SAMS® NEWSLETTER



Fall/Winter

2020

Volume 30, Issue 3

Editor: Stuart J. McLea, AMS®

Layout/Design Mark Shea



The International Office Would Like to Wish Everyone Happy Holidays!!!



EVERYONE BE SAFE!



Message From The Editor
Page 2

President's Message
Page 3

Important Member Information
Page 34

Members Corner
Page35



Stuart J. McLea, AMS[®] SAMS[®] Newsletter Editor

Good Day to you all from Collapsing Covid Maritime Bubble

Here in the Maritimes, boat sales are up as most dealers in this area have run out of product. Fall is over, winter is just around the corner and so is the snow.

This world is a lot different these days.

SAMS[®] has had its first ZOOM Membership Business Meeting and I would like to congratulate the new Board of Directors.

I would also like to provide a plug for the <u>James Wood Memorial Library</u> located at SAMS[®] HQ. If you have Maritime/Boating books that you would like to part with, consider donating them to the SAMS[®] reference library. SAMS[®] has even had the US Coast Guard in to use our reference Library.

Our next IMEC is in New Orleans and I hope that our borders will be open and the virus under control by next Fall. The educational programs are shaping up and it looks to be some interesting presentations.

Professional Tips

- 1. Business records including survey reports and work orders have to be kept for 7 years. In my own business we have been paperless for going on 10 years now. Please do not destroy your records before their time, you might need them.
- 2. Now I am going to sound like a broken record. In your report please write what you did or observed, and write what you did not do and please provide a reason for you not doing it. Example being, that a hatch could not be opened and as a result you could not inspect the hull transducers.
- 3. When speaking with a disgruntled client, be patient, listen to what he or she is saying, and answer their questions to the best of your knowledge. **Do Not** spin a story or tell white lies, as this only makes things worse. If you don't know, say that you don't know, but you will find out and get back to them.

Those subscribers with SAMS® Group insurance will be receiving quarterly updates in 2021.

Stay safe, be healthy, social distance, wear a mask and wash your hands often. We will all see each other soon!

Cheers!



Bill Trenkle, AMS[®] SAMS[®] President

Greetings, AMS®, AMS® Retired, Surveyor Associates and Affiliate members. As we all continue to try and make our way through the COVID -19 pandemic I wanted to thank you all for your continued support of SAMS®. We are what we are, because of our members and we will not forget that.

On October 31, 2020 SAMS® had our first virtual business meeting. Usually, these are preceded by a nice breakfast, so it was different from the get-go. As we do every year at the Annual Meetings, we presented reports from the officers. We had great updates on the financial picture, which was good. Membership is still good, all things considered as we are only down a handful. Meetings and Conventions VP, Joe Lobley, AMS® has all on track for a great event in New Orleans in 2021, and St. Louis in 2022. Education VP, Ken Weinbrecht, AMS® has some great plans for the next IMEC. Public Relations VP Eddy Assaf, AMS®, advertising is still having great activity in the boating market strangely enough, so we are still active. Our Executive Vice President John Lowe, AMS®, presented on ethics, he reported no big changes, but still more than we would like to see, mostly due to late reports. Also, as we usually do, we had our election and at our virtual meeting the results of the election were presented. There were no changes to the board this year, next year will be a change over year. We took some questions from the audience, which was about 230 members, and at the end of the day everyone felt the meeting was a success. Although, I know a few people missed the big door prizes that always go out on Saturday mornings.

Two of the questions asked are worth answering again here. First, what happened with the SoldBoats reduced cost subscription? Unfortunately, we did not get even close to the 600 members needed to make it work. Second, will we try again? No, it is clear that not enough members think it is important to their business and somehow feel they can do quality vessel valuations without SoldBoats. I do not know how, but that is your choice, until of course it becomes an ethics complaint. Final question was on offering some virtual classes or webinars. Everyone is keen to get CE Credits and learn something new, so we are looking into presenting some webinars soon. Check your emails because that is how it will be announced.

In closing, I wanted to pass on a couple of heads up. Please make sure that you are letting people know your SAMS[®] designator. If you are Yachts & Small Craft, Fishing Vessel, Engine, or any other designator make sure it is clear in your advertising, and make sure you are only doing what you are qualified to do. Surveyor Associates, make sure you review the policy manual and follow the steps to upgrade carefully. Make yourself a timeline so you know when you need to submit your annual reviews, when you need your CE's and meetings by and when to apply for your upgrade so you can test, of course leaving room for more than one test, just in case you do not pass the first time.

Please stay safe, have Happy Holidays, and we look forward to seeing you in person at a Regional Meeting, or IMEC in the near future.



John Lowe, AMS[®]
SAMS[®] Executive Vice President
Ethic Chair

PROFESSIONAL RADAR

Hello All, I received two calls from members today regarding ethics, which is about normal. I was pleased that they came in, because this shows me that these members have what I call professional radar. My definition of this is the ability of someone to feel that an assignment may not be ethical, or appear to be ethical and act accordingly. There is not enough room in this newsletter to go over all aspects of ethics as they apply to our membership, so I will not do that. I do hear the same thing from many of our members who call about a questionable assignment. They usually say something like "this job felt wrong so I thought I would give you a call." This indicates to me that this member has operational professional radar and is doing the right thing by calling. We should all know not to survey our brother-inlaws boat or work for two clients on the same assignment. This is the low hanging fruit in the ethics world, and I hope we will all stay away from these type of jobs. BUT, there are other instances where the line may not be so clear. I get the question "should I survey a boat I surveyed for someone else?" The answer here is to FULLY disclose IN WRITING (possibly in your work order which I'm sure we all have by now) which will be signed by your client. Another question that is quite common is "I surveyed the boat two weeks ago and the client passed on the sale, should I sell the report to another client?" The answer is NO. First of all that report belongs to the original client and it would be up to him to sell, or give it to a potential buyer without your involvement. Secondly, a lot can happen to a boat in two weeks, and you would be going out on a limb assuming nothing has changed in the interim. You should disclose that you surveyed the boat previously IN WRITING, and re-survey the boat. We sometimes fail to look at things through someone else's eyes and a job may be perfectly ethical to accept, but may look very dicey from a different point of view. Take a moment, and think it through from all angles. Do not hesitate to call a more experienced surveyor or myself to discuss a job that somehow does not "FEEL" quite right, and always trust your gut reaction. Sometimes when speaking with a potential client about a survey I can tell we are unlikely to get along well, and will avoid the survey as that client may have unrealistic expectations. You can protect yourself by doing the best job you can. Failure to do so may be a big mistake.

Finally, we are having the photo contest again this year, please limit your entry to ONE photo per member, and remember the spirit of this contest is to highlight some of the craziest things we see in our work and have some fun.

I will look for you in the yards.

Be Well



Kenneth Weinbrecht, AMS® Education Vice President

IMEC NEW ORLEANS 2021

With everything that is going on in the world it is hard to think of IMEC, but with the positive news of a vaccine and knowing that New Orleans is about 10 months away, we are hoping for a positive outcome. NOLA is a great venue for the maritime industry and there are several marine insurance companies there, maritime law firms, as well as a large contingent of commercial enterprises. So, what can you expect at IMEC 2021?

Ethics.....is there a difference between ethics and poor work product? How to stay ahead of an E&O claim, but doing and saying the right things.

ABYC- An update on some of the changes in the standards as well as "Do new standards apply to old boats"?

Maritime law firm speaking about what to say, do and write in a survey / claim report.

Marine insurance companies both underwriting and claims; how to better communicate with them and what does the industry expect of a surveyors report / communication.

What to put in your report without jeopardizing the issues?

We will try and get the Harbor Pilots to speak about the challenges they face in the Mississippi during piloting.

Electric propulsion, all the new advances.

Diesel outboards, are they the new competitors for the gas outboard industry?

Stu McLea, AMS®, Past President – How to communicate properly and with your clients, buyers, sellers and brokers.

Surveying commercial craft, fish boats, barges etc.

If you have any suggestions, please let me know.

CE's, how to get them during COVID.

If anything positive has come out of COVID it has been on-line learning. ABYC and many other companies as well as some surveyors now have classes on-line but some do not give a certificate, but that's ok, we can still work that out. Send to the office the course you attended and any confirmation that you registered and or paid for the course and CE's will be awarded, but we must have some type of confirmation that you were on-line. Zoom now has a way of tracking your on-line time, so the presenters can see how long you were there, so that should not be a problem. Please also note that the SAMS® office will be checking your enrollment for the record.



Kristoffer Diel, AMS[®] Secretary / Treasurer

Thank you, each of you, for taking the time to read the SAMS® Newsletter. We are living in some interesting times! Congratulations, so far, for making it to the end of 2020.

While most surveyors are well aware of looking for safety items on vessels, as a Damage Surveyor, I have had the duty and honor, of trying to understand what killed or injured someone while they were doing their survey job. The bottom line in 95% of the cases is: "Not <u>safely paying attention</u> to what is around them while they were doing the survey".

In early 2020, over 3 months, I made a quest of visiting 16 boatyards, solely to watch how other surveyors approach their boats. Several items appeared routine, even if dangerous.

#1 item: Check in with the property owner. If there is no-one available, call someone on your phone and tell them where you are, what you are doing, and for how long. MAKE SURE SOMEONE KNOWS WHERE YOU ARE. If injured, stuck inside a boat, and you cannot reach your phone... it will make a long day of it. When on the hard, while walking around taking pictures, two major items should be checked first. In many locations/shipyards/boatyards there are no chains being used for holding the opposing jack stands to each other. If you go aboard and move about and open and slam close hatches, you may be going for an unintended ride. And, any subsequent damages, will be your fault.

Next – <u>Still without touching anything!</u> If there is a shore power cord (that appears to be plugged in) take a multimeter and test for current between the shaft and the ground. There could be an electrical fault ANYWHERE aboard. And you are standing on the ground... even touching a through hull fitting could be dangerous. And now you are ready to go aboard. While it is undoubtfully true that using the ladder that is already in place against the vessel is convenient; it is not the best idea. You should have your own ladder. And, after setting it in place, ensure it is tied off above. This, so you/it does not fall, nor can it be easily moved by others, while you are inside.

The next question is dependent upon location & circumstances. **How long has the vessel been unattended?** This is a question that should be in your Work Order. Mold is everywhere, even in the snowy countries... and while not all molds are hazardous, many are. Also, some people are more reactive than others to a specific variety. And, most importantly, **mold exposure is agglutinative**. Meaning **every exposure**, adds to the possibility of a health reaction. Also, some locations are more obvious than others, such as inside fishing vessels or cargo holds. **Wear a mask first.** Good grief, I have not even touched the boat yet!

