

SAMS[