

June 6, 20015

From : John Carl Roat
To: The Office Management and Budget

Comments On: Standard on Commercial Diving Operations; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements.

ID: OSHA-2011-0008-0016

I want to thank the Office of Management and Budget for asking for comment on this important topic. It is not only an issue of the "Collection (Paperwork) Requirements" but a serious Safety issue as well. Having two government agency with not only differing paperwork but differing Regulations and investigation practices causes confusion, expense and the loss of human life.

1) OSHA paperwork, Incident investigation and Reporting of Incidents need to be made the same as the the US Coast Guard requirements.

Reason: Dive Companies on all three coast, the great lakes, the harbors and major waterways come under both OSHA and Coast Guard, It depends the the job their bidding. This adds extra expense and confusion to the process.

2) Under Current OSHA CFRs Responsibility & Duties are not clearly stated in any one area. They need to change. The way they read now only the Dive Supervisor/Person in charge is even responsible to know the Regulations. The Contractor/Dive Company and the company contracting the work should be required to know and comply with the OSHA and coast guard CFRs.

Reason: Many of those contracting Diving services have no idea what or if CFRs apply to the commercial diving they are contracting. **Example:** (See Example of Unsafe Diving Practice common under OSHA) There is no A-frame hoist to bring a **passed out diver out of the hatch**. No stand by dive hose or diver ready to go in an emergency. The Dive Supervisor is running the dive from ground below the tank and could be of no assistance in an emergency. In short: one man on top of a tower tending another inside is not safe or coast effective! It is a death waiting to happen.

3) There are circumstances which prompt consideration of changes in operational procedures and/or equipment which are not in compliance with the appropriate OSHA or Coast Guard CFRs. When such situations exist, it is suggested that the Diving Contractor and the company contracting the work, submits a proposed variance to the appropriate Coast Guard or OSHA office. (See attached suggested form) A Management Of Change covering the proposed variance in operations or equipment is to be attached.

Reason: With a responsive Variance system when people or equipment is judged excessive it could be legally excluded. For this to work properly both customer and contractor need to be required to comply with the CFRs, regulation.

Sincerely
John Carl Roat.
class29r@cox.net

Dive Safe! It is profitable and it hurts less.

USCG/OSHA
Request for CFR Variance

USCG/OSHA Jurisdiction _____
CFR(s) requiring _____
Variance _____

Date of Request _____
Date Required By _____
Project Start Date _____

Operator _____
Permit No. _____

Vessel/Facility _____
Location _____
Longitude _____
Latitude _____

Vessel Information

Vessel Name _____ IMO Number _____
Flag State _____ Class Society _____

Diving Information

Dive Type _____ Depth (fsw) _____
Visibility _____ Conditions _____

Proposed Change

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Purpose (Justification for Change)

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Safety Processes Proposed Mitigating Hazards

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Personnel Responsible and Roles

Name(s)	Role(s)

Equipment Involved in Variance Request

Requested By _____

Date _____

Client Representative _____

Date _____

Diving Contractor _____

Date _____

OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

All establishments covered by Part 1904 must complete this Summary page, even if no injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the log. If you had no cases write "0."

Employees former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR 1904.35, in OSHA's Recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(G)	(H)	(I)	(J)

Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
0	0
(K)	(L)

Injury and Illness Types

Total number of... (M)			
(1) Injury	0	(4) Poisoning	0
(2) Skin Disorder	0	(5) Hearing Loss	0
(3) Respiratory Condition	0	(6) All Other Illnesses	0

Post this Summary page from February 1 to April 30 of the year following the year covered by the form

Public reporting burden for this collection of information is estimated to average 58 minutes per response, including time to review the instruction, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistics, Room N-3644, 200 Constitution Ave. NW, Washington, DC 20210. Do not send the completed forms to this office.

Establishment information

Your establishment name

Street

CityStateZip

Industry description (e.g., Manufacture of motor truck trailers)

Standard Industrial Classification (SIC), if known (e.g., SIC 3715)

OR North American Industrial Classification (NAICS), if known (e.g., 336212)

Employment information

Annual average number of employees

Total hours worked by all employees last year

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company executive

Phone

Title

Date

You will note Occupation Listed as Not Reported.

Accident: 201262664 - Employee Drowns While Cleaning Pond

Accident: 201262664 -- Report ID: 0524200 -- Event Date: 11/03/2009

Inspection	Open Date	SIC	Establishment Name
313893406	11/03/2009	7389	Us Aqua Vac, Inc.

At approximately 1:00 p.m. on November 3, 2009, Employee #1, a diver, was performing dredging operation in a retention pond. Employee #1 was using a surface supplied air. Attempts were made to rescue Employee #1 by another diver. Employee #1 was retrieved from the retention pond by the fire department rescue diver and air lifted to the hospital. Employee #1 drowned.

Keywords: drown, diver

Inspection	Age	Sex	Degree	Nature	Occupation
1 313893406					Occupation not reported

Attachment 4 – John Carl Roat

Protect Commercial Divers' Lives Petition

View Attachment:

Abstract:

<http://www.gopetition.com/404.php?notfound=1&url=http://www.gopetition.com/petitions/protect-commercial-divers-lives.html>

Reason Restricted: This attachment is restricted to show metadata only because it contains copyrighted data.

Publication Reference:

<http://www.gopetition.com/404.php?notfound=1&url=http://www.gopetition.com/petitions/protect-commercial-divers-lives.html>