Please stay safe, take care of your loved ones, and enjoy the upcoming Holiday Season.

Thank you for your support in the recent SAMS® elections.



Gary Frankovich, AMS[®] Membership Vice President

This newsletter Membership article will be a bit different than usual. As you all know, due to Covid-19, SAMS® recently held our first "Virtual" Annual Meeting, and what a smashing success it was. To all of you who logged on, Thank You, and to all of you who didn't, Shame on You! We constantly get complaints about how expensive, or how far away, or how many days it takes out of a schedule to attend the annual meeting, but this time it was FREE, you didn't need to leave home, or change out of your shorts and flip-flops, and you still got CE's, so why weren't you there? If you didn't bother to log on, and are wondering how SAMS® Membership is doing, all the information is in the packet you received.

For All the Surveyor Associates out there: I'm getting lots of questions about what is needed to Upgrade to AMS® Candidate status.

NO MATTER WHAT YOU WERE DOING BEFORE YOU BECAME A MARINE SURVEYOR, NO MATTER HOW MUCH YOU KNOW ABOUT BOATS, NO MATTER HOW THOROUGH YOUR SURVEY INSPECTION IS, IF YOU CAN'T PUT IT DOWN ON PAPER SO THAT A NOVICE BOAT BUYER/OWNER, A LOAN OFFICER, OR AN INSURANCE UNDERWRITER CAN UNDERSTAND IT, YOU CANNOT BE A SUCCESSFUL MARINE SURVEYOR!

You should not look at SAMS® minimum Recommended Survey Report Content as a checklist, but rather as a roadmap or outline for the MINIMUM content that should be included in the report. As you improve, we hope that more than the minimum will find its' way into your reports. As you progress through your time as a Surveyor Associate we expect both your knowledge and your reports to improve. The report you wrote when you applied to join SAMS® will not get you approved for upgrade to AMS® Candidate. You should be taking advantage of every learning opportunity you can, this not only includes SAMS® meetings, but any other seminars or meetings, whether in person or virtual that you can attend. REMEMBER, you are REQUIRED to obtain a minimum of six (6) CE's EACH year, they do not roll-over, if you got 40 CE's in 2020 that's fantastic, but you still need 6 in 2021 (that's why it's called Continuing Education). You are required to send in an annual survey report (from a survey performed in that year) within 30 days of the anniversary of your acceptance into SAMS®. That report will be reviewed and you will receive a copy of the review, go over the review, study the comments, if you have questions contact your Regional Director, he/she will be glad to discuss it with you, this should not be adversarial, don't make excuses. Improve your next report. IMPROVEMENT is the goal of the annual review. That's what we look for when you apply for upgrade to AMS® Candidate. There is a reason that survey reports from SAMS® surveyors are accepted virtually without question by the entire marine industry, and we want to keep it that way.

Wear your mask and be Safe!



Joseph Lobley, AMS[®]
Meeting / Conventions
Vice President



2021 New Orleans, LA

Greetings to all!!!

I truly missed having this year's IMEC. There is something special about coming together with like-minded professions to share knowledge and experiences, learn something new and have a great time doing it. Moving forward, we will be watching the ever-changing mandates and executive orders regarding Covid-19 and with luck, we may be back to some level of normalcy for next year. IMEC 2021 is scheduled to be in New Orleans at The Sheraton on Canal Street. The dates are September 29th thru Oct 2nd, 2021. We have a room rate of \$179.00 with the usual amenities. Parking deals with hotels in the city are non-existent but there are parking garages and lots nearby. The hotel is well situated just outside the French Quarter with a short walk to Bourbon St., Harrah's Casino, and the Riverwalk. The Warehouse District is in the hotel's "backyard". This area is also known as the Art's District and is full of galleries, some of the best restaurants in the city, and of course, many watering holes. Plan an extra day and tour the World War II museum which is nearby as well.

IMEC 2022 will be in St. Louis Oct 5th-8th at the Hyatt Regency. The room rate is \$169.00 per night. It is a large hotel with three restaurants on site. The meeting spaces and guest rooms have just been renovated. Just out the front door is the Gateway Arch Park and the Mississippi to the left and the Old Courthouse to the right. Four blocks away is Busch Stadium and the newly built Ball Park Village with shops, sports bars, and restaurants. The hotel boasts 30 restaurants within a quarter of a mile. There is parking for \$10/day just a block away and onsite valet parking which is quite a bit higher, but I am trying to get that reduced. It is a great "small" city with a vibrant downtown. There is a huge influx of young professionals moving into the old brick manufacturing buildings that have been transformed into modern living spaces. I found the area around the hotel to be clean, very safe, and friendly.

IMEC 2023 is in Montreal, where this year's IMEC was originally scheduled. Our contract was renegotiated with the hotel without penalties. It will take place October 25th thru the 28th. The location is at the same hotel, with the same room block and food and beverage agreements. The only difference is a \$10 increase in the room rate. The new rate is \$239.00 Canadian. If the exchange rate stays steady, this should be at or about \$180.00 per night US. The hotel is on St. Catherine's Street and a short walk from the historic section of town. The first three floors of the hotel is a mall with everything available. You do not need to be concerned about weather since the hotel connects to the "Underground City" with pedestrian walkways to many shops and restaurants. I am sure our Canadian members will have a great turn out. Montreal is a day's drive for most of the North East and Great Lake members. We should have a great turn out.

Stay safe and remain vigilant.



Eddy J. Assaf, Jr., AMS®
Public Relations
Vice President

Hi everyone, hope we are all doing our upmost to protect ourselves against this virus that seems to have put the world on a lowdown. The Corona Virus has sure made a difference in the way we live and work. Things are starting to get to the point of closing around here for the winter, end of November and all boats are out of the water and wrapped and most marinas are getting ready to close for a couple of months.

This year's General business meeting was a little different, doing it virtual, I would have preferred doing it in front of you, and it was suppose to be in my home town of Montreal this year, but like I said there are changes around the world and we are trying to follow the trend.

Advertising wise, almost all went according to plan for this year. We did however make plans to be in most boat show guides across the globe but most of the boat shows, and get togethers were cancelled along with the publicity that went along with it. With cancellations of most major shows, it put restrictions on a lot of advertising that was planned. Advertising wise, as of now we are running ads with 19 different publishers for potential clients and 3 for recruiting. Approx. 127 ads have run so far this year is digital, and printed versions are being distributed all along the East Coast, West Coast, Great Lakes area, Gulf region and Canada. The publishers that do digital advertising also give us a feedback with click readings, on a bad month we get 250-300 clicks and in high season over 600 clicks per edition. In the printed versions we are publicized in about 80,000 different distributions, not including the Rosters. We will continue to run the recruiting advertisements with the goal of getting new members, Gary Frankovich, AMS[®], Membership VP, mentioned that we had a higher number of applicants this year, and I am hoping the advertisements had something to do with that.

We are still running the Google ad words campaign. In the beginning of the year we brought the amount to \$11.00 a day and have maxed out every day except for May which they figured was due to the COVID-19 situation. During that time, they also had to close shop for 2 weeks, where the system was running, but not monitored and kindly enough, they also credited us that time and applied to later months coming.

I plan on running the same ads this comimg year, we have about 5 different ones that are rotated in the ads but will probably have a few new ones made for the 2021 year. I will again use the distributors we have now, which have shown good results, some unfortunately, we do not get any results. I would really like to hear from the members if they see our ads in a magazine or digitally, it will help me get an idea on if it is actually being seen. Also, if there is a magazine or distribution that is marine related, and you would think a SAMS® ad would be good in, please let me know about it, and I will reach out to the media company behind them and will see what kind of advertising can be done. The members input really helps me do my job better. It is impossible for me to cover everywhere. Most of the distributions we now have, come from Regional Directors and members sending me a request, and so far, have proven to be good.

Just want to throw something out to you, I have noticed throughout the years, and I always ask my clients where they got my name from, was I referred to them by another client, or marine surveyor and seeing that they need a SAMS[®] surveyor, which appears to be the key. Most people know who we are and what we stand for which is reflected in the quality of our work, this alone seems to be the best publicity the organization can get. So, let's keep up the good work.

With any luck at all we will all see each other in New Orleans for IMEC 2021, I must admit, after 9 in a row, I really missed it this year.

During this crisis and now with the second wave hitting, I ask that you all be careful out there. For most of us in the north, the season is almost over so not so much traveling, or seeing other people but, for those who cannot be careful, protect yourselves.

Cheers



Randell Sharpe, AMS® Testing Vice President

As the country experiences a second wave of COVID outbreaks, I want to stress that it is most important that you are all being safe, and practicing social distancing and wearing masks as you work in the surveying business. We have seen that it works and what happens when folks ignore these precautions with resurgence in cases in areas where people are not being prudent. So, believe the science and do the right thing. I don't want to hear that we have lost a member to the virus.

For those that missed the annual membership Zoom meeting here is a summary of the past year in testing, 39 tests were taken by 30 members for AMS® designations during the past year, 19 members passed the AMS® test. Of those 19, 16 passed on the first test, and three passed on the second try, 20 persons failed the test and of those 6 failed for the second time. This gives us a passing rate of 63% by members taking the test overall and 53% passing on the first attempt. Test scores ranged from a low of 63% to a high of 90%, 80% is required to attain a passing grade, 6 members attained a score of 89%-90% with their first test. This shows that it is not an easy test, and Surveyor Associates should be taking studying for the exam seriously. The area that should be a gimmie is the open book section of the test. I have reviewed and updated that section of the Y&SC AMS® test, and EVERY ANSWER IS IN THE BOOK IN BLACK AND WHITE. Become familiar with that book! Don't give away points that should be simple to look up during the test. Read the questions. If it says 33 CFR says ??? don't give me an answer from 46 CFR. If a question is about PFDs don't give me an answer about toilets. If it asks about a table give me the table. Take your time and use the table of contents and any tabs you want to put on the book. Bring your book with you. Be conversant in the ABYC and NFPA standards. Understand corrosion. Be familiar with terms and practices of the marine industry. The test is not simply a memorization test of the standards but includes question of general knowledge of the marine industry and industry practices. Review the essay questions, and answer 5 of the 7 that you are most comfortable with. If you answer all seven of them, I only grade the first five. Don't skip questions; there is no penalty for guessing. Don't pick two answers to the same question, there is only one best answer. If you think a question is confusing pick the best answer and write out your answer/confusion in the margin so that I can improve the tests.

