

1789



BUREAU OF
NAVIGATION

1838



STEAMBOAT
INSPECTION

Merchant Marine Safety Corporate Culture as a function of Coast Guard Core Values

The Merchant Marine Safety Corporate Culture is manifest in the actions of the field marine inspector as the Coast Guard's primary representative to the Merchant Marine industry. The Marine Inspection community is unique in its function and scope of its activities which are well documented in published historical guidance. The purpose of this document is to assist those now charged with the execution of this legacy mission so that its original focus is not lost or subordinated in the face of a law enforcement posture spawned from the mandates of post 9/11 national security.

Leadership back to the Revenue Cutter Service recognized that the success or failure of duties charged to the organization was contingent on the demeanor and attitude of those implementing the program at the field level. Examples that follow have a common theme.

From Secretary of the Treasury Alexander Hamilton's letter of instruction to the Commanding Officers of the first Revenue Cutters:

“They will always keep in their mind that their countrymen are freemen, and, as such, are impatient of everything the bears the least mark of a domineering spirit. If obstacles occur, they will remember that they are under the particular protections of the laws and that they can meet with nothing disagreeable in the execution of their duty which these will not severely reprehend. They will endeavor to overcome difficulties, if any are experienced, by a cool and temperate perseverance in their duty—by address and moderation, rather than vehemence or violence.”

From: Merchant Marine Safety Course (CG-345-1):

“With the very inception of the Revenue-Cutter Service, Alexander Hamilton recognized the need for ensuring that all contacts between its officers and the public have certain characteristics. This need is as vital today as it ever was and therefore has an essential position early in the indoctrination of a marine inspector. It is almost impossible to perform a single duty within the marine safety field without dealing directly with some representation of civilian society. Regardless of whether this representation consists of a single disagreeable landlubber or several hundred cooperative experienced seamen, the inspector must bear in mind continually that for the duration of that contact he is “the Coast Guard” in the eyes of those about him. His appearance, manners, words and deeds will accordingly either enhance or disparage the reputation of the Service, and Coast Guardsmen who succeed will find their duties correspondingly facilitated or made difficult.

The recipient of an inspector's official attention should deem him efficient but not curt, well informed but not pedantic*, authoritative but not overbearing, and dignified but not pompous. Since the methods of obtaining such results vary tremendously from one situation to another, it is up to the officer himself to judge prevailing conditions accurately and guide his conduct appropriately.

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To accomplish this he must first know himself thoroughly and then acquire the ability to put himself in the other person's place; for the man who fails to evaluate himself objectively will fail to understand others and to appraise correctly the impression he is making on others."

- * 1. A person who makes an excessive or inappropriate show of learning
- 2. A person who overemphasizes rules or minor details

From the USCG Merchant Marine Safety Manual (CG-203) dated 1955:

The Coast Guard superintends certain navigation and vessel inspection laws which apply to the commercial marine, merchant seaman, or pleasure boating. The administration of these laws is to urge and encourage through corrective rather than punitive means. You are a representative of the Coast Guard dealing with the public.

The marine inspectors in the performance of these duties must exercise proper deportment and attitude in order to accomplish their purpose which is "to promote safety of life and property." It is recognized that this work by its very nature is a specialty. Since the commercial merchant marine is in operation to make a profit, it takes mature judgment on the part of the marine inspector to effectively balance safety with existing merchant vessel operating conditions.

Professional development: The degree to which a marine inspector must be qualified in the field of a naval architecture is reasonably comparable to the degree of qualification as a lawyer that is required of a competent law enforcement officer. An inspector need not doubt his ability to distinguish the good ship from the bad solely because he can not build one any more than he need doubt his ability to tell a good egg from a bad without knowing how to lay one.

From W.M. Benkert, RADM, USCG – Chief, Office of Merchant Marine Safety:

THE COAST GUARD'S RESPONSIBILITY TO MARINE INSPECTION

"It is also considered mandatory, regardless of any delegations of authority that may be contemplated, that the Coast Guard retain its professional in-house capability to insure continuity and positive proper technical and administrative oversight of any and all organizations performing functions on behalf of the Coast Guard. Should this not be done, non-standard efforts could result. The direct participation of "foreign" organizations in this program might well present the Coast Guard with a well-nigh impossible oversight task."

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From the USCG Marine Safety Manual, Volume II (COMDTINST16700.7a)

Facilitating commerce: The Coast Guard's objective is to administer vessel inspection laws and regulations so as to promote safe, well equipped vessels that are suitable for their intended service. It is not the Coast Guard's intent to place unnecessary economic and operational burdens upon the marine industry. In determining inspection requirements and procedures, inspection personnel must recognize and give due consideration to the following factors:

- a. The burden for proposing acceptable repairs rests upon the vessel's owner, not upon the repair facility or the inspector;
- b. Delays to vessels, which can be costly, need to be balanced against the risks imposed by continued operation of the vessel, with safety of life, property, and the environment always the predominant factor over economics;
- c. Certain types of construction, equipment, and/or repairs are more economically advantageous to the vessel operator and can provide the same measure of safety;
- d. Some repairs can be safely delayed and can be more economically accomplished at a different place and time;
- e. The overall safety of a vessel and its operating conditions, such as route, hours of operations, and type of operation, should be considered in determining inspection requirements;
- f. Vessels are sometimes subject to operational requirements of organizations and agencies other than the Coast Guard; and
- g. A balance must be maintained between the requirements of safety and practical operation. Arbitrary decisions or actions that contribute little to the vessel's safety and tend to discourage the construction or operation of vessels must be avoided.

From J.C. Card, RADM, USCG – Chief, Office of Merchant Marine Safety

PREVENTION THROUGH PEOPLE GUIDING PRINCIPLES

Honor the Mariner: Seek/respect the opinion of those who "do the work" afloat/ashore.

Take a Quality Approach: Engage all elements of maritime operations to drive continuous improvements.

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Seek Non-Regulatory Solutions: Emphasize incentives and innovation while improving basic regulations to maintain a minimum level of safety.

Share Commitment: Recognize and act upon the responsibility of government, management and workers to foster a safe and environmentally sound marine transportation system.

Manage Risk: Apply cost-effective solutions to marine safety and environmental issues, consistent with our shared public stewardship responsibilities.

