



Marine Safety Information Bulletin

Commandant
U.S. Coast Guard, CG-OES-2
Commercial Regulations and Standards Directorate
2703 Martin Luther King Jr. Ave SE, Stop 7509
Washington, DC 20593-7509

MSIB Number: 004-14
Date: February 11, 2014
Contact: Mr. Ken Smith
Phone: (202) 372-1413
E-Mail: ken.a.smith@uscg.mil

Commercial Diving – USCG/OSHA Casualty Reporting Requirements

Background: Several members of the commercial diving industry have expressed uncertainty in understanding the differences of when casualties related to commercial diving are required to be reported to the Coast Guard and when they are required to be reported to OSHA. They have requested that the Coast Guard publish such information and this MSIB is intended to fulfill that request. This MSIB does not apply to recreational scuba diving operations performed from inspected and uninspected commercial vessels. However, it should be noted that marine casualties associated with inspected vessels are required to be reported to the Coast Guard in accordance with Title 46, Code of Federal (CFR), Part 4. Additionally, casualties occurring on state-registered recreational or commercial vessels not subject to Coast Guard inspection (i.e. uninspected passenger vessels), are required to be reported to State boating authorities in accordance with the boating safety regulations outlined in 33 CFR Part 173.

USCG: U.S. Coast Guard regulations apply to commercial diving operations (diver engaged in underwater work for hire) taking place: at any deepwater port or the safety zone thereof as specified by 33 CFR Part 150; from any artificial island, installation, or other device on the Outer Continental Shelf (OCS) and the waters adjacent thereto as defined in 33 CFR Part 147, or otherwise related to activities on the OCS; from all vessels with a valid certificate of inspection (COI) issued by the U.S. Coast Guard (i.e., “inspected” vessels), including mobile offshore drilling units (MODUs) regardless of their geographic location; from any vessel connected with a deepwater port or within the deepwater port safety zone; and from any vessel engaged in activities related to the OCS.

Under 46 CFR 197.484 *Notice of Casualty*, the person-in-charge of a commercial diving operation must notify the Officer-in-Charge, Marine Inspection (OCMI), as soon as possible after a diving casualty occurs, if the casualty involves: 1) loss of life, 2) any diving-related injury to any person causing incapacitation for more than 72 hours, or 3) any diving-related injury to any person requiring hospitalization for more than 24 hours. The notice must contain: 1) Name and official number (if applicable) of the vessel or facility, 2) Name of the owner or agent of the vessel or facility, 3) Name of the person-in-charge, 4) Name of the diving supervisor, 5) Description of the casualty including presumed cause, and 6) Nature and extent of the injury to persons.

Under 46 CFR 197.486 *Written report of casualty*, the person-in-charge of a vessel or facility for which a notice of casualty was made under § 197.484 must submit a report to the OCMI, as soon as possible after the casualty occurs, as follows: 1) On Form CG-2692, when the diving installation is on a vessel, 2) Using a written report, in narrative form, when the diving installation is on a facility, and must contain the information required by § 197.484. If decompression sickness is involved, the report must be accompanied by a copy of the report required by § 197.410(a)(9) and must include information relating to alcohol or drug involvement as required by § 4.05-12.

Contact information for various Coast Guard units can be obtained through the Coast Guard's Homeport website on the internet at the following location: <http://www.uscg.mil/top/units/>

OSHA: Reporting is required by employers who have employees aboard vessels (such as ships and barges), or on off-shore oil rigs and platforms, when such vessels or rigs and platforms are located on or within U.S. navigable waterways and State territorial seas. State territorial seas extend three (3) nautical miles from the general coastline for all States and U.S. Territories except: Texas, Puerto Rico, and the Gulf Coast of Florida, which extend nine (9) nautical miles from the general coastline; and the Great Lakes and St. Lawrence Seaway States where the U.S. Inland "navigable waters" include all waters up to the international boundary line with Canada.

Reporting to OSHA is required regardless of which federal agency regulates the working conditions. Exemptions from fatality and multiple-hospitalization reporting to OSHA do not exist.

Under 29 CFR 1904.39 *Reporting fatalities and multiple hospitalization incidents to OSHA*, employers are required to report any occupational fatality or incident involving inpatient hospitalization of three (3) or more employees within eight (8) hours of the incident. The report must include the following information: company name; location and time of the incident; number of fatalities or hospitalized employees; contact person for the company; phone number(s) for the company contact person; and a brief description of the incident. Additionally, employers conducting activities within a State-Plan State must comply with the requirements of that State Plan, and must report work-related fatalities, hospitalizations and certain injuries and illnesses to the appropriate State agency.

Employers must report fatalities and multiple hospitalizations by telephone or in person to the nearest OSHA Area Office, or by using OSHA's toll-free hotline at 1-800-321-OSHA. The caller making the accident report must talk directly to a person at OSHA (i.e., they cannot leave a message on the phone, send a fax, or send an e-mail).

FOR FURTHER INFORMATION CONTACT: If you have questions on this information bulletin, call Mr. Ken Smith at the number listed above.

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