We have developed new designations for the engine AMS® designation. Based on the development of larger outboard motors and the prior limitation on diesel engines as over 500 hp, we have split the engine designation into two categories. There is now a gas engine designation and a diesel engine designation without hp. limitations. With the valuable assistance of Reinier Van Der Herp, AMS® and Dennis Guthrie, AMS® we have developed new tests for each designation. The Recommended Survey Report Content (RSRC) for engine surveys has been updated and a new review form has been provided to the Regional Directors to review Surveyor Associate surveys for gas and diesel engines. If you are a Surveyor Associate applying for engine, please contact SAMS® HQ for a copy of the RSRC guidelines and verify which designation you are working towards. Your surveys submitted for upgrade will be evaluated based on your adherence to the SAMS® RSRC guidelines.

I have updated the Cargo AMS[®] test which I found to be missing a question when it was taken recently. Thanks to the Cargo AMS[®] members who provided me with new questions for use with this test. I have developed a question database with all of the questions that have been asked on the Y&SC test over the years and will add to that as time permits to have a comprehensive test database to generate updated tests.

Cont.

I am happy to discuss test results with any member that has questions. I can't give you specific question answers, but can discuss areas that need improvement when a member fails to pass an AMS® test. Please let me know if you have any questions or concerns that you want to bring to the Board's attention.



Reinier Van Der Herp, AMS® Northeast Regional Director

Hello again from the Northeast! I hope everyone is staying safe and busy! I know here in NJ the brokerages ran out of boats to sell which made it very busy for pre-purchase surveys, and with all the new boat owners out there damage claims have been busy, as well.

Unfortunately, it looks like this Corona Virus is sticking around for a while so I would like to propose a possible virtual meeting and would like some input from our North East members. I still have to figure out the details but at least it can be done during the winter months when most of us are slower. Please drop me an email if you are interested or have any ideas for a curriculum. I will have to put before the Board of Directors for approval and see how many CE credits it will be worth.

The new gas engine designation is done, and available for those who are interested. The test will be eighty-five questions with three essay questions worth five points each for a total score of one hundred possible. Like I said in the last newsletter, be sure you know your stuff before taking it I can tell you it's not easy! With all the new technology out there and multiple outboard installations, fly by wire, etc. it's more complicated than years ago.

Please be safe out there, wear your masks when possible, social distance and frequently wash your hands. One of the things I've put into practice is when I meet up with the parties involved I give them a choice, since most of the time working with a mask on just doesn't work, they can stay off the boat while I'm working, because it's tough to keep a social distance on a boat or they can wear a mask on the boat while work is progressing, it's not ideal but works for me. I also ask my clients and others if they are comfortable with me not wearing a mask while working, and that will dictate how things are done. However, you decide, make sure you're comfortable with it and safe!

One last thing, I know I harp on this subject a bit, but it's important to remind all our Surveyor Associates about your report writing. This is the biggest pitfall in our organization per underwriters and financial institutions. That being said, please always try and improve your reports, be factual, accurate and honest, it goes a long way! Make sure you source as many comps as possible for your valuations and take the USPAP course which will teach you valuation methodology. You are only as good as your last report, and your report can end up in court which leaves you to defend it, if it's written well it won't be hard to defend. Also when you submit a report for review make sure it has systems, in and out of water inspection and if possible a sea-trial, this gives myself and my assistant Regional Director the information that we need to help you improve. We write and markup reports so that you can see where you need to improve, use it as constructive criticism, and don't take it personally, it's for your benefit.

End of Sea Story. Everyone have a Safe and Prosperous 2021!

Happy Holidays!



2022 St. Louis, Missouri



Angel Zeno, AMS®
Great Lakes
Regional Director

Have you ever heard someone use the term F.U.D.? That's an acronym for Fear, Uncertainty and Doubt. When our clients reach out to us, they are usually experiencing each of those issues to varying degrees and they are looking to us, to help them reconcile those feelings. The client may be concerned that he may be overpaying for the vessel, or that there may be a defect that can cause injury or loss, or even that some of the vessel's equipment is not functional. As surveyors our role is to provide a concise, factual, and objective report on the condition of the vessel that we have inspected. Our role is not to directly address the anxiety that the client may be experiencing, but our reports should provide the client with information that the client can use to make a reasonable decision on the risks associated with the purchase of the vessel.

F.U.D can also migrate over to an insurance underwriter or loan officer. Does the vessel represent a fair business risk to extend coverage or financing and if so, how much? Again, if our reports are concise, factual and objective, the information needed by the underwriter or loan officer to make that decision, should be present.

A survey report that presents just a physical inventory of the equipment onboard doesn't even come close to addressing anyone's needs. It should also state the condition of the equipment, did it power up or function. The report should include any deficiencies where the vessel does not meet current safety regulations and standards. This is the basis of the SAMS® Recommended Survey Report Content (RSRC). The RSRC provides a basic roadmap for the items that should be included in a survey report.

As we head into the boating off season in the Great Lakes, this would be an ideal time to review one of your most current survey reports and compare it against the SAMS® RSRC. If it meets the RSRC, you have gone a great way towards addressing F.U.D. If your report does not include the information included in the RSRC you may actually be contributing to the F.U.D., which doesn't do anyone any good. Feel free to reach out to the SAMS® International office if you need a new copy of the SAMS® RSRC.

How about that SAMS[®] business meeting on 10/31, I hope that you were able to participate. Hat's off to the SAMS[®] team that worked so diligently to leverage the technology that allowed our members to log in and participate in the SAMS[®] annual business meeting.

If you did log in and listened to the ethics report presented by John Lowe, AMS[®] you heard that we are still struggling with delivering our survey reports in a timely manner. Please be sure that you communicate with your clients before accepting the assignment, on when they will be receiving the survey report. And if things change, be sure to reach out to the client and advise them and explain about the change in plans. For example, in my case, I include the survey report timing in my survey agreement which states that within 3 to 5 business days following the inspection, the survey report will be presented in PDF format. If it starts to look like that timing is in jeopardy I'm immediately on the phone. Sometimes it may not be a pleasant phone call, but the client deserves to know as soon as possible that something has changed.

Many of you have contacted me regarding plans for a regional meeting. To say that the Covid-19 pandemic has placed a barrier on in-person meetings would place it mildly.

Cont

Many of the states have differing and often changing requirements for traveling and gathering, making it impossible to be able to plan and coordinate an in-person meeting anytime in the near future. With that in mind and based on the success of the on-line SAMS[®] business meeting I have begun contemplating plans for an on-line Great Lakes Regional Meeting. At this time, everything is preliminary but with any luck you should be hearing more soon.

At the end of the Great Lakes recreational boating season, I like to remind everyone to take a deep breath, step back, and analyze the successes and failures of your season. Contemplate what practices you could leverage into 2021 to make the next year an even better year.

Wishing you all a Safe and Happy 2021.



Cliff Schmidt, Jr., AMS[®] Florida Regional Director

Hi everyone from Florida, we are almost done with hurricane season - YEA, as snow season starts up north - I do remember those cold days and lots of snow.

I would like to congratulate all of the new Florida and Caribbean AMS[®]'s - hard work does pay off, you earned it. Welcome and congratulations to the new SAMS[®] Surveyor Associates. Now the hard work begins. For you Surveyor Associates, remember the requirement of one completed Condition and Value report sent to the office each year for review and critique by me or my assistant Christopher Day, AMS[®]. One of the biggest issues we both find is not following the SAMS[®]'s "Recommended Survey Report Content" guide. Look at and use it when writing your reports.

As of this newsletter I am unsure about our late winter in person Regional Meeting – we will continue to monitor the situation and see what we can do. As always safety is the upmost concern for all of us. I will also look into the possibility of a Zoom type meeting if getting together is not feasible.

Stay Safe





Charles W. Solarek, AMS® Pacific Regional Director

It has been quite a year for the boating industry. There has been a significant increase in the number of boat sales like no other. Inventories are down. Bidding wars have been reported over used boat sales. Boats are selling within days of being listed. In talking to fellow members across the country this is a nationwide phenomenon, not something local here in the Pacific Northwest. But with this comes new challenges for the marine surveyor. Time management for all of us, no matter the profession, is always a challenge. Life tends to get in the way most of the time. Plans are waylaid within hours of the start of the day. The inspection on that 30-foot express cruiser gets delayed due to a broken lift at the boatyard. Maybe the weather prevents you from conducting an underway demonstration and you need to schedule a second visit to the boat. Whatever the reason, it can be frustrating for sure. I always tell my customers two basic things when taking on an assignment.

One, plan on it taking the day. No matter how small the boat may be, it will take the day. Stuff happens, and usually does. The broker did not check the batteries the day before, and we arrive to a dead boat. There is no fuel. And it goes on and on. You all know what I am talking about.

Second thing I discuss is, how early can I get access to the boat? Now, I realize that not all of us are early risers. And sometimes I am surprised at how early I do get that access, but, in the long run it saves me and my customers time and aggravation. Sure, if all goes well, you may finish earlier than anticipated, but now you have some extra time in the day for the review of information gathered. Quite possibly you may find you have time to visit with the family instead of spending the evening in your office working on the report. Bonus!

There is no way that anyone can fully anticipate what challenges will be put in your way on any given survey. But, with a little foresight you will not get caught off guard. If you have a "system" for conducting the survey it can help in ensuring that you did not miss anything. Try working from the bow to the stern. Topside first, below decks second. Take your main overview photos before everyone arrives. Find what works for you and conduct your survey inspections in a routine matter.

Finally, the most important thing that any surveyor can have in their tool bag, a CHECKLIST. I can see some eyes rolling on this. A checklist? "I have been conducting surveys for _____ years, I know how to do this, and I don't need a checklist!" Well, if you do not even have a simple checklist, you are most likely going to and do miss something. The trick to this is making yours thorough but simple. It should not be so complicated and burdensome that you will not use it. Mine is built into my report writing software, simple check the box. RELIGIOUSLY used at the end of each inspection. Before walking off the boat, usually away from the distractions of conversation, I sit down and go through the list. Takes me about five (5) minutes. Customers appreciate the professionalism, and we are professionals. All said and done, proper planning and anticipation of challenges will only help you conduct a survey. Your customers will enjoy the experience and so should you. It really can and should be a learning experience for all parties involved.

On one other note, we are looking into how we can have a Regional Meeting sometime in February, but to early to make any kind of commitment. If any members have thoughts please email me, I would be interested to hear from you.

I would like to wish everyone to have a great holiday season as the year ends.

Stay safe. Stay sane.



Seth Mosley, AMS[®] Gulf Regional Director

As I write this, the tropics are still a little restless, but we are optimistically hoping for no more big storms. We have had our fill of the now five that have impacted the Gulf Coast with four of those picking on the north/central gulf really hard.