From: Headquarters Office of Quality Assurance and Traveling Inspectors (CG-546)

CORE QUALITIES OF THE MARINE INSPECTION PROFESSIONAL

1. **Be on Time**

** People smile and will accept your not being prompt on the surface, but you've already made a bad impression*

2. **Be Prepared & Ready to Work**

** Again, you'll get smiles of seeming understanding, but bumbling for equipment; complaining about the office or other work load; not knowing the Regs or fumbling thru references continues a bad impression.*

3. **Don't Create Research Projects or ask for Proposals** that you wouldn't know what the content should be or how to evaluate it.

That means:

** know your business and work toward solution, rather than put up a wall or a course of hoops so difficult that the process stops.*

4. **Understand What The Minimum Regulatory Scheme** is and be careful how you use risk-based decision making on vessels not regulated by risk based regs.

That means:

** look back, before you look ahead and recreate a new wheel, or change the color of the rock.*

** don't require things solely because they are a good idea; other vessels have voluntarily done so, or just because you can.*

5. **Listen to the Industry**, show that you **have people skills** and are not just another bureaucrat from the government.

** Successful business is based on dialog and negotiation, not being a black shoe on the bumper.*

** Be reasonable & open to changes in the game plan.*

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- * *Work to understand the industry's predicament and push to learn why things can't be done as regulations say.*
- * *Seek equivalency or meet intent, if not the letter of the regulations.*

6. If You Don't Know Say So

That means:

- * *Be willing to be educated, since you still have the final call to make*
- * *There is no losing face by pleading ignorance or inexperience... worse to put on a front that you know, when you don't (That's when industry will just smile, manipulate or manage you. Result - you learn nothing and lose more credibility.)*

7. Be the Decision Maker in the Field

That means:

- * *Don't hide behind your supervisor or the office for a final decision. (call the office when you need to; advise or ask for guidance, but be responsible for your own inspection)*
- * *If you look like you can't make a decision, or have to keep calling the boss; then the industry feels that your boss should be out there because the process isn't working. They expect minimum competence from you.*

8. It's not about Taking a Hard Stand; it's about Doing the job

- * *Keep dialog open; be flexible; make eye contact; read body language; ask questions.*
- * *No place for my way or the highway.*
- * *Build trust - It's a 2-way street.*

9. Get to Industry Training – You might learn something and gain perspective.

10. Learn your job, be good at it and enjoy it

- * *Good OERs will follow good performance first.*

EXCERPT FROM COAST GUARD MOTION PICTURE 1960
(CGMP 60)

“A major part of the Coast Guard’s statutory responsibility for the promotion of safety of life and property at sea is the administration of the United States navigation and vessel inspection laws and regulations.

The effective administration of merchant marine safety functions requires the continued effort of the Coast Guard and the maritime industry.

It is the declared policy of the Coast Guard to promote close association with all effected interests of the maritime industry and cultivate an intimate knowledge of it’s problems. By so doing, the regulatory activities of the Coast Guard shall be intelligently administrated and a harmonious relationship shall assure the attainment of the best results with the least burden on the vital industry.

In carrying out it’s regulatory functions in the field of merchant marine safety the Coast Guard has one basic purpose: to serve as a corrective and preventative organization instead rather than as a punitive one, it’s actions will always be taken with this in mind.

The Coast Guard will continue to administer it’s responsibilities with cooperation of the maritime industry so as to posture the development and maintenance of the American merchant marine composed of the safest and best equipped vessels manned with the most thoroughly trained and efficient seaman in the world.”

Admiral Alfred C. Richmond
Commandant, U. S. Coast Guard 1954-1962

Admiral Richmond was the first commanding officer of the CGC American Sailor, which was built in 1941 for the training of maritime personnel. In March 1942 Merchant Marine Safety duties were transferred to the Coast Guard. He was a principal delegate of the first assembly of the International Maritime Consultative Organization (IMCO), which was the precursor of the IMO, and he headed the U. S. delegation for SOLAS 1960. He is one of the founders of the U. S. Coast Guard’s role in Marine Safety.

ANATOMY OF A CHALLENGE

by

RADM Joel D. Sipes, Ret.

Introduction

For many years Coast Guard civilian and military personnel have worked “to preserve and protect the public from preventable marine incidents.”¹ Coast Guard Marine Safety responsibility has grown by leaps and bounds since the first legislative mandate was passed in 1836. It now includes both international and domestic responsibilities for commercial vessel safety (CVS), port and environmental safety (PES), marine environmental response (MER), waterways management, recreational boating safety and bridge administration.

The Marine Safety Program is the cornerstone of the Coast Guard’s global reputation as the premiere maritime safety agency. For the personnel assigned it’s a challenge to their professionalism.

Regrettably, success is intangible because it cannot be measured easily. Where some Coast Guard missions can be measured handily in terms of lives and property actually saved or in numbers of oil spills or related marine casualties, the prevention aspects of marine safety cannot be counted so readily. It would be ludicrous to measure success in terms of the volumes of existing regulations, by deficiencies found or violations written for noncompliance. The real Challenge for Coast Guard personnel is maintaining an environment safe at all times from any unforeseen incidents and, at the same time, ensuring that commerce is not impeded.

Besides being a Challenge, Commercial Vessel Safety also is a process involving both the regulators and the regulated. It is a process designed and effected by people. Owners and Operators of vessels are considered to be the “customer” of the Coast Guard. Quality programs are in place today that recognize the unique characteristics of this “customer” relationship.

Likewise, a popular theme is the development of “partnerships”. The partnership between the American Waterways Operators and the Coast Guard is a model program. The Streamlined Inspection Program involves Owners and Operators

¹ Marine Safety Manual (MSM), Volume 1, p. 1-1

directly in self-inspection of their vessels. The Alternate Compliance Program (ACP) with the American Bureau of Shipping (ABS) is a partnership between ABS and the Coast Guard that gives Owners operating vessels in international trade flexibility in arranging for compliance inspections. This trend is evidence of a worthwhile commitment on both sides of the equation.

Some aspects of this paper may not be of immediate interest to new inductees into the CVS Program, especially trainees who have not had the benefit of attending the basic Marine Inspector Course at Yorktown. In this paper I am attempting to provide food for thought, a reference for a future time when new inspectors take up more senior positions. The paper is based on my experience as a Marine Inspector, as an Officer-in-Charge Marine Inspection, as Chief of the Office of Marine Safety and my current work in the marine industry. On that basis, I look forward to every opportunity to meet Coast Guard marine safety personnel at work.

