

7/19/83

DEPARTMENT OF TRANSPORTATION

U. S. COAST GUARD

STATEMENT OF

REAR ADMIRAL CLYDE T. LUSK, JR.

CHIEF, OFFICE OF MERCHANT MARINE SAFETY

UNITED STATES COAST GUARD

BEFORE

THE HOUSE OVERSIGHT SUBCOMMITTEE ON COAST GUARD AND NAVIGATION

GOOD MORNING, MR. CHAIRMAN:

I AM REAR ADMIRAL CLYDE T. LUSK, JR. CHIEF OF THE OFFICE OF MERCHANT MARINE SAFETY, UNITED STATES COAST GUARD HEADQUARTERS. MERCHANT MARINE SAFETY IS A FUNDAMENTAL GOAL OF THE COAST GUARD AND THE DEPARTMENT OF TRANSPORTATION. AS DIRECTOR OF THE COAST GUARD'S COMMERCIAL VESSEL SAFETY PROGRAM, I AM MOST PLEASED TO APPEAR BEFORE YOU TO ADDRESS THIS SUBJECT OF MUTUAL INTEREST.

MERCHANT MARINE SAFETY, AS WE USE THE TERM, ENCOMPASSES THE IMPLEMENTATION OF A BROAD RANGE OF STATUTES AND INTERNATIONAL CONVENTIONS WHICH, TO A DEGREE, REGULATE THE CONSTRUCTION, MANNING, INSPECTION, ADMEASUREMENT AND DOCUMENTATION OF CERTAIN MERCHANT VESSELS AS WELL AS THE LICENSING OF THEIR PERSONNEL. SUCH IMPLEMENTATION WILL BE EASIER, MORE UNIFORM, AND BETTER UNDERSTOOD UPON MUCH NEEDED PASSAGE OF THE REVISION TO TITLE 46 OF THE U. S. CODE WHICH IS NOW BEFORE CONGRESS. SIMULTANEOUS ONGOING EFFORT TO REVIEW AND UPDATE IMPLEMENTING REGULATIONS AND TO PUBLISH LONG-STANDING INTERNAL INTERPRETATIONS AND POLICIES ARE COMPLEMENTING THE STATUTORY REVISION EFFORT AND WILL IMPROVE THE EFFECTIVENESS AND ACCEPTANCE OF THE PROGRAM.

THE MERCHANT MARINE SAFETY PROGRAM HAS FEW MATERIEL RESOURCES AND HAS TRADITIONALLY BEEN QUITE PERSONNEL INTENSIVE. WE HAVE TRIED OF LATE TO REDUCE THAT PERSONNEL INTENSIVENESS WHERE POSSIBLE WITHOUT LOSS OF EFFECTIVENESS OR INORDINATE ADVERSE IMPACT ON THE PUBLIC. SUCH EFFORTS HAVE INVOLVED ALL MAJOR COMPONENTS OF THE PROGRAM AND INCLUDE SOME DELEGATIONS TO THIRD PARTIES; REDUCTIONS FROM 49 LICENSING OFFICES TO 17 REGIONAL EXAMINATION CENTERS; NEW VESSEL DOCUMENTATION REGULATIONS, DOCUMENTATION COMPUTERIZATION, AND A REDUCTION FROM 108 TO 15 REGIONAL DOCUMENTATION OFFICES; AN ALTERED APPROACH TO CASUALTY INVESTIGATION; INCREASED ACCEPTANCE OF RECOGNIZED INDUSTRY STANDARDS IN LIEU OF DETAILED FEDERAL REGULATIONS; AND CHANGES IN OUR PLAN REVIEW AND OVERSEAS NEW VESSEL INSPECTION PROGRAM. PUBLIC ACCEPTANCE OF THESE CHANGES HAS GENERALLY BEEN GOOD, WITH MOST EXPRESSIONS OF CONCERN APPARENTLY BEING THE RESULT OF A MISUNDERSTANDING OF OUR INTENT.