Moving on to reports and basic content. I have been coming across some reports lately that have missed the mark on the basic requirements of a survey report. I can handle typo's and general mistakes (like wrong model number, prop size, amount of pumps, etc.); we all make those mistakes and all we can do with those is work toward a more thorough proofreading and pay a little closer attention. I am talking about mistakes with big implications that reflect on the surveyor. Hull Identification numbers are a big one and I don't mean a typo mistake but a completely wrong HIN showing a different manufacturer and year model coupled with two different locations listed in the report as the location of survey (across the country different but on the same day). Of all the information needing to be correct on the report, I would say the HIN must be correct without question. This number is used by the banks, insurance companies, state registration, and title if your state is a boat title state. Again, a typo is understandable, we've all left out a lettr or digit or hit the wrong keu; the ones on the other end can certainly understand those from time to time. But when one of the previously mentioned organizations reads a HIN that isn't even in the ballpark, I would imagine they start to wonder if the boat was even properly surveyed, especially from an underwriter's viewpoint. I understand a lot of us use sort of pre-built reports where we take out and add in different information to meet the subject at hand, but I would recommend removing all specific type information from these reports. If you need a prompt to fill in information, try a generic word or phrase with brackets on each end so that it stands out as incomplete in your report. For example: "Vessel is equipped with {one} {two} { }, {make/model} { -gallon} water heater.". And before sending, double check the important information like who the report is for, owners name and address, HIN, boat specs and all your valuation data and details. I will admit, I am right there with the worst of them for not doing a full proofread, by the time I'm done with a report, I want it gone. This is something I have been working on myself; save the final report and come back the next morning and read it before sending. The bank/insurance company/brokerage isn't open at 11pm, it can wait to be sent at 6:30 the next morning and will definitely save time versus having to go back and correct the mistake once you've left the office, and they tell you about it mid-day while you're on another boat.

So, the one main takeaway from this is: Proofread your report or have someone else proofread it that has access to the facts or hard data (HIN, specs, parties/addresses, etc.). We are humans and we do make mistakes, what is important is that we own them, and work towards doing better on the next one. It's ok to slow down, just don't stop moving forward.



Dennis D. Eddinger, AMS[®]
Mid - Atlantic Regional Director

Well, here we are into the Fall Boating season and hope everyone has had a busy summer. I do hope, being in the Mid-Atlantic area of the country that the fall business will also continue to stay busy as possible for everybody.

Talking to the guys and gals around the region, everybody is keeping busy, "so far so good". I know that we here in the Charlotte area continues to stay busy with a full schedule.

Our biggest concern is with the "coronavirus". I hope everyone is being cautious and using all the recommended protection procedures and protection equipment when necessary. Wearing a mask when necessary and plenty of hand sanitizer when finished with the survey is a great way to start.

On October 31st, the SAMS[®] General Membership Meeting instead of IMEC, and was followed up by the Fall Board of Directors Meeting. Of course, both meetings were conducted via ZOOM due to the "coronavirus". We dealt with quite a few issues that are normally dealt with at the regular IMEC meetings. From all indications everything went well. It was good to be able to sit at home and conduct the business of our organization and not have to worry about travel concerns. The only thing missing was the various mini seminars with lots of good information from the boating community. Of course, nothing can beat the good old normal camaraderie and friendships made during, in between and after the seminars.

Congratulations to the following members for their achievements:

Craig Brigham, Surveyor Associate and Jon Clark, Surveyor Associate have been approved for AMS® candidate, and Steven Riggan has been approved as a new member and Surveyor Associate.

Between me, and Assistant Directors Pete Stevenson, AMS[®] and Jared Houghtalen, AMS[®] we are looking at the possibility of a Regional Meeting. Of course the Pandemic will have a lot to do with it. We will be sending out any information when things start coming together.

In the meantime, I want to wish everyone a Very Merry Christmas and a Happy New Year. Stay safe everybody.







C. David Sandford, AMS® Canadian Regional Director

Wrapping Up 2020

OK, so it's getting cold up here in Ontario, as it is in many of the Northern US states and for us as surveyors it means we're coming into a slower time of the year for many. Not much happens with fiberglass boats when the weather is below freezing, and I have to admit that my enthusiasm for inspecting boats always wains in the freezing winter weather.

I guess that I should explain that picture of myself that is posted with this article. It is me on the business end of my clubs work barge doing my best imitation of a logger floating a log jam down a river. Actually, we were moving our club's nested docks across the harbor to a sheltered area on the North side to prevent winter ice damage. Our little harbor, usually goes through several freeze / thaw cycles each winter opening the door for potential dock damage, so this is an important part of our winter prep. I illustrate this because winter is coming, and I know that some of you people in the south are laughing at me right now, but this is reality for us here in the North. And yes, mask wearing has become more prevalent here in Canada as our COVID numbers are not trending in the right direction. There were eight of us in the crew that day and we all agreed that for everyone's safety it was best that we all masked up, so to speak. It also helps to keep your face warm when you're on the water in November.

I have to admit that it has been a banner year for marine surveying here in Ontario and most everywhere, so I'm told. I'm just finishing up my last few assignments of the 2020 season and by December 15th the weather probably won't be conducive to much of anything from a marine surveying perspective. On a normal year (and we all know that 2020 has been anything but normal) I would have the Toronto International Boat Show to look forward to in January, but due to COVID it has been cancelled this year. It's always a good way to break things up over the winter and it usually produces a few boat deals. Because of this and with weather permitting, I sometimes get a few survey assignments completed over the winter. I'm not sure how it's going to go this year.

Each year the slow winter months are a time for me to review my report templates and make any additions or deletions that I may deem necessary. While doing this I also review the "Recommended Survey Report Content" handbook and have current ABYC standards handy for review as well. This is a ritual that I go through every year and I recommend that all of you do the same.

I also want to stress another issue here, that I am seeing on many of the reports that I've recently reviewed, is <u>Grammar and Spelling mistakes!</u> I've looked at reports that while in most areas are good inclusive reports only to be brought down by poor grammar and spelling. I have to admit that I'm often guilty of the same myself, so I am very conscious of this in my report writing. Remember, there are two sides to this surveying deal, the technical side and the report creation side. Both need to be done well for a surveyor to be successful.

Over the past few days here, in Southern Ontario we've experienced very high winds and there was an incident at a marina in Toronto where boats were toppled on the hard, no doubt due to inferior supporting issues. A part of my inspection process, I always inspect the condition of the cradle, the stands or look over the blocking methods and report on anything that is suspect. You would be surprised what I've come across over the years and I've also found that most people, whether it's boat owners or the marina staff, they are always receptive to suggestions on this.

That's it for now. Stay warm and please stay safe.



While we fondly remember the departed......

Charles Corder, AMS[®] Retired, Charter Member 10/14/1935 - 8/10/2020



Ralph Raymond Ashton, AMS[®] 11/16/1951 - 9/15/2020

Charles Adam Harden, AMS[®] 12/5/1925 - 5/23/2020

Cecil Lange, AMS[®] 1/3/1925 - 2020



Donald Robertson Former SAMS® Webmaster 1/22/1946 - 10/6/2020





Marine Safety Information Bulletin

Commandant (CG-5PC)
Attn: Inspections and Compliance Directorate
U.S. Coast Guard
2703 Martin Luther King Jr Ave SE, Stop 7501
Washington, DC 20020

MSIB Number: 20-20 Date: October 13, 2020

E-Mail: HQS-SMB-CG-672@useg.mil

Performing a VHF Marine Radio Check

Sea Tow Automated Radio Check System no longer available:

For several years, Sea Tow operated an Automated Radio Check System, which was available on VHF Channels 24 to 28 for the benefit of mariners in over 130 locations. However, on October 2nd, 2020 that service was discontinued.

How to test a VHF Radio using Rescue 21:

The U.S. Coast Guard continues to offer an automated Digital Selective Calling (DSC) Test Call capability from each of its Rescue 21 coastal stations. All fixed mount marine radios certified by the Federal Communications Commission since 1999 are required to have a DSC capability. All such radios sold since 2011 must also have a DSC test call capability. Marine radios transmitting and successfully receiving a response from a DSC test call can be expected to operate acceptably in the voice mode as well.

To perform a DSC Test Call, enter the U.S. Coast Guard's coast station group identity "003669999" into the radio's DSC memory. Once entered and stored, a DSC test call can be made by executing the following three steps:

- Select "Test Call" from the radio's DSC menu,
- (2) Select the USCG number entered into memory, and
- (3) Transmit the call.

The radio display should indicate when that test call is acknowledged and display the acknowledging station's nine-digit identity. That identity may be different than the group identity previously entered into memory.

Please use VHF Channel 09 and do not use VHF Channel 16:

VHF Channel 16 is not for the purpose of radio checks. Please use VHF Channel 09, which has been designated by the FCC as a boater's calling channel.

Questions concerning this notice may be forwarded to Coast Guard Spectrum Management and Communications Policy Division (CG-672) at HQS-SMB-CG-672@USCG.MIL or to the <a href="mailto:Coast Guard Navigation Center's "Contact Us" page by selecting "Maritime Telecommunications" as subject.

-uscg-

This release has been issued for public information and notification purposes only.

New York Law Tournal

WWW.NYLJ.COM

An **ALM** Publication

VOLUME 264-NO. 39

TUESDAY, AUGUST 25, 2020

ADMIRALTY LAW

Expert Analysis

COVID Meets Maritime: Strange Bedfellows

There's a port on a western bay And it serves a hundred ships a day Lonely sailors pass the time away And talk about their homes

—"Brandy" by Looking Glass

OVID-19 stopped the world, particularly transportation... many ships were not being "served" in port at all and many a lonely sailor couldn't get ashore or even relieved of duty. Recently, it led many to inquire: Is the COVID pandemic a force majeure?

Extraordinary Circumstances

Force majeure is an unusual and extraordinary circumstance that was not envisioned when a contract was made. Indeed, even if a shipment contract does not contain a force majeure defense, C

By James E. Mercante



And
Kristin E.
Poling

the Carriage of Goods by Seas Act (COGSA) steps in and provides the functional equivalent that says: "A carrier and the vessel are not liable for loss or damage arising from—dangers of the sea or other navigable waters ... acts of God ... seizure under legal process ... public enemies ... saving or attempting to save life or property at sea, including a deviation in rendering such a service." 46 U.S.C. §30706.

That said, the force majeure defense is strictly construed and evaluated pursuant to the precise terms set forth in the clause. Thus, even when an event may rise to the level of being a force majeure, courts are reluctant to cancel the contract. TGI Office Automation v.

Nat'l Elec. Transit Corp., 2014 U.S. Dist. LEXIS 189880 (E.D.N.Y. 2014) (finding "act of God" defense did not apply to destroyed shipment because flooding from Hurricane Sandy was not completely "unforeseeable," and in order to invoke the "act of God" defense, human activities cannot contribute to the loss in any degree). Like any defense, the burden of proving a force majeure rests with the party asserting it, with the "added burden of establishing lack of fault in order to be exonerated from liability." See James E. Mercante,

Many sailors from a wide range of countries have been on lock down aboard cargo ships, cruise ships and the like, with no return date in sight.