What It Means To Be A Marine Inspector

Being a Coast Guard Marine Inspector² is a good job. It requires hard work, long hours, perseverance, patience and an even-handed attitude to meet the Challenge to which I have referred. The job is rewarding and highly satisfying. It is a pity one cannot quantify as a measure of success the self-satisfaction experienced by a well-schooled and qualified marine inspector. In performing their day-to-day work, Marine Inspectors interpret regulations or recommend alternative compliance measures to the OCMI. They note proposed equivalents, including non-standard systems or equipment. They review repair proposals and occasional requests to delay repairs for one reason or another. And, during inspections, observations are noted in the record that will form the basis for subsequent inspections. Finally, the Marine Inspector must recommend to the OCMI whether or not he/she feels that the vessel is suitable for the service requested. In the end, the Officer-in-Charge Marine Inspection³ is charged with certifying that a vessel is in suitable condition for its intended service and route. Certification is a cradle-to-grave process starting with design and construction and lasting throughout the life cycle of the vessel. The Marine Inspector serves a vital role as the OCMI's eyes and ears and hands-on agent.

Marine Inspectors go through a specialized school and then spend months studying and 'learning the ropes', usually in the company of a trained and qualified inspector. At first, the trainees will be allowed to do little on their own without the approval of

² The term Marine Inspector, in this case, includes both officers and enlisted persons involved in boarding vessels for compliance with either international or domestic standards

³ The traditional title of the field person ultimately responsible for decisions within his Zone of influence

their supervisor. It is understood that as trainees become more and more competent they will be introduced to inspections that are progressively more difficult. Once qualified, and throughout their 'lifetime' as a Marine Inspector, they are vested with considerable 'authority'. The 'power' over the industry that comes with authority to act independently soon follows. Use of the 'authority' and 'power' of persons directly involved in the CVS program is a theme that underlies the Challenge described in this paper. The best Marine Inspectors are not in the power game.

In speaking with a group of marine inspection trainees it was interesting to learn that they think the role of the modern inspector is not fully appreciated: e.g. barge inspections in the morning; port state control boardings in the afternoon; long hours; weekends and so forth. It wasn't that they weren't interested in the history of the program. It was, instead, their idea that marine inspection today is a lot different than it was when I 'carried a bag'. From my perspective, it was interesting to learn that in some Marine Safety Offices, Inspectors are forbidden to work at night for reasons of safety; and Inspectors are allowed to systematically avoid doing inspection work on weekends. From an industry perspective, any delay equates to lost revenue.

Background

If there is a major difference between the inspector of today and years past, it is in the advancement of technology and the variety of inspections for which the inspector is required to become proficient. Seagoing vessels today, especially such vessels as gas and chemical carriers and offshore rigs are far more complicated than ever before. I have a great deal of respect for persons required to inspect these highly sophisticated, modern vessels, even more so, the person who reviews and approves the plans for their construction. Both require a very high level of competence and a special level of preparation and training – well above the ordinary even by today's standard. One look at the complexity of the regulations and adopted Codes in this area is sufficient to make the point.

On the other hand, the variety of CVS-related inspections with which the Coast Guard is involved is less than in years past. Today's Inspector is not required also to be a Shipping Commissioner, or a License Examiner, or a part-time Documentation Officer. Not all Inspectors will become Senior Marine Inspectors. And, only a select few will enter the Investigations Department. There's nothing new about an MSO officer being assigned from the Inspection Department to the Port and Environmental Safety role although I sometimes think it detracts from the marine inspector's ability to really concentrate and remain current, in fact, on increasingly more complex

inspection requirements. There is a definite benefit to assigning a season marine inspector to PES, but it must be recognized that there are costs for doing so.

Continuing, the Coast Guard no longer performs factory inspections or special inspections of materials such as steel plate. And, there aren't as many wooden T-boats anymore on which young inspectors can 'cut their teeth'. Regrettably, also, the number of US flags merchant vessels is declining steadily. In the 'olden days', as my children are fond of saying, the typical Marine Inspector looked at yachts, barges, T-boats, offshore mobile drilling rigs, tankers, cargo ships, supply boats – you name them. Yesterday's SOLAS examinations are today's Control Verifications and Port State Control Inspections. But, I would submit that otherwise there is very little different. The key factors in the 'process' are still the same and will undoubtedly remain the same by any measure for years to come: "Preservation of life and property at sea, protection of the marine environment and facilitation of marine commerce". While the complexity and variety of CVS activities may change from time-to-time, the underlying philosophy and ground rules have not changed in years.

A major problem lies in the fact that over the years the pool of good, solid Marine Inspectors has slowly been diminishing. At this point, the Coast Guard no longer is able to keep up with the demand for persons qualified in all aspects of the program. No longer is there a nucleus of licensed mariners in the program upon which to build. For example, no longer are there civilian inspectors that were transferred to the Coast Guard from the Bureau of Marine Inspection and Navigation (BMIN) of the Commerce Department. The Coast Guard doesn't have any more Direct Commissioned officers who came to the Coast Guard to specialize in Marine Inspection activities after WWII under Public Law 219. Almost every year, for one reason or another, the Coast Guard does not fill all the Direct Commission quotas for Kings Point and Maritime College graduates. The Coast Guard has made several attempts over the years, with mixed results, to recruit licensed mariners to fill both military and civilian billets in the CVS program.

People with professional, deep-sea experience have always been important. Not only were they more easily qualified in the so-called Senior Marine Inspector positions, but also they were mature and proved to be excellent on-the-job trainers. BMIN Inspectors never transferred from port-to-port; 219'ers did transfer, but never out of the program. The pressure for traditional Coast Guard commissioned officers to accept out-of-program tours in order to remain well-rounded Coast Guard officers also complicates the picture. All of this is not to suggest that the people who today are assigned to Marine Inspection are ineffective by comparison. It just means that the investment in training them is more extensive and highly critical. It is not

surprising that the ‘backbone’ of the marine inspection cadre today is found in the Chief Warrant Officers assigned to the CVS program. Often they are assigned to finish their last 6 to 8 years of service in a specialty for which they are well suited. Typically, they are mature, have a wealth of sea-going experience and the technical know-how that allows them to meet their ‘customers’ on an even footing. And, they have the advantage of being able to concentrate all their efforts on becoming more proficient at understanding and applying specific regulatory requirements.

