is it? If you have five divers in the water with one tender holding five hoses and one radio man listening to five radios making that dive team consisting of seven total, is that the dive team? Is that safe? Clarify how many dive team members needed per diver in the water. and is there to be a stand-by diver? OSHA 29 CFR 1910.421(d)

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Planning and Assessment, 29 CFR 1910.421(e) Hazardous activities, and 29 CFR 1910.422(b)(3) Is obviously a problem for a few out there in the field to understand, or they don't WANT to acknowledge.

CLARIFY please. We are willing to accept.

3) The responsibilities:

ARE the dive team members the labor for "life support" for those in the water or are they to abandon their diver or divers in the water and go hook up a drill stem, make a cage, drive a pile, carry a form, run the crane, pump mud, etc., etc.? Clarify in detail their placement and duties in the dive team, so there's no question about the meaning of "LIFE SUPPORT". CLARIFY please. We are willing to accept.

4) The DPCI's responsibilities:

29CFR 1910.410(c) page 17 and ADC 4.25.1 page 4-14 both make it very clear that the DPIC is a diver and "SHALL have experience in and knowledge of, all phases of the diving operation for which he/she is responsible" "The DPIC SHALL be stationed at the dive location, and SHALL not be stationed at another dive location(i.e., he/she must be stationed at one dive location and be responsible only for the diving operation at that location") Location and Placement of the DPIC can't be any clearer than that! But still I read in contracts that the DPIC can be in charge of multiple dive locations at one time? (i.e., if a contractor is working on four commercial luxury Cruise liner piers and each pier has a dive operation or two on it and the piers are 100 to 200 yards apart from each other, how is the DPIC going to be at each dive location at one time? He's got to walk an 1/8 of a mile to each? This is why clarification is needed in relation to the DPIC. Clarify please. We are willing to accept.

I speak as a commercial diver. These comments were not to educate on the regs. Some of us, a lot of us out there know the regs., some don't, and there are those that know but refuse to follow whether it be incompetence, greed or corruption. This is why clarification is needed in these four points.

WHO they apply to, WHERE they apply, and WHAT are the responsibilities?

I thank the Coast Guard for the opportunity to even make a comment or suggestion.

Sincerely,
Bill Kraus
Commercial Diver

P.S. "Just to Clarify"