Hurricanes and Act of God: When the Best Defense is a Good Offense, 18 U.S.F. Mar. L.J. 1, 17-18 (2005-06).

A typical marine force majeure clause sounds something like this: "Neither [vessel owner] nor the [vessel] shall be responsible for

JAMES E. MERCANTE heads the Admiralty, Transportation and Marine Insurance practice team at Rubin, Fiorella, Friedman & Mercante. KRISTIN E. POLING is associate at the firm. New York Law Zournal TUESDAY, AUGUST 25, 2020

any loss or damage, or delay or failure in performing hereunder arising from: act of God, act of war, act of public enemies, pirates or thieves, arrest or restraint of princes, rulers, dictators, or people, or seizure under legal process ... or riot or civil commotion." *Tug Blarney v. Ridge Contr.*, 14 F. Supp. 3d 1255 (9th Cir. 2014) (finding issue of fact existed as to whether vessel sinking constituted "force majeure"). Note that the clause does not contain "pandemic," "virus" or similar wording.

The Supreme Court recently made clear that additional wording will not be read into a maritime contract. "Where the words of a contract in writing are clear and unambiguous, its meaning is to be ascertained in accordance with its plainly expressed intent In such circumstances, the parties' intent can be determined from the face of the agreement and the language that they used to memorialize [that] agreement." CITGO Asphalt Ref. Co. v. Frescati Shipping Co., 140 S.Ct. 1081 (Mar. 20, 2020) (internal citations omitted). In CITGO, a disastrous oil spill from the tanker ATHOS I, the Supreme Court held that a centuries old "safe berth" clause contained in a charter party form contract unambiguously established an absolute warranty of safety for the ship. The court refused to read the clause as imposing a lesser obligation of "due diligence" absent specific wording.

The basic premise of a force majeure clause is to relieve a party from its contractual duties when the purpose of the contract is frustrated by extraordinary circumstances. Mere impracticality or unanticipated difficulty is not enough to excuse performance. The Second Circuit determined that the event must not only be one included in the force majeure wording, but must be unforeseeable as well. Phillips Puerto Rico Core v. Tradax Petroleum, 782 F.2d 314 (2d Ctr. 1985) (finding that Coast Guard detention of cargo ship did

COVID-19 may be an act of bat (or originated with some animal virus), but so far it has not been described as an act of God.

not constitute a force majeure as defined in the agreement).

Impact on Shipping

Courts are already grappling with the extent of COVID-19's effect on commercial shipping. In *D'Amico Dry D.A.C. v. McInnis Cement*, 2020 U.S. Dist. LEXIS 114749 (S.D.N.Y. June 30, 2020), the Southern District of New York upheld a Rule B attachment against a cement cargo distributor. Rule B attachments are particular to maritime law. The attachment is issued against property within a court's district under Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the federal rules of civil

procedure. The court may attach a defendant's property up to the value of the claim as security for a judgment.

In D'Amico, the cement company entered into a four-year contract with plaintiff, guaranteeing regular shipments of cement. Shortly into the COVID-19 pandemic, the cement company stopped shipments, claiming force majeure prevented it from performing the contract. The plaintiff argued that the cement company's inability to perform existed prior to the COVID-19 pandemic and was not a result of force majeure. It appears that the cement company could not perform the contract at a profit, and that its continued performance would cause financial hardship. The case will be arbitrated, but in the meantime, the New York federal court upheld the Rule B attachment on the cement company's property. A lesson that financial troubles will not be a force majeure lifeline.

In The Matter of the Arbitration between Seascape Shipping and Trading v. Metalex 2000 S.A., S.M.A. No. 4390 (Jul. 15, 2020), the Society of Maritime Arbitrators determined that the charterer breached a contract by failing to load certain cargo aboard claimant's vessel. The charterer argued that the cargo could not be loaded due to restrictions put in place by the Venezuelan government. Citing to a force majeure clause in the charter contract, which

New Dork Caw Journal TUESDAY, AUGUST 25, 2020

included "arrest and/or Restraints of Rulers, Princes and People," the charterer took the position that it was excused from performing and not liable for any breach. The arbitrators disagreed, finding that the cost of the cargo changed during loading operations and for that reason, the charterer would not load. The panel found in favor of the claimant vessel owner which included damages incurred by the vessel sitting at its berth for several days during the stand-off between the parties.

Lonely Sailors

In addition to the business implications of this viral pandemic, there is the marine employment aspect as well. Many satlors from a wide range of countries have been on lock down aboard. cargo ships, cruise ships and the like, with no return date in sight. This is a result of travel restrictions implemented as the pandemic began to spread rapidly throughout the world. Essential crewmembers wound up quarantined aboard ship waiting to be repatriated. While thousands of other crewmembers remained ashore without pay awaiting approval for a crew change.

Recently, a shipping company was fined under 33 CFR §160.215 for failing to report that a crewmember had coronavirus before the vessel entered the Port of New York. That federal regulation requires a vessel bound for the United States under force majeure to report "any hazardous condition" to the captain of the port. The virus quickly spread to other crewmembers forcing the ship to anchor and be delayed for several days.

The expense of a ship under charter laid up idle even for a few days can be enormous. While such ship will lay dormant to clear COVID, both sides will have already laced up their gloves with maritime counsel over who is responsible and whether force majeure offers an escape hatch.

On Aug. 4, 2020, a class action lawsuit was filed in Florida against a cruise line by seamen allegedly trapped onboard the ship and required to work, some without pay. In their complaint, the crewmembers allege that when the COVID pandemic halted all satlings, defendants required all crewmembers aboard the ship to sign a document stating they were voluntarily staying onboard without pay. Janicijevic, et al. v. Bahama Paradise Cruise Line, et al., 20-cv-23223 (S.D. Fla. Aug. 4, 2020). This will be an interesting case to follow.

Strikingly hard to believe, and somewhat reminiscent of the book The Man Without a Country written by Edward Everett Hale, hundreds of cruise ship employees remained stuck at sea with nowhere to go during the crisis.

On the Horizon

COVID-19 may be an act of bat (or originated with some animal virus), but so far it has not been described as an act of God. It could be a "restraint of princes" (being locked out of a port by government mandate, for example). What is certain, these unique defenses will be in the lineup for some interesting maritime litigation due to COV-ID-19. However, "pandemic" is not a word specifically included in the present day force majeure clause, so there is a bit of an uphill battle that courts, arbitrators, marine insurers and maritime lawyers will have to grapple with. Negotiating the inclusion of the word "pandemic" in maritime contracts will likely become the new normal, not unlike wordings that surfaced for terrorism in the wake of Sept. 11, 2001, and "cyber" attacks thereafter.

On the somewhat positive side of things, while most maritime clauses and laws are ancient and steeped in history (like the "safe berth" clause in the ATHOS I case), we may be on top of the wave of a brand new clause, the COVID 2020 Force Majeure clause. Something to think about over a "Brandy" and that song!

Reptrited with permission from the August 25, 2020 edition of the NEW YORK LAW JOURNAL © 2020 ALM Media Properties, LLC. All rights received. Further displacation without permission is prohibited. For information, cardiact 877-257-3382 or reptrice@dm.cm. # NTLJ-88242020-458376.

Joseph A. Derie, AMS[®] SAMS[®] Commercial Workboat Chair SAMS[®] Tug & Barge Chair



OSHA REQUIREMENTS FOR MARINE CONSTUCTION (Part 3 of 3 – Cranes and Derricks on Barges)

This is part 3 of a 3-part series of articles on OSHA requirements for marine construction as they pertain to un-inspected commercial vessels. Part 1 discussed 29 CFR 1026.605 *Marine operations and equipment (basically deck barges)* and was published in the last NAMS e-News. Part 2 discussed 29 CFR 1926.1437 *Floating cranes/derricks and land cranes/derricks on barges,* subsections (a) through (i). These articles were published in the preceding two NAMS e-News. This article discusses 29 CFR 1926.1437 *Floating cranes/derricks and land cranes/derricks on barges* subsections (j) through (n).

29 CFR 1926.1437 Floating cranes/derricks and land cranes/derricks on barges has the following requirements:

- (j) Working with a diver. The employer must meet the following additional requirements when working with a diver in the water:
 - (1) If a <u>crane/derrick</u> is <u>used</u> to get a diver into and out of the water, it must not be <u>used</u> for any other purpose until the diver is back on board. When <u>used</u> for more than one diver, it must not be <u>used</u> for any other purpose until all divers are back on board.
 - (2) The <u>operator</u> must remain at the controls of the <u>crane/derrick</u> at all times.
 - (3) In addition to the requirements in §§ 1926.1419 through 1926.1422 (Signals), either:
 - (i) A clear line of sight must be maintained between the operator and tender; or
 - (ii) The signals between the operator and tender must be transmitted electronically.
 - (4) The means <u>used</u> to secure the <u>crane/derrick</u> to the vessel/flotation <u>device</u> (see <u>paragraph (n)(5)</u> of this section) must not allow any amount of shifting in any direction.
- (k) Manufacturer's specifications and limitations.
 - (1) The <u>employer</u> must ensure that the barge, pontoons, vessel, or other means of flotation must be capable of withstanding imposed environmental, operational and in-transit <u>loads</u> when <u>used</u> in accordance with the manufacturer's specifications and limitations.
 - (2) The <u>employer</u> must ensure that the requirements for maximum allowable <u>list</u> and maximum allowable <u>trim</u> as specified in Table M1 of this section are met.
 - (3) The <u>employer</u> must ensure that the <u>equipment</u> is stable under the conditions specified in Tables M2 and M3 of <u>this</u> <u>section</u>. (Note: Freeboard is the vertical distance between the water line and the main deck of the vessel.)

Cont.