Innovative Programs

For future generations of new inspectors, there will be some relief from workload in such new and innovative programs as the Streamlined Inspection Process (SIP), the Alternative Compliance Program (ACP), Marine Performance Evaluations under the ISM Code, and evaluation of crew competency under STCW. In all of these programs the burden of compliance is shifted even more away from the Coast Guard and more toward management – Owners and Operators. Coast Guard responsibilities will move from actual inspection to auditing compliance. These are good programs aimed at relieving an already shorthanded and over-burdened inspection staff. The development of more meaningful ‘partnerships’ will help immensely. The following is an excellent characterization of how one of those programs – the Alternative Compliance Program – will work. I am adding it here for information purposes. And, while this may be an excellent example of a marine safety partnership in action, it must be remembered that Classification Societies have no enforcement authority – and don’t particularly desire to have it:

The following is from the Quarterly publication of the American Bureau of Shipping.⁴

“Ship of Changes

The double hull *American Progress* built by Newport News Shipbuilding, replaced *Seminole*, a single-skin tanker that was due to be removed from service under the requirements of the Oil Pollution Act of 1990.

Delivered in September 1997 to Mobil Shipping and Transportation (MOSAT) by Newport News Shipbuilding, *American Progress* is notable for a number of reasons. It is the first ship built at a US shipyard under the US Coast Guard’s Alternate Compliance Program (ACP). In the ACP, the Coast Guard accepts international standards for material and equipment in lieu of its own requirements. ACP also allows an approved classification society (in this case ABS) to act on behalf

⁴ “Surveyor”, the Quarterly Publication of ABS, December 1997, p. 26

[of] the Coast Guard. And it represents the attempted return of American shipyards to international commercial shipbuilding.

In many ways, the new vessel reflects the changes the maritime industry has undergone in the 26 years since *Seminole* was built: quantum leaps in design technology, internationalization of the industry, understanding of the human element in safe operations, and awareness of the importance of life-long maintenance strategies.”

The Regulatory Environment

Over the years, regulations have become much more voluminous and complicated. They cover many more areas of concern than ever before. For years, the Coast Guard has taken advantage of opportunities to develop international standards that are at least as stringent as US domestic rules. For example, in amending the International Convention on Safety of Life At Sea, the Coast Guard has been at the center of successful efforts to strengthen the rules that apply to cruise passenger vessels – to the point that US regulations in 46 CFR Subchapter H are no match for international standards. Rules that apply to Gas Carriers, Chemical Tankers, Oil Tankers, Bulk Carriers, Tonnage, Training and Certification of crew members all have been heightened as the result of US work at the International Maritime Organization, the UN specialized agency responsible for international maritime matters. A great deal of credit belongs to those who, over-the-years, have worked so diligently in that forum to improve the safety of vessels and to protect the marine environment. It often is noted that shipping is a global industry. In terms of international maritime commerce, the US primarily is a receiver of foreign-owned ships and no longer a thriving Flag State. Development of meaningful international standards is an important element of US strategy.

On the other hand, international standards often infringe on US regulations intended to address vessels strictly in domestic trade. The requirements of the new 46 CFR Subchapter W on lifesaving equipment, for example, applies to all US vessels regardless of whether they are in international or domestic trade. They were derived from agreed amendments to SOLAS and yet have been modified to apply to all vessels, even those that operate only in internal waters. Many believe that these new regulations overstate the problem of domestic vessels through the application of unnecessary and onerous equipment requirements. Also, without further elaboration, there have been serious and well-known difficulties over many years with US domestic application of the International Tonnage Convention.

In that regard, I would offer some thoughts about Coast Guard regulations, in general, and the US domestic regulation development process that are the foundation of the commercial vessel safety and port and environmental safety programs as we know them. Some of the points I make here are well stated in The Death of Common Sense by Philip K. Howard.⁵

U. S. Marine Safety Regulations

- First, the Coast Guard has the authority only to regulate in areas where there is a demonstrated need. Rules cannot be arbitrary. They cannot favor one group over another. They must be justified and tested through an elaborate process of notice and public comment before being finalized.⁶

- Second, regulations are intended to set a minimum standard. That is, regulations should represent a general application of the law. In some cases, CG rules attempt to address every aspect of a problem and are not flexible enough to recognize good engineering equivalents or alternatives. Sometimes the application of good marine practices is sufficient. The rules of some classification societies are performance-based and the Coast Guard is considering using the performance-based approach in future rules. Meanwhile, today's Coast Guard regulations are prescriptive, detailed and specific.

- Third, rules cannot be so detailed or technical that they cannot be understood; they must provide a clear guide to the user. The most valuable standard expresses what a reasonable person would have done. Marine Inspectors might test this notion by first thinking a problem through and then seeing if the regulations agree.

- Fourth, rigidity in regulations precludes the use of good judgment; drafters of regulations must avoid the temptation to achieve certainty. No regulation is final and should always be considered subject to change when justified. Regulations are written to emphasize compliance, not violations. By emphasizing violations instead of problem solving, a 'culture of resistance' sets in, including bitterness and adversity.

- Fifth, in areas where regulations are silent, the Inspector does not have the authority to require Owners and Operators to follow his lead. Even the most

⁵ See The Death of Common Sense by Philip K. Howard, Warner Books, 1994

⁶ See The Administrative Procedures Act

experienced individual Marine Inspector does not have the authority to ‘legislate’ on the spot. And, “Because I say so” is not a rational response when a noted deficiency is questioned.

- Finally, documents such as the Marine Safety Manual, Navigation and Vessel Inspection Circulars, Commandant’s Notices and Policy Letters are not regulations and cannot be enforced as such.

The Process of Marine Inspection

Having said that, it is important to point out that the ‘process’ of Marine Inspection is dynamic involving give-and-take on the part of both the regulator and his ‘customer’. The Challenge comes in the form of opportunities to work within a not-so-new ‘joint venture’ with the marine industry. That being the case, everyone involved should follow the time-tested precepts of objectivity and fairness. Objectivity, in this case, implies the use of judgment based on facts presented at the moment. In that regard, the Marine Inspector must understand the effect of his decisions and take circumstances into account. It would be better for the Marine Inspector to consider himself or herself more a ‘mentor’ than a ‘policeman’. And, the industry should be more sensitive to the pressure on the inspector to do a good job.