WE ARE PLEASED WITH PROGRESS MADE TOWARD IMPROVED TRAINING OF OUR INSPECTION PERSONNEL AND ARE FINALLY IN SIGHT OF OUR LONG-AWAITED MARINE SAFETY INFORMATION SYSTEM. OUR INTERNATIONAL EFFORTS HAVE BEEN PRIMARILY RESPONSIBLE FOR THE ADOPTION ON 17 JUNE BY THE INTERNATIONAL MARITIME ORGANIZATION IN LONDON OF THE SECOND SET OF AMENDMENTS TO THE SAFETY OF LIFE AT SEA CONVENTION OF 1974. THESE AMENDMENTS WILL GREATLY INCREASE WORLD MERCHANT VESSEL SAFETY, WITH PRIMARY EMPHASIS ON LIFESAVING EQUIPMENT, AND WILL SIGNIFICANTLY REDUCE THE DISPARITY BETWEEN U. S. SAFETY REQUIREMENTS AND THOSE OF OUR TRADING PARTNERS. WITH IMPLEMENTATION OF THOSE AMENDMENTS THERE WILL BE VIRTUALLY NO DIFFERENCE BETWEEN THE FOUNDATION OF OUR SAFETY CONSTRUCTION AND EQUIPMENT REGIME AND THAT OF THE REST OF THE WORLD. WE CONSIDER OUR INTERNATIONAL INVOLVEMENTS TO BE PARTICULARLY SUCCESSFUL.

I HOPE I HAVE BRIEFLY PAINTED A PICTURE OF A PROGRAM THAT IS UPDATING ITS REGULATORY APPROACHES, INCREASING ITS COST EFFECTIVENESS, IMPLEMENTING ALL OF YOUR MANDATES, AND ACHIEVING THE UNITED STATES' GOALS IN THE INTERNATIONAL ARENA. WE THINK THAT IS THE CASE, BUT WE ARE NOT WITHOUT PROBLEMS.

CASUALTIES STILL OCCUR AND MOST REPRESENT A FAILURE OF OUR SYSTEM. EACH IS INVESTIGATED TO DETERMINE CAUSE AND RESPONSIBILITY IN THE HOPE THAT REPETITION CAN BE AVOIDED THROUGH BETTER ENGINEERING, INSPECTION, TRAINING, LICENSING, OR ENFORCEMENT--BUT THE ISSUE IS FRUSTRATING. THE MARINE ENVIRONMENT IS HARSH, HOSTILE, AND SELDOM FORGIVING, AND WE HAVE THE DIFFICULT RESPONSIBILITY OF ASSURING SAFETY WHILE SIMULTANEOUSLY AVOIDING OVERREGULATION AND ASSURING FAVORABLE REGULATORY COST-BENEFITS. IT IS LITTLE CONSOLATION TO THE

INJURED OR TO THE LOVED ONES OF THOSE LOST TO SUGGEST THAT CASUALTIES WILL ALWAYS BE A PART OF THE WORK PLACE AT SEA, YET SUCH MAY WELL BE THE CASE. THAT IS OUR PRIMARY FRUSTRATION.

VESSEL AGING BRINGS WITH IT INCREASED REQUIREMENTS FOR MAINTENANCE, PROBLEMS IN OBTAINING SPARE PARTS, AND DIFFERENT INSPECTION EMPHASIS--AND OUR FLEET IS RELATIVELY OLD. TO GIVE SOME PERSPECTIVE IN THIS REGARD, CONSIDER THAT 38 PERCENT OF THE U. S. FLEET OVER 500 GROSS TONS IS 30 YEARS OLD OR OLDER WHILE ONLY 0.2 PERCENT OF THE WORLD'S LARGEST FLEET, THAT OF LIBERIA, IS OF SUCH VINTAGE. WHILE WE ARE ATTEMPTING TO DETERMINE ANY CORRELATION BETWEEN AGE AND CASUALTIES AND ARE CONTINUING OUR ATTEMPTS TO ASSURE PROPER INSPECTION OF A VESSEL DESPITE HER AGE, IT IS OBVIOUS FROM THE SMALL AMOUNT OF NEW CONSTRUCTION THAT THE AVERAGE AGE OF OUR FLEET MAY WELL CONTINUE TO CREEP UPWARD. WHAT THIS MEANS IS THAT MANY OF OUR SHIPS ARE OPERATING WITH SAFETY TECHNOLOGY AND CONSTRUCTION TECHNIQUES THAT ARE OVER THREE DECADES OLD. CASUALTIES, HOWEVER, RUN THE GAMUT FROM NEW TO OLD VESSELS AND MOST OLD VESSELS CONTINUE TO OPERATE WITH EXCELLENT SAFETY RECORDS, A COMBINATION OF CIRCUMSTANCES THAT SUGGESTS THE COMPLEXITY OF THE PROBLEM. THE MARINE ELECTRIC WAS 39 YEARS OLD WHEN SHE SANK OFF THE VIRGINIA CAPES ON 12 FEBRUARY 1983; AND THE OCEAN RANGER, A STATE-OF-THE-ART SEMISUBMERSIBLE THAT WAS FITTED WITH THE MOST SOPHISTICATED OF LIFESAVING EQUIPMENT, WAS 6 YEARS OLD WHEN SHE SANK ON 15 FEBRUARY 1982 OFF OF NOVA SCOTIA.