- (4) If the <u>equipment</u> is <u>employer</u>-made, it must not be <u>used</u> unless the <u>employer</u> has documents demonstrating that the <u>load</u> charts and applicable parameters for <u>use</u> meet the requirements of <u>paragraphs</u> (m)(1) through (3) of <u>this section</u>. Such documents must be <u>signed</u> by a registered professional engineer who is a <u>qualified person</u> with respect to the design of this type of <u>equipment</u> (including the means of flotation).
- (5) The employer must ensure that the barge, pontoons, vessel or other means of flotation used:
 - (i) Are structurally sufficient to withstand the static and dynamic <u>loads</u> of the <u>crane/derrick</u> when operating at the <u>crane/derrick</u>'s maximum <u>rated capacity</u> with all planned and actual deck <u>loads</u> and ballasted compartments.
 - (ii) Have a subdivided hull with one or more longitudinal watertight bulkheads for reducing the free-surface effect.
 - (iii) Have access to void compartments to allow for inspection and pumping.
- (n) Land cranes/derricks. For land cranes/derricks <u>used</u> on barges, pontoons, vessels or other means of flotation, the employer must ensure that:
- (1) The <u>rated capacity</u> of the <u>equipment</u> (including but not limited to modification of <u>load</u> charts) applicable for <u>use</u> on land is reduced to:
 - (i) Account for increased <u>loading</u> from <u>list</u>, <u>trim</u>, wave action, and wind.
 - (ii) Be applicable to a specified location(s) on the specific barge, pontoons, vessel or other means of flotation that will be used, under the environmental conditions expected and encountered.
 - (iii) The conditions required in paragraphs (n)(3) and (n)(4) of this section are met.
- (2) The <u>rated capacity</u> modification required in <u>paragraph (n)(1)</u> of <u>this section</u> is performed by the <u>equipment</u> manufacturer, or a <u>qualified person</u> who has expertise with respect to both land <u>crane/derrick</u> capacity and the stability of vessels/flotation devices.
- (3) For list and trim.
 - (i) The maximum allowable <u>list</u> and the maximum allowable <u>trim</u> for the barge, pontoon, vessel or other means of flotation must not exceed the amount necessary to ensure that the conditions in <u>paragraph (n)(4)</u> of <u>this section</u> are met. In addition, the maximum allowable <u>list</u> and the maximum allowable <u>trim</u> does not exceed the least of the following: 5 degrees, the amount specified by the <u>crane/derrick</u> manufacturer, or, when, an amount is not so specified, the amount specified by the <u>qualified person</u>.
 - (ii) The maximum allowable <u>list</u> and the maximum allowable <u>trim</u> for the land <u>crane/derrick</u> does not exceed the amount specified by the <u>crane/derrick</u> manufacturer, or, when, an amount is not so specified, the amount specified by the qualified person.
- (4) For the following conditions:
 - (i) All deck surfaces of the barge, pontoons, vessel or other means of flotation <u>used</u> are above water.
 - (ii) The entire bottom area of the barge, pontoons, vessel or other means of flotation used is submerged.
- (5) Physical attachment, corralling, rails system and centerline <u>cable</u> system meet the requirements in Option (1), Option (2), Option (3), or Option (4) of <u>this section</u>, and that whichever option is <u>used</u> also meets the requirements of <u>paragraph (n)(5)</u> (v) of this section.
 - (i) Option (1) Physical attachment. The <u>crane/derrick</u> is physically attached to the barge, pontoons, vessel or other means of flotation. Methods of physical attachment include crossed-cable systems attached to the <u>crane/derrick</u> and vessel/flotation <u>device</u>, bolting or welding the <u>crane/derrick</u> to the vessel/flotation <u>device</u>, strapping the <u>crane/derrick</u> to the vessel/flotation <u>device</u> with chains, or other methods of physical attachment.
 - (ii) Option (2) Corralling. The <u>crane/derrick</u> is prevented from shifting by installing <u>barricade</u> restraints (i.e., a corralling system). <u>Employers</u> must ensure that corralling systems do not allow the <u>equipment</u> to shift by any amount of shifting in any direction.
 - (iii) Option (3) Rails. The <u>crane/derrick</u> must be prevented from shifting by being mounted on a rail system. <u>Employers</u> must ensure that rail clamps and rail stops are <u>used</u> unless the system is designed to prevent movement during operation by other means.
 - (iv) Option (4) Centerline cable system. The <u>crane/derrick</u> is prevented from shifting by being mounted to a <u>wire rope</u> system. The <u>employer</u> must ensure that the <u>wire rope</u> system meets the following requirements:
 - (A) The wire rope and attachments are of sufficient size and strength to support the side load of crane/derrick.
 - (B) The <u>wire rope</u> is attached physically to the vessel/flotation <u>device</u>.

- (C) The <u>wire rope</u> is attached to the <u>crane/derrick</u> by appropriate attachment methods (such as shackles or sheaves) on the undercarriage, and that the method <u>used</u> will allow the crew to secure the <u>crane/derrick</u> from movement during operation and to move the <u>crane/derrick</u> longitudinally along the vessel/flotation <u>device</u> for repositioning.
- (D) Means are installed to prevent the <u>crane/derrick</u> from passing the forward or aft end of the <u>wire</u> <u>rope</u> <u>attachments</u>.
- (E) The <u>crane/derrick</u> is secured from movement during operation.
- (v) The systems/means <u>used</u> to comply with Option (1), Option (2), Option (3), or Option (4) of <u>this section</u> are designed by a marine engineer, registered professional engineer familiar with floating <u>crane/derrick</u> design, or <u>qualified</u> person familiar with floating <u>crane/derrick</u> design.
- (6) Exception. For mobile auxiliary cranes <u>used</u> on the deck of a floating <u>crane/derrick</u>, the requirement specified by <u>paragraph (n)(5)</u> of <u>this section</u> to <u>use</u> Option (1), Option (2), Option (3), or Option (4) does not apply when the employer demonstrates implementation of a plan and procedures that meet the following requirements:
 - (i) A marine engineer or registered professional engineer familiar with floating <u>crane/derrick</u> design develops and <u>signs</u> a written plan for the <u>use</u> of the mobile auxiliary crane.
 - (ii) The plan is designed so that the applicable requirements of <u>this section</u> are met despite the position, travel, operation, and lack of physical attachment (or corralling, <u>use</u> of rails or <u>cable</u> system) of the mobile auxiliary crane.
 - (iii) The plan specifies the areas of the deck where the mobile auxiliary crane is permitted to be positioned, travel, and operate, and the parameters and limitations of such movements and operation.
 - (iv) The deck is marked to identify the permitted areas for positioning, travel, and operation.
 - (v) The plan specifies the dynamic and environmental conditions that must be present for <u>use</u> of the plan.
 - (vi) If the dynamic and environmental conditions in <u>paragraph (n)(6)(v)</u> of <u>this section</u> are exceeded, the mobile auxiliary crane is attached physically or corralled in accordance with Option (1), Option (2) or Option (4) of <u>paragraph (n)(5)</u> of <u>this section</u>.
- (7) The barge, pontoons, vessel or other means of flotation used:
 - (i) Are structurally sufficient to withstand the static and dynamic <u>loads</u> of the <u>crane/derrick</u> when operating at the <u>crane/derrick</u>'s maximum <u>rated capacity</u> with all anticipated deck <u>loads</u> and ballasted compartments.
 - (ii) Have a subdivided hull with one or more longitudinal <u>watertight</u> <u>bulkheads</u> for reducing the <u>free surface</u> <u>effect</u>.
 - (iii) Have access to void compartments to allow for inspection and pumping.

Tables M-1 – M-3 can be found in the OSHA regulations.

Note the requirement in subparagraph m-(4) that requires documents must be <u>signed</u> by a registered professional engineer who is a <u>qualified person</u> with respect to the design of this type of <u>equipment</u> (including the means of flotation).

Note also in sub-paragraph n-(4) (v) that requires the systems/means <u>used</u> to comply the various options must be designed by a marine engineer, registered professional engineer familiar with floating <u>crane/derrick</u> design, or <u>qualified</u> <u>person</u> familiar with floating <u>crane/derrick</u> design.

The above areas are frequently overlooked when operating these types of equipment on barges.

Although not mentioned it would appear that the requirements of 29 CFR 1919 *Gear Certification* also apply. I have discussed that in a previous article. If you would like a copy of that article, please contact me.

As always, I hope anyone who wants to discuss this column or has questions about commercial workboats, tugs, barges or 46 CFR Subchapter M will contact me at 503-236-6818.

Determining Serviceability of Vacuum Flush Commode Systems by Richard Sadu Frehm, AMS®

While doing a survey inspection, especially a Prepurchase Survey, on a vessel utilizing a vacuum flush commode (such as the Domestic Sealand Vacu Flush), exactly how does a surveyor determine the condition of the system's vacuum holding capability? A client needs to know if the vessel's commodes are working properly. Therefore, it is important to be able to state within the survey report that the commodes were properly tested and proved serviceable or were not serviceable.

If the system is a simple manual pump or 12/24-volt DC operated, raw or fresh water fed, it will be obvious whether the commode's water feed and evacuation is operating as intended. However, with the common vacuum flush systems found on the majority of newer yachts, diagnosing the vacuum holding capability of the system's seals takes more investigation.

If the commode's vacuum pump is continuously recycling and stopping, without being flushed, it is obvious that there are leaking seals in the vacuum system. Or, if the commode's bowl will not hold water, it is time to replace the commode and system's vacuum seals.

But there are times, even though the commode's bowl holds water and vacuum system is not recycling constantly, that the system's seals are at or past their serviceable life and need to be replaced. To find out if the vacuum holding capability of the commode's tank and system is serviceable, perform the following tests on each commode that has a dedicated vacuum pump/tank:

- 1. Flush the commode. Stand by the vessel's DC distribution panel that has the commode's overcurrent protection breaker on it.
- 2. If the vessel has an Amperage gauge on the DC panel, by watching the Amperage gauge fluctuate, one can tell when the system vacuum pressure is obtained, and the pump turns off. Immediately after seeing the vacuum pump has shut off, turn off the commode's breaker.
- 3. Wait 20 minutes, after 20 minutes, close the commode's breaker while watching the Amperage (Load) gauge. If the Amperage gauge's needle stays motionless, then the commode and system is properly holding a vacuum. If the amperage needle starts fluctuating on/off as it did after the flush, then the vacuum pump had to be re-activated due to low pressure in the system a sure way to know that the vacuum seals are not holding pressure properly and that the system needs service.
- 4. Repeat for all commodes with which have dedicated vacuum pump systems.

If the vessel does not have an Amperage gauge at the DC panel, then one can perform the same test with the help of an assistant. Have the assistant inform you when the commode stops vacuum pumping after the flush, by either watching the red "Do Not Flush" light near the commode, or by observing/listening for the vacuum pump within the bilge turns off. After the commode is flushed and the vacuum pump reaches the proper pressure and turns off, open the commode's breaker, turning off power to the commode, at the DC distribution board. Wait 20 minutes and reset or close the breaker to turn power back on to the commode, while the assistant watches again for the activation of the red "Do Not Flush" light or by observing the vacuum pump. If the vacuum pump re-activates or the red "Do Not Flush" light starts to flash, it is a clear indication that the tank or Vacu Flush system has lost vacuum pressure and that the system needs service including replacement of seals.