In many instances, the objectives of the CVS program can be met by such actions as withholding of a Certificate of Inspection from a vessel that cannot comply or by suspending a transfer operation. In the end, a formal Intervention in the case of a foreign vessel or withholding a license of merchant mariner’s document may be appropriate. All these actions can be initiated on-the-spot and have a significant and immediate affect. But, generally speaking, those are ‘giant’ steps to be taken only after all other methods of persuasion have failed.

Coast Guard regulators must keep in mind that Owners of vessels have made a major investment in operating safely and profitably within the transportation network. Owners are in business to turn a profit – and all-American concept as sacred as apple pie. Taking steps to meet safety and environmental requirements means more to an Owner than simply preserving life and property. It also goes directly to the economics of doing business. Owners work with their vessel every day throughout its life. You might say they’re in it ‘for the long haul’. Underlying all else is the fact that the majority of owners expect their vessels to meet the requirements of law and regulations. But, they are understandably reluctant to spend money on unnecessary or onerous requirements that may restrict their ability to survive financially. And, they are not happy when their vessels transit between one OCMI Zone and another

only to find that the same regulation is interpreted differently – or to find work that was done to satisfy one OCMI is not satisfactory to another.

In the meanwhile, Coast Guard Inspectors come and go – changing as often as every 2 to 3 years. Regrettably, none of us have ever figured out how to solve that problem without damaging the hopes of the career-oriented officer. And, the industry complains about this lack of continuity too – the frequency of transfers among Coast Guard Marine Inspectors – all because lack of consistency, in general, adds the element of uncertainty to their businesses.

Individual Inspectors and the Challenges they face

A good inspector can use a trained eye, a sixth sense, during an initial walk around to tell immediately when a vessel is going to be a problem. Often he will have more help than he needs. Sometimes, well meaning Shipyard and Repair Superintendents point out repair items in order to be ‘helpful’ to the Inspector. It’s not unheard of for a ‘good company man’ to try using the Inspector to ‘pad’ the yard’s work list. Similarly, Owners have both good and bad reputations. And, Port Captains and Port Engineers have reputations of their own. A lot depends on the Inspector’s ability to sort out the good from the bad – a challenge of a different sort requiring good people skills.

In the same vein, it is well know that there is no such thing as a perfect vessel. And, there is no such thing as a perfect inspection. That’s one of the underlying reasons that inspections are carried out at periodic intervals. This concept is at the heart of the Streamlined Inspection Program. Accordingly, it is agreed that designated company maintenance personnel regularly will go over vessel structure, systems and equipment to ensure compliance. Combining regular inspections by Owners’ Representatives and periodic inspections and audits by the Coast Guard is important and has a positive cumulative affect. Another notices what one person misses eventually.

At the end of the day, the question that still remains to be answered in all cases is whether or not the vessel is – or continues to be – suitable for the service and route for which it is certificated. In making this determination, the challenge for the Inspector is to main a positive and helpful attitude throughout the inspection. That includes being firm, fair, and even-handed. There is no question that when discrepancies are noted they must be dealt with either immediately or at some agreed time in the future.

Regrettably, some Marine Inspectors are very difficult to work with. For example, there are those who are well known ‘nitpickers’ - bent on finding fault. Some simply don’t know what they’re talking about but – somehow – have learned to cover their tracks by putting the onus on the Owner or Operator to prove them wrong. And, finally, there are those whose sole interest is in generating a record of the inspection that will impress their supervisor with their knowledge and thoroughness. Fortunately, there are many Inspectors who are very good at what they do. Typically they are very sensitive to the commercial aspects of the industry. They thrive on the Challenge of meeting their industry counterparts on equal terms. They are consistently approachable and manage to do their work very effectively, reasonably and without rancor toward their ‘customers’. They are the real ‘keepers’ of the process of Marine Inspection. And, when they take the side of an Owner it is well understood that they are not being ‘traitors’ to the cause. It is a pleasure to watch them work.

Likewise, you can be sure there are members of the Industry who survive on being disagreeable – maligning the Coast Guard and the ‘process’ of which, otherwise, they are a vital part. They are not only difficult to work with, but also do their companies a major disservice. Typically, they complain loudly about the ‘partnership’ arrangement between Coast Guard and the Industry in this area, but don’t do very much to help it along. The concept of ‘give-and-take’ is not in their consciousness.

Here follows a poignant reminder from the Marine Safety Manual that all marine inspectors should occasionally reflect on and a worthwhile guide for new ones:⁷

“Personal Conduct. Every member of the maritime industry, regardless of position, forms an impression of the Coast Guard through contacts with marine safety personnel. This opinion of the Coast Guard in general, and of the local unit in particular, is positively or negatively based on perceptions of an individual’s attitude and professionalism. As public servants, all marine safety personnel must remember that the public, particularly the maritime industry, will scrutinize performance on the job and conduct ‘after hours’. Personal standards of conduct for Coast Guard personnel are outlined in Coast Guard Regulations. . . and other applicable directives. A knowledgeable, even-handed but courteous approach will accomplish much more than a haughty and aloof or a casual, backslapping manner. There should be no reason for a member of the public to resent the Coast Guard or its personnel due to a bad personal experience. Disagreement with a particular regulation or its enforcement should be expected. The philosophy behind the marine safety program

⁷ MSM, Vol. II, p. 11-27

is to obtain compliance and cooperation from those who are regulated, whenever possible.”

Inspectors At Work

There are lessons to be learned from the following vignettes about Marine Inspectors that may begin to help form some idea how business might be conducted. If nothing else, they may be good points for internal discussion:

- An Inspector arrives on board a vessel at the agreed time and place and meets the Port Captain. The Port Captain explains that his vessel is due to sail in an hour and that he didn't take time to go over the safety items before the Inspector got there. The obvious suggestion was that the Inspector should do the inspection cold — and hurry. The Inspector quietly informed the Port Captain that he should call the Office and re-schedule the inspection for a time when the vessel was in all respects ready.

- The Inspector arrives aboard a LPG barge. He is unsure of himself, but he has brought with him some notes from the Office and his regulation book. The inspection begins and it soon is clear that the Inspector is out of his field. The Owner's Representative is hesitant to say anything, but he is very uneasy. He tries to help the Inspector through the inspection. Finally, the Inspector has made enough serious errors that the Owner's Rep insists that the inspection be rescheduled. Relieved, the Inspector leaves – but not before writing a long list of inane requirements.