HOW WELL ARE WE DOING? THE DETERMINATION OF SAFETY BENEFITS IS DIFFICULT BECAUSE OF THE NECESSITY TO MEASURE AN EVENT THAT HAS BEEN AVOIDED. ALL OF

THE VARIOUS GAUGES THAT ARE UTILIZED TO EVALUATE PROGRAM EFFECTIVENESS SUFFER FROM A CERTAIN ARBITRARINESS AND UNCERTAINTY. DIRECT EFFECTS ARE MORE EASILY MEASURED THAN GENERAL ENVIRONMENTAL DEGRADATION. TO SOME DEGREE, OUR EFFECTIVENESS DEPENDS UPON THE STATISTICIAN WHO DETERMINES IT. FOR EXAMPLE, BETWEEN 1976 AND 1980 THE LOSS RATE FOR THE U. S. FLEET WAS APPROXIMATELY 5 VESSELS PER 1,000 WHEN LOOKING AT VESSELS 100 GROSS TONS AND ABOVE. IF, INSTEAD, ONE EXAMINES LOSSES FOR VESSELS GREATER THAN 500 GROSS TONS, THE RATE WAS 2.4 VESSELS PER 1,000, A SIGNIFICANT DIFFERENCE. WE ARE ABLE TO LOOK AT THE PROGRAM IN TERMS OF RELATIVE EFFECTIVENESS WHEN COMPARED TO OTHER FLEETS, BUT HERE TOO, EVEN EXCLUDING DIFFERENCES IN FLEET AGE, ONE SHOULD BE AWARE OF THE SUBTLETIES WHICH CAN EXIST AND THE LIMITING PARAMETERS WHICH ARE USED IN MAKING COMPARISONS. FOR EXAMPLE, 77 PERCENT OF THE U. S. SELF-PROPELLED FLEET BUT ONLY 2.6 PERCENT OF LIBERIA'S FLEET IS LESS THAN 500 GROSS TONS.

DATA FROM LLOYD'S REGISTER OF SHIPPING GAVE US THE MEANS TO COMPARE LOSS RATES FOR VESSELS 500 GROSS TONS AND OVER DURING THE 1979-1980 PERIOD FOR 8 MARITIME NATIONS. THAT DATA SHOWED A WORLD AVERAGE OF APPROXIMATELY 6.5 VESSELS LOST PER 1,000 AND A RANGE OF LOSSES WHICH WENT FROM PANAMA AT APPROXIMATELY 19 LOSSES PER 1,000 AND GREECE WITH APPROXIMATELY 15 LOSSES PER 1,000 TO NORWAY AT APPROXIMATELY 0.5 LOSSES PER 1,000 AND THE UNITED STATES AT APPROXIMATELY 2 LOSSES PER 1,000. ALTHOUGH, AS I MENTIONED, STATISTICS CAN BE DECEIVING, OUR INSPECTED FLEET IS SIMULTANEOUSLY OLD AND VERY SAFE IN COMPARISON WITH THE FLEETS OF THE WORLD.

MR. CHAIRMAN, I DO NOT SUGGEST THAT THE COAST GUARD'S MERCHANT MARINE SAFETY PROGRAM HAS MET ALL OF ITS CHALLENGES, BUT WE ARE FACING THEM HEAD ON.

AS SECRETARY DOLE SAID IN A RECENT SPEECH, "ONE THING THAT MUST NOT CHANGE IS OUR UNABIDING RESPECT FOR HUMAN LIFE AND THE NEED FOR SAFETY. MARITIME SAFETY IS VERY MUCH A PART OF THE ALL-OUT, ALL-MODES EFFORT OF THE DEPARTMENT OF TRANSPORTATION TO MAKE TRANSPORTATION SAFER. AS SECRETARY OF TRANSPORTATION I HAVE NO HIGHER CALLING THAN TO MAKE TRANSPORTATION SAFER." THE COAST GUARD IS FULLY COMMITTED TO THAT VIEW AND WELCOMES THE OPPORTUNITY TO DISCUSS OUR PROGRAM WITH YOU TODAY.

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