Failure Analysis for Marine Surveyors

By

Debbie Aliya, SAMS® Affiliate Member President, Aliya Analytical, Inc. Materials Engineer, Failure Analyst

Sometimes a marine surveyor is asked to perform an inspection of a vessel, or an associated structure, that has suffered damage. Often, these investigations are requested by an insurance company, to help them determine if a damage incident is a covered loss.

For many of the investigations I have worked on, it seems to come down to whether the damage was due to a single event, or incident, or whether it was a result of long-term use. In other words, whether it was a result of normal "wear and tear."

If someone thinks that there was an incident, then they might question whether it was a failure due to a defect. The fact is that "defects" can also result in failure as a result of normal use. The question about the presence or absence of defects is usually a complicated one, in my view, because there is no industry wide, or even insurance industry wide accepted definition of a defect.

Failure and defect are loaded words. They imply fault. But the type of failure analysis engineers usually work on is of things. Things cannot think. So, it really isn't fair to fault the thing, the part, the assembly, the structure. Rather, the fault lies in the realm of the human factors that led to the desire for the thing, the design and manufacture of the thing, the way the thing, or the product that contains the thing, is marketed, and the people who buy, use and maintain the thing, or the product containing the thing.

Furthermore, "things happen" to people, so the habits and traits of people who become customers of the companies who want, make, and market the thing may change over time. While our society manages to make an incredible amount of things that end up in landfills, and a tiny amount that gets recycled, some things get sold, donated, or given to others at garage sales, formal aftermarkets, and through family transactions.

Each of the human – thing interactions, from the transportation of the thing to the next place it needs to go, to the way the user interacts with it, offers an opportunity for the "thing" to experience a diminishment of its physical integrity.

For example, discontinuities in materials are sometimes obvious if they facilitate fracture. But just because a discontinuity facilitates fracture, it does not prove that there was necessarily a manufacturing defect. All manufactured items contain discontinuities.

Some time ago, I received a cast propellor with a blade broken off. Based on the science and art of fractography, I was able to determine that the crack that led to the liberation of the blade fragment initiated at a manufacturing discontinuity. But the propellor had reportedly been modified from its original design/shape, and the discontinuity was visibly near the expected high stress location. While the general position of the high stress location would not have been expected to move as a result of the modification, it's possible that the stress level went up or down, moving the classification from harmless to harmful.

Without the co-operation of the manufacturer, I was not able to ascertain that the presence, size, and position of the discontinuity was solely responsible for the unexpected failure. This is because one definition of a defect in the realm of product liability is that it is a discontinuity that changed the stress state to such a degree that the location of the crack that caused the "failure" was moved to a nominally low stress location. Without a change in crack position, there is no way to figure out if the crack happened as a result of excessive stress or insufficient strength. In other words, we can't tell WHY the stress exceeded the strength. I am not sure whether the insurance company decided to pay the claim or not. That is not the job of the failure analyst to determine.



The insurance industry helps people manage the financial risk associated with corrosion during shipping. I have worked on several projects for SAMS[®] members, where the recipients of the corroded shipment sought my help to figure out when the corrosion happened so that the claim could be covered or denied with the foundation of some legitimate technical facts. On one interesting project, I was able to show that the stains were in totally different positions on two facing flat raw material surfaces in contact with each other. Thus, the stains were clearly a result of some manufacturing process that preceded the shippers handling.

Takeaways:

- 1) It's human(s), not the thing / part / assembly that created the problem.
- 2) When carefully examined, we find that there are a mind-blowingly large number of steps required to make something, starting with the intention / thoughts / desires for the thing to exist, and moving through the final acquisition of the product by the end user(s).
- 3) The foundation for physical damage, whether structural or aesthetic, may be found to have been laid at any, or many, of the steps along the path from desire for the object, to application by a user, perhaps generations down the road from the people who first envisioned the thing.



Safety Warning

July 7, 2020

Warning for Possible Ladder Defect

CMP Group Ltd. is notifying you of a possible defective ladder tread on the Dock Edge ladder models DE2053F, DE2054F, DE2054F, DE2054F, DE2044F and DE2045F. The potential defect is related to a sharp edge that might be found on the outside edge of the ladder step tread. If the ladder is not assembled correctly, and/or tightened properly, the edge of the ladder tread may be exposed. This edge may be sharp or expose a burr in the metal, thus resulting in a potential cutting hazard for anyone using the ladder.

We have undertaken corrective action in our manufacturing process to implement a new procedure to eliminate any sharp edges. As such all new and future production for the noted ladders will include this process, and thus ensuring that this potential hazard will no longer occur.

We kindly ask that you quarantine any existing inventory of the noted ladders. We will replace your existing inventory with new ladders or provide you with a credit on account once the ladders are returned to our warehouse.

Should you have any questions please contact our customer service department at <u>vaughanwarranty@cmpgroup.net</u> or your CMP sales representative.

Assuring you of our continued ongoing commitment to safety and quality products.

This notice is issued in conjunction with both the Canadian Health and Consumer Affairs Department and U.S. Consumer Products Safety Commission.

Members

We seem to be experiencing an uptick in ethics complaints lately, and we're seeing a common thread.

The complaints stem from late or poor reports which is nothing new, however while speaking with the members and complainants, it is clear that many of our members are simply taking on more work than they can properly handle. Claiming that you are "too busy" to produce a report is not a valid reason to deliver your report within a reasonable amount of time, and not delivering a report at all can result in criminal charges. You should discuss and include in your work order a time frame in which the report is to be delivered. We have had several cases where a client could not secure insurance coverage and/or financing as no report was delivered. These cases not only hurt your reputation, but will hurt the reputation of SAMS[®].

It is a good thing that we all seem to be very busy during the current situation, but we need to maintain a level of professionalism that the organization has earned over the years, diluting that will cost us all in the long run.

Hope you all have a Happy Holiday season.

Regards,

John N. Lowe, AMS[®] Ethics Chair Exec VP

A Quick Dive into a Keel Project

MarsKeel Technology®

At MarsKeel Technology we offer our clients all the services needed to manufacture top quality keels. We are far more than a lead foundry, we offer complete project management, design, and engineering assistance.

Our support begins with the first email or phone call. We discuss the project with the customer, be it the builder, designer, or engineer. From there, we get an idea of the scope of work. Once the drawings arrive, we really get the opportunity to get into the details of the project. It is from this point that we can see exactly what the customer is looking for. Is it a "simple" lead casting? Or is it a more complete keel combining castings, fabrications, and machining?

We Can Assist You





To This



Which type of project are you asking for? This is where our experience assists you. We can assist you through both very complex projects (*left KZ7 keel*) involving many disciplines, from pattern making, casting, fabrication and CNC machining to far more simple keel castings (4200 lbs keel casting).

Costing

This going to be dull but very necessary. Once we know where in the range of projects you are, we can start creating a costing sheet. We work out a costing sheet for every job. It is not just a means of adding costs, that's simple, it reminds you to look carefully at every detail in the project. No matter if you have seen them hundreds of times or they are brand new. From a simple 15-line costing sheet to a

tremendously complex 200-line costing sheet, it helps both us and the customer get what they want. They are a road map for the project.

Manufacturing and Designing

There are two basic parts to this process. One, looking at the offered design and seeing if there is any aspect that we can offer suggestions on. This is not always necessary, but we always look for areas where we can assist make the project simpler, and possibly less expensive.

The second process is the internal manufacturing engineering work that is done. This is the design and production work to make every part needed to make the project, from patterns to custom shipping systems. This can be as simple as a single bolt rack or as complex as a complete system of fabricated core boxes and machined rods. These are the things that the customer will not see but they are a tremendously important part of making the project and need to be included in the costing sheet. Without them, we couldn't do our work. It all depends on the complexity of the project how involved the manufacturing engineering needs to be.

Below are some possible areas we could offer suggestions to the designer or customer. These two are generally the simplest ways of saving the customer time and money. They of course need to be accepted by the engineer or designer. There are many other areas that we look at as well, but we don't have the space to go through all of them here.

Example 1: Fabricated Fin Material

In terms of a keel fin, be it fabricated or cast, machined partly or completely, this is where our team is likely to have suggestions for the project. Our suggestions are not being critical of the shape or geometry of the keel, they are focused on construction details. We are always looking for new ways to make things like we all are, better, cheaper, and faster. We offer the customer suggestions on things like the material required in a fabricated fin. If for example, they spec a SSAB Weldox grade, we would suggest a grade of ASTM A 514. This material has the same chemical and physical properties, it is less expensive and is available locally.

Example 2: Keel Bolts

We might suggest something as small as a change in keel bolt material to offer a less expensive option if ABS or ISO bolt calculations allow the change. We can make keel bolts or studs and hex and jam nuts out of any material that is needed, from 17-4Ph to 2205 Duplex to NAB. But some smaller projects can have the cost impacted by making custom machined keel bolts and hex nuts rather than a readily available option, 316 SS or A4-70.

Conclusions

You can now understand the services and level of detail that we offer in all our projects. It is this level of detail that is reflected in the costing sheet and in the offered price. This is not to say that we overthink the project but based on our experience try to foresee and plan paths around any found concerns. If we can be successful in that then the product and the customer will get the part they are looking for. It will arrive on-site anywhere in the world safe and sound.

Cont.

That is the basis for every question we ask and every option we offer, to get the customer the best part that we can make at a reasonable price and delivery time.

Read our latest blog for an in-depth look at our complete keep project process.

Read Blog

Sincerely,

William Souter, Custom Keel Sales & Design

MarsKeel Technology®

SV Rosie G Project: A Journey of a Dream

MarsKeel Technology®

In 1977, Barry dreamed to design a sailing yacht he wanted. At the time, he had *SV Seminole* (which he built) anchored off the river mouth in Tahiti, and she was a very loved vessel. But human nature takes hold with most of us and we all fantasize about something different and better no matter how content we are in the present. Barry spent hours collaborating ideas with his best friend, Patrick, while they were barefoot vagabond sailing together.

A simple vessel with the fewest moving parts, laminated wood, and epoxy hull.... they even thought of electric power back then! Barry's vision continued for many years, and he never lost sight of someday building his dream boat. In October 2006, two very special additions, Samantha, and her two-year-old Red Cloud Kelpie by the name of Rosie G, both from Western Australia, joined him on the island of Maui. Rosie adapted well to Island life "Maui style" and loved sailing on *SV Cornelia*, their 42-foot cruising yacht moored in Lahaina.Rosie was a natural on board and ruled the vessel. She even taught Captain Barry, a veteran sailor of over five decades a thing or two — four legs are better than two in rough seas don't you know!





In 2014, an early sketch of his vision and concept emerged again. A lot of quick drawings came forth until the scale ruler and drafting sticks became necessary.