- An Inspector is 'arguing' with an Owner's Representative over the frequency of inspection for relief valves. He looks in his regulation book and finds that it says the relief valves must be tested every four years. The Owners Rep argues that the rule recently had changed and that the requirement now is for testing every five years. The Inspector tells the Owner's Rep to 'prove it in writing' and, before departing, writes a CG-835 to test the relief valves right away. In the end, it was shown that the rule had changes and the Inspector's information was out-of-date. When the OCMI received a fax from the Owner appealing the Inspector's decision, he personally called the Owner and apologized. A sidebar to that story is the Owner's Rep looked at the Inspector's regulation book during the inspection and noticed that it was three years old and that no changes or updates had ever been entered.

- An Inspector is performing an Inspection for Certification on a small wooden party fishing boat. While in the engine room, the Inspector noticed that the electrical wiring was in pretty bad shape. Part of the system was original and the coating on the wire was brittle; some old disconnected wiring was still in the hangars; the main breaker in the engine room was a knife switch. Since all the wiring except deck lights was in the engine room and there was no obvious danger a to passengers – and in view of the fact that the vessel operated near shore on a seasonal basis – the Inspector suggested tot he Owner that during the off-season he draw up a plan to rewire the electrical system. The Owner, who also was the sole Operator, agreed and the Inspector made a notation in his inspection report to that effect. Soon thereafter, on his own, the Inspector went back aboard and asked the Owner how the wiring project was coming along. The Owner was struggling with it. In the end, the Inspector sat down with the owner and in an hour’s time helped him draw a rudimentary wiring diagram and materials list that would meet the requirements of Subchapter T. The plan was approved at the Office and the boat was completely re-wired while laid up for the winter and before the beginning of the following season. The Owner was very grateful for the assistance and wrote a letter of appreciation to the OCMI.

- An Inspector boarded an Offshore Supply Boat in a small coastal port to check on completion of a CG-835 discrepancy. This was a follow-up inspection resulting from a recently completed Inspection for Certification. When he boarded, it was mid-day, and the boat was loaded, the crew was all in their places and the engines were running in preparation for a trip 30 miles offshore to re-supply a platform. The discrepancy had been repaired, but, in the course of looking at the repair, the Inspector noted yet another discrepancy. The masthead light wasn’t working. Right then and there he wrote another, CG-835 requiring that the light be repaired before the vessel sailed. The Master begged the Inspector to let him make the trip and he would make the necessary repair as soon as he got back in. In any case, the repair would be done before darkness set in. The Inspector said, “No” – and to call the office for another inspector to check the requirement because he had another job waiting 35 miles away. In the end, the company hired another boat to make the trip because the Oil Company with whom they had contracted was demanding their equipment and supplies. It cost \$30,000.

- A tank barge was in a shipyard in dry-dock undergoing extensive repairs to bottom plating, knuckles and internals. The work was to be completed by the weekend, but rain delayed the welding. On Friday the shipyard told the Inspector that they would complete the welding on Saturday and would like to put the barge back in the water because they were scheduled to lift another vessel on Sunday morning. The

Inspector agreed to the proposal. And, on Sunday afternoon, the Inspector drove from his home to the yard and witnessed completion of the work, including an air test. A Temporary Certificate of Inspection was issued that evening.

- An inspector trainee boarded a somewhat complicated pressure barge along with several other Inspectors. He started to ask questions, but was continually interrupted during the course of business by his colleagues. In the heat of events most of his questions were never answered. Noting this, the Owner's Rep offered to meet him on his own time at his facility and walk him through a 'dry run' inspection answering all his questions as they proceeded. It was even suggested that he bring other interested Inspectors along. The Inspector thanked the Owner's Rep and said he would very much like to take advantage of the opportunity. Regrettably, for one reason or another, he never did.

- The Owner/Operator of an inland passenger vessel dutifully called the Coast Guard for annual inspection as required. This particular vessel worked on a seasonal basis. It was laid up during certain months of the year. After six years of operation, an Inspector correctly realized that all along the vessel had been subject to a quarterly inspection as a passenger vessel, but none had been done in the years since initial certification. The Owner submitted a letter directly to the OCMI laying out a plan to inspect the vessel quarterly during its 3 active quarters and upon breakout. In effect, he was proposing a deviation rather than sticking to the strict letter of the regulation for quarterly inspections. The Inspector called the Owner and told him he didn't think the proposal would fly. Notwithstanding, the OCMI subsequently approved the request as proposed.

- An Owner sent a letter to an OCMI requesting extension of a dry-dock examination because his barge was going to be placed temporarily out-of-service in a fleeting area. No answer was ever received. When the barge was brought out of the fleet 6 months later, the Coast Guard was called to perform the required dry-dock inspection. When the Inspectors arrived and noticed that the dry-docking was overdue, they called the Office to inquire about the extension. The Office informed the Inspector that the Owner should have written yet another letter asking for a response to the first letter when he didn't hear anything. It was even noted that the Owner was in violation and could be written up for a civil penalty.

Those stories all are real and are intended to help by illustrating day-to-day situations. The members of the marine industry have a definite view of the way they would like to interact with Marine Inspectors. Regrettably, all too often adversariness creeps in for one reason or another. And, while some inspectors believe they are 'law

enforcement agents' – and the last line of defense for enforcement of regulations – they must remember that all vessels are inspected every year and not all deficiencies need to be corrected right away. Writing a CG-835 is not always the best – or even the right answer. Beside the paper work it generates, the down side of issuing too many CG-835's is that the effect of such actions will slowly denigrate the value of the Form and its purpose. The industry is very aware of the 'power' of a CG-835 citation. It would be a shame if the sense of immediacy that accompanies a CG-835 were to be destroyed. It may be enough to 'take the word' of an industry representative that an item will be 'fixed' right away – with an appropriate notation in the inspection record.

A Word For Supervisors

For the benefit of department heads and even some OCMI's, when every action by an Inspector and any response by an Owner must be presented formally, then the process of marine inspection has taken on a new life of its own. That is, when Owners and Operators must write to the local Officer-in-Charge Marine Inspection in order to propose any and every deviation from the norm or to appeal a decision at the local level, then the process has taken on a life of its own and has become an end in itself. Too often in that environment, decisions either are never made or are made by default. Worst of all, individual initiative is short-changed.

The Challenge to the Coast Guard and the Industry cannot be met effectively by burdensome paperwork requirements, mistrust, misunderstanding, tension and lack of direct communication. Supervisors and department heads must take advantage of every opportunity to get out of the Office, to meet people, to discuss issues and see for themselves the problems Inspectors are faced with every day on their behalf. The alternative is to work in a vacuum—management by remote control. The idea of issuing Letters of Warning and CG-835's and requiring written proposals for routine matters without any first hand knowledge is not effectual. It amounts to emphasizing the process and not the results. And again, it takes away from individual achievement and initiative.

Agents of the Law or Law Enforcement Agents?

On a related matter, upon entering the gate of a shipyard one-day I observed the Coast Guard Ensign flying from the flagpole. It was not the Coast Guard flag typically carried by a Color Guard. I was surprised because I know the Coast Guard Ensign as the Coast Guard law enforcement pennant. It is flown from cutters of all sizes when they are enforcing US laws and international treaties. It is flown from

Navy ships when Coast Guard Law Enforcement Detachments are on board. It has special meaning to those who observe it.

When I inquired I was told by the shipyard manager how long and hard he had pleaded to have a Coast Guard Inspector assigned to his Yard. When it was finally agreed, he asked the Coast Guard Inspector whether he would like to fly the Coast Guard flag. The ensign was the flag he was provided. Later, I was advised by one of the Inspectors that he was there to perform a law enforcement function and he felt it was appropriate to display the ensign at his place of work. Obviously, I'm telling this story because I don't agree. But, this incident did cause me to better understand the observations of some industry members regarding the 'law enforcement' mentality of some Inspectors they had met.

Quoting from the Coast Guardsman's Manual,⁸ "The distinctive marks of a Coast Guard ship or craft in commission are the Coast Guard ensign and commission pennant. The display of the Coast Guard ensign and commission pennant has an added significance in that it is a mark of authority and must be displayed whenever a Coast Guard ship or craft takes active measures in connection with the boarding, examining, seizing, stopping, or heaving-to of a vessel for the purpose of enforcing the laws of the United States."

While the Marine Safety Manual clearly states that the Coast Guard has been provided "with certain specific powers and constraints to enforce marine related laws and regulations", it also says that "different approaches to enforcement have evolved as a result of the variances between various statutes."⁹ The majority of marine related laws and regulations being 'enforced' by the CVS program are civil in nature as opposed to criminal statutes. In most cases, on-the-spot correction is a very effective tool. Violations can be written, but most often should only be in extreme circumstances. Civil penalties typically are the result. As a footnote, there are some exceptions in which criminal prosecution is appropriate. Most often those relate to cases of intentional pollution or failure to notify of a discharge of oil or hazardous materials into the marine environment.

I would argue that Marine Inspection is not a traditional Coast Guard law enforcement function in the same sense as the rum war at sea or drug or fisheries law enforcement. It definitely is an operational mission of the Coast Guard, but officers and enlisted inspectors who board vessels in ports and harbors do not carry weapons

⁸ The Coast Guardsman's Manual, U.S. Naval Institute, Annapolis, MD

⁹ MSM, Vol. I, Chapter 1, p 1-1

and few violations result either in criminal fines or jail sentences. Granted, in a few rare circumstances criminal charges have been brought.

Being ‘law enforcement agents’ – the last line of defense in protecting life and property and preserving the environment – is a burden that the individual Marine Inspectors do not need personally to take on board. The law and regulations ultimately places the burden of compliance on Owners and Operators, not on the Coast Guard. Flying the Coast Guard law enforcement pennant over a shipyard or other place of business ashore is neither appropriate nor compatible with the traditional philosophy of the Marine Safety program.

The Position of the Owner and Operator

While Marine Inspectors always will have their ‘authority’ to fall back on, Coast Guard inspections are actually secondary to the responsibilities placed on Owners and Operators by US law. Owners and Operators ultimately must be held responsible, even liable, for their actions and/or inaction. The members of the marine industry that I know and have come to like personally are not ‘criminals’. Typically they keep track of their vessels, have gone over them immediately prior to the inspection and know exactly what requirements must be fulfilled. Granted there are some industry representatives who will, from time-to-time, try to ‘pull the wool over the eyes’ of an inspector, especially an inexperienced one. Fortunately, it doesn’t happen every day – but it is troublesome when it does.

It might be helpful at this point to offer yet another quote from the Marine Safety Manual.¹⁰ “Relationships With The Marine Industry. Coast Guard regulatory activities are intended to facilitate safe marine transportation. Concerns for safety, security, and environmental protection must be carefully balanced against economic costs. Marine safety personnel should be sensitive to the views of commercial operators toward government regulation. These views are generated by the primary motivation of profitability. Unfortunately, this motive may place a lesser emphasis upon safety, security, and environmental concerns, unless there is a direct profit incentive to reduce hazards and risks. As transportation costs are ultimately passed on to the public, the safe, smooth efficient flow of marine transportation must be a conscious element in all marine safety decisions. Regulatory efforts must be balanced to achieve the best interests of the public, including safe, fast, low cost, and energy efficient transportation. In this way, the Coast Guard will demonstrate careful consideration of the economic impacts of its regulatory activities.”

¹⁰ MSM, Vol. II, p. 11-27

The typical Owner is a businessman of the first order, anxious to do well in a very competitive business. When faced with choices, sometimes the best decision a Marine Inspector can make is to listen to the Owner and even defer to his judgement – defer perhaps to another day and another inspection. Another good choice, especially for an Inspector who is new to a particular type of vessel or inspection is to take advantage of opportunities to learn at the hand of Owners' Reps. That means – to the Inspector's credit – he will let the Owner's Representative know what the story is. It is surprising how well such information is received. Owners and Operators typically will bend over backwards to be conscientious and helpful.

Finally, I have 'preached' to the members of the marine industry for years about their right to appeal the decisions of a Marine Inspector, especially if they feel a decision is unnecessarily onerous, arbitrary or capricious. In our system of Government and regulation, industry will always have the right of appeal. In principle, no government action is final without that right. This is one way in which the integrity of the system is preserved. Regrettably, however, it seldom is exercised. It should be used more often because it is the 'healthy' answer to any feelings of frustration or injustice that Industry may harbor. And, Coast Guard Inspectors should learn to respect that right and not become angry when an Industry Representative calls the Office for a clarification, a second opinion, or an out-and-out appeal.

Appeals to the OCMI at the local level are not required to be in writing. An Industry Representative should be able to go to the telephone and ask for timely, if not immediate, relief. Usually the industry representative finds it more expedient just 'to go along'. On receiving an appeal, many Offices will send out a Senior Inspector – or the Chief Inspector – to look the situation over with a view to resolving the matter. Today some Offices require the Owner or Operator to submit a letter or fax in an appeal. Too often that does not result in a timely answer.