Once Barry scaled it up so it looked real enough, he called <u>Jim Antrim</u>, a Naval Architect he had earlier boat fantasies and discussions with. Jim is a patient fellow, so Barry knew there was no way of him shying away from unusual designs.

Jim recommended a fantastic guy, Cree Partridge, owner of <u>Berkeley Marine Center</u>, to build the boat. Barry, Jim, and Cree began the journey and the "SV Rosie G" was on its way to becoming reality.

So, fast forward to 2018 and the final design had come to fruition. *SV Rosie G* is a Scow Bow designed vessel for a soft ride, long straight waterlines, massive volume with great stability, with abundant open space. Complete with an electric power drive and a 100% carbon tapered tube mast from GMT Composites complimented the vessel.



My relationship started with Barry and Samantha when MarsKeel was called upon to make the keel. Our Design and Technical team at MarsKeel Technology headed by Bill Souter got to work immediately. The keel was of a shoal draft design but sleek with a weight of 7,405 lbs. It was an Antimonial Lead Keel with a generous amount of 1" diameter 316 Grade Stainless Steel bolts cast in place.

MarsKeel confirmed the design criteria and any recommended changes, made the pattern, then created the casting mold all in house. Rosie's Keel was produced a few months later all within 1% of designed weight!As the project came together, Samantha and I started to communicate

more just about life and our love of dogs. Ironically, my wife Cathy and I had a trip planned a year in advance to Maui, of all places, so conveniently I reached out to

Samantha to arrange for all of us to finally meet in person. Samantha was thrilled we were going to visit the island they call home. Samantha and Barry graciously picked us up at our hotel in Wailea and drove us all to a quaint restaurant for a splendid seafood dinner with a few cocktails and great conversation - our friendship was born. Their hospitality was overwhelming, inviting us for an afternoon sail on their current sailboat *SV Cornelia*, a magnificent 42-foot sailing vessel decked out for ocean cruising. Unfortunately, their first mate Rosie G, was not up to cruising with us that day, as we all know some days are better than others when we get older and Rosie was getting on in age. The sail was magical and the scenery of the island from offshore was amazing. With the wind blowing at about 10-15 knots, it made the afternoon sail so memorable.





Sadly, Rosie passed in May 2019, but her name will live on forever with her boat. Her ashes are front and center in the hull and in the keel, so she will be with her namesake forever.

Read on at her <u>blog</u> and follow her journey and the continuation of this great build at <u>www.reddogyachts.com</u>.

Sincerely,

Kevin Mile, President

MarsKeel Technology®



IMPORTANT MEMBER INFORMATION



2021 SAMS® International Meeting & Educational Conference (IMEC) Sept. 29th To Oct. 2nd New Orleans, LA

Attention All SAMS® Members

 $\underline{SAMS^{@}}\ Google\ Group\ -\ \underline{https://groups.google.com/forum/?hl=en\#!forum/marinesurveyors}\ .$

To access the SAMS[®] Group, please go to the above link. Upon logging in, an approval will be given via SAMS[®] HQ to enter the site. To be approved you need to be a member in good standing, and you will need your display name (nickname) to show your first and last name. Please do not use your email as a display name.

The cost of this is covered as part of your annual dues. All we ask is that you abide by the group Policy, and show respect to your fellow surveyor.

Need CE Credits ???

Newsletter Material Deadline: Have an interesting topic? Send it in! If your article is published in SAMS[®] NEWS, you not only contribute news and information, you may be eligible to receive (3) CE Credits* for your article. The cutoff date for material to be submitted for publication in the next SAMS[®] Newsletter is March 1, 2021. The editor must receive all articles by this deadline or they MAY NOT be published in the next issue.

If you are planning to write an article you should know the following:

- 1. Your article should be technical in content, and of interest to the profession of marine surveying.
- 2. The article should be in MS Word.
- 3. Please use Times New Roman, font size 12
- 4. Length of the article should be 500 to 1000 words.
- 5. Articles that have been published before, MUST have a letter of permission letting SAMS® re-publish this article.

CE Credits:

Don't forget to check the website under "Education" for ideas to obtain CE's.



The following members are now Accredited Marine Surveyors with the earned designator:

"YACHTS & SMALL CRAFT"

Nicholas Maudlin, Bacliff, TX

Thomas G. (Jerry) Talley, Galveston, TX

Sarah White, Vancouver, BC, Canada

Paul Michael Morgan, Tampa, FL

"HULL & MACHINERY"

Martin Gee, Brusly, LA

The following people have been accepted into SAMS® as:

"<u>AFFLIATES"</u>

Laurent Long, Biot, France

" SURVEYOR ASSOCIATES"

William V. Ackley, Yulee, FL

Edward Michael Bauer, Merritt Island, FL

Brad Freese, Tequesta, FL

Carl Grass, Montclair, NJ

Allen Kesner, Newton, NH

Jake Bernard Kueter, III, Mystic, CT

Randall Ronald Matlack, Bristol, PA

John Palcher, Saugerties, NY

Steven M. Riggans, Mooresville, NC

Michael Anthony Roach, II, Miami, FL

Paul Andrew Van Slyck, Everett, WA

Jerald L. Twiggs, Ocean Springs, MS

James Charlton Young, Callaway, MD

MEMBER'S CORNER JULY 2020 NOVEMBER 2020

Applicants Seeking SAMS® Membership:

Jorge Alberto, Miami, FL **Daniel Blanco,** Pompano Beach, FL Phillip 'Anthony' Capriccio, II, Santa Cruz, CA Deatra Cole, Bahamas Courtney Renee Graham, Fife, WA Dan Habel, Honolulu, HI Isaac James Haertel, Annapolis, MD Kenneth Roosevelt Ivey, Jr., Longs, SC Richard Cyril Long, Valdez, AK Spencer Mathews, Denton, MD Paul L. Pedretti, Oakdale, NY Garrett Polehonka, Centralia, WA Keith Romer, Miami, FL Lee Calvin Sebring, Southworth, WA Jamil Vanterpool, Tortola, BVI Aaron McKinley Waters, Lincolnton, NC Jessie Kyle Wilson, Gainesville, FL Jason Yelk, Colchester, VT Jesus Alberto Godoy Zabaleta, Panama City, Panama



Society of Accredited of Marine Surveyors®

BOARD OF DIRECTORS

President

Bill Trenkle, AMS® bill@boatman.com 619-226-1895

Executive Vice President
John N. Lowe, AMS®

<u>captursa@aol.com</u>
516-359-0806

Secretary/Treasurer Kristoffer A. Diel, AMS® oceansurveys@msn.com 504-236-8151

Immediate Past President Lloyd E. Kittredge, AMS® kittsurvey@frontier.com

219-926-5186

Membership Vice President Gary Frankovich, AMS® garyfrankovich@gmail.com 904-377-0475

Education Vice President Kenneth Weinbrecht, AMS® oceanbaymarine@yahoo.com 631-924-4362

Public Relations Vice President

Eddy J. Assaf, Jr., AMS® info@avtechmarine.com
450-430-8362

Testing Vice President
Randell B. Sharpe, AMS®
rsharpe@sharpesurveying.com
510-337-0706

Meetings/Conventions
Vice President
Joe B. Lobley, AMS®
jblmarine@roadrunner.com

207-557-5300

International Office

Executive Director	Rhea P. Shea
Admin. Asst./Membership	Susan West
Admin. Asst./Support	Cheryl Roach
Admin. Asst./Education	Mark Shea

REGIONAL DIRECTORS

North East Region	Reinier Van Der Herp, AMS®	<u>rvmarinesurveying@gmail.com</u>	609-618-8511	
Mid - Atlantic Region	Dennis D. Eddinger, AMS®	captdinger@mi-connection.com	704-439-3853	
Florida Region	Cliff Schmidt, Jr., AMS®	<u>cliff@2marineservices.com</u>	813-398-9752	
Gulf Region	Seth Mosley, AMS®	<u>mms@mosleymaritime.com</u>	251-610-7882	
		angelzeno@aamarinesurvey.com		
Pacific Region	Charles W. Solarek, AMS®	cws@surveyorsforhire.com	206-225-3045	
Canadian Region	C. David Sandford, AMS®	dsmarine@sympatico.ca	905-449-2176	
Asia Pacific Region	Ruchin C. Dayal, AMS®	ruchin@edot-solutions.com	+91-832-2501715	
European Region	Roberto Scalvini, AMS®	<u>roby@msb-palma.com</u>	+34-971-403-370	
COMMITTEE CHAIRS				
		mcdonaldsurveys@sympatico.ca		
Engine Chair	Dennis Guthrie, AMS®	gutmarinc@bellsouth.net	954-294-4481	
Engine Chair Ethics Chair	Dennis Guthrie, AMS®John N. Lowe, AMS®	gutmarinc@bellsouth.netcaptursa@aol.com.	954-294-4481 516-359-0806	
Engine Chair Ethics Chair	Dennis Guthrie, AMS®John N. Lowe, AMS®	gutmarinc@bellsouth.net	954-294-4481 516-359-0806	
Engine Chair Ethics Chair Fishing Vessel Chair Hull & Machinery Chair	Dennis Guthrie, AMS [®]	gutmarinc@bellsouth.net		
Engine Chair Ethics Chair Fishing Vessel Chair Hull & Machinery Chair Newsletter Chair/Editor		gutmarinc@bellsouth.net		
Engine Chair Ethics Chair Fishing Vessel Chair Hull & Machinery Chair Newsletter Chair/Editor		gutmarinc@bellsouth.net		

LIAISON

American Boat & Yacht CouncilKenneth Weinbrecht, AMS®	oceanbaymarine@yahoo.com	631-924-4362
National Fire Protection AssociationKenneth Weinbrecht, AMS®	oceanbaymarine@yahoo.com	631-924-4362
International Standards OrganizationJames R. Renn, AMS®	randyrenn@aol.com	410-604-2327

"Disclaimer"

The material contained in this newsletter is for informational purposes only and the Society of Accredited Marine Surveyors® disclaims any warranty of any kind, whether expressed or implied, as to any matter whatsoever relating to this Newsletter. In no event shall the Society of Accredited Marine Surveyors® be liable for any indirect, special, incidental or consequential damages arising out of any use of or reliance on any content or materials contained herein.

SAMS® 2021 International Meeting & Educational Conference (IMEC)

September 29th - October 2nd



Sheraton New Orleans 500 Canal Street New Orleans, LA 70130

Reservations:

1-888-627-7033

Group/Convention Code: AMS

Online Reservations:

https://book.passkey.com/e/50154098

Room Rates: \$179.00 US per night plus taxes and fees.

DEADLINE FOR RESERVED ROOM RATES:

5PM Monday, August 30, 2021