When differences of opinion cannot be resolved during an inspection, I believe Inspectors have an obligation to tell their 'customers' that they have the right to an appeal – and an appeal should not count against either side. For information, there are two levels of appeal above that of the local Office and those are required to be in writing. They involve appeals to the District Commander and, finally, to the Commandant.

In Conclusion

In a word, the Challenge for individual Marine Inspectors includes gaining satisfaction and enjoyment from the experience of working within the marine transportation sector. Coast Guard personnel working on the waterfront have an advantage to begin with. They are very much respected because of the excellent reputation of the organization to which they belong. The role of the Marine Inspector is very well understood by Industry and the working relationship should be one of mutual respect. Regrettably, too many members of the industry – especially those working at the ‘deck plate’ level – fear a visit by the Coast Guard. The Coast Guard is the world’s premier maritime safety agency. Today’s Marine Inspectors can make a significant impact on the ‘process’ of marine inspection by projecting confidence and a sense of concern for the overall state of the industry in the United States – and at the same time – get the results they’re seeking.

The essence of the Challenge, in all cases, is getting results that are satisfactory to all parties.

Joel D. Sipes is a Rear Admiral, U.S. Coast Guard (Retired) with over 35 years experience in the Marine Safety and Environmental Protection field beginning with his early training as a Marine Inspector. He ultimately served as Officer In Charge, Marine Inspection in one of the Country’s major ports and, later, as Captain of the Port in another. Later, RADM Sipes was Chief of the Office of Marine Safety, Security and Environmental Protection at Coast Guard Headquarters in Washington, DC. Today he provides advice to industry and the public on a wide range of domestic and international maritime issues.



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MEMORANDUM

From: 
Chief, Prevention Department

To: Prevention Department Personnel

Subj: SHORE FORCES PROFESSIONALISM DURING INTERACTIONS WITH
MARINERS AND CITIZENS

1. Pursuant to Captain Kelley's standing direction and ALCOAST 108/08, this memorandum defines, in concrete terms, professionalism when interacting with mariners and citizens during field activities. My objective in listing policy for professional conduct is to provide a simple, integrated standard, and by extension to honor Alexander Hamilton's charge to "keep in mind that our countrymen are free men, and as such, are impatient of everything that bears the least mark of a domineering spirit."

2. Policy:

- **Be Safe.** True life and death situations are rare, so don't take needless risks with your safety, and don't let your shipmates take risks either – the situation simply doesn't warrant it. Learn where the "slow" button is – there is no virtue in being quick but reckless.
- **Have Fun.** Take yourself and your career seriously, but keep them both in perspective. You're at a field unit, your mission is finding a problem and fixing that problem each and every day. Most jobs are pretty remote from that kind of immediate satisfaction – enjoy it! Being humorless and brusque doesn't convey professionalism; it needlessly casts pallor over our mission.
- **Be Professional.**
 - (1) **Demonstrate Maritime Credibility.** Know the industry and know your job! Be familiar with the regulations you enforce, and look the answers up to prove yourself. Set up and follow thru on a mini industry training opportunity so you can more personally relate to the perspective of those with whom you interact.
 - (2) **Be Transparent.**
 - **Don't Create Research Projects.** Never ask for research or a proposal when you yourself wouldn't know what it should contain, or how you would evaluate it.
 - **Listen.** Successful business is based on dialog and negotiation. To negotiate you must be reasonable, open to changes in your "game plan," and focused on the output (equivalent levels of safety, security, and environmental protection). To do so, you must understand the mariner / operator's predicament, and respect their input.
 - (3) **Own and Believe in Your Mission (Devotion to Duty/Compelling Cause)**
 - **Own the problem.** You must never abdicate your position as the decision-maker in the field. Don't hide behind your boss or the office for a final decision, but

- don't be afraid to seek advice. Getting advice and information does not absolve you – it's your decision!
- **Don't be a Bureaucrat.** Many technical and administrative violations do not substantively affect safety, security, or environmental protection, so don't get hung up on them. There is no place for mindless adherence to the letter of the regulations or policy. If you can't relate what you're requiring directly to a compelling public interest in safety, security, or the environment, then chances are you shouldn't be requiring it. If you don't find your requirements compelling, how can you expect the mariner, port worker, or citizen to do so?
- (4) **Respect the Mariner, Port Worker, & Citizen.** Basically the Golden Rule: Treat people the way you would want to be treated. You are not expected to take abuse, but you must remain polite.
- **Arrive on time.** People smile and will accept your tardiness on the surface, but you've already made a bad impression.
 - **Experience matters.** General rules are just that – general. Don't assume that a mariner, port worker or citizen doesn't know what they're doing if they depart from a general rule. In fact, they may understand the specifics of their operation so well that they know precisely what's required for safety, security, or environment. They probably know from the school of hard knocks exactly when they need to meet the general rule, and when to exceed it as well.
 - **Stand Firm.** People are busy, and they occasionally give terse answers. You must be firm but fair in this circumstance. Listen to them, understand their difficulties, but educate them and do your job. Regulations are generally minimum standards, so be careful using risk-based discretion. You cannot require measures solely because they are a good idea, because other similar commercial operations use them, or because a general authority exists allowing you to do so. If you don't understand, if you need more information, or you need to find a new point of contact, don't give up until you have it.
 - **Timely Responses.** Return calls, emails, and/or letters within 24 hours even if it is simply to say you have to research the answer and you'll get back to them. Then tell them when you expect to get back to them with the answer (a few days - a week).
- (5) **Communicate clearly.** Some elements of clear communications:
- **Make eye contact and read body language.**
 - **Have a clear purpose for the conversation or meeting in advance.**
 - **Make a short list of questions which need answers.**
 - **Pay attention to what is going on in the background.** If a distraction occurs in the background, politely inquire whether the situation needs to be dealt with and offer to continue afterward.
 - **Repeat Back / Ask Back.** To make sure you've understood what you were told, repeat back a summary. To make you've been understood, ask questions to verify the content.
- (6) **Partnership/Path to Compliance.** The goal is to ensure maritime activities are done in a safe manner. Life-safety concerns need to be addressed immediately but be flexible and willing to work with the maritime community if there are ways to get an equivalent level of safety in place until the permanent solution can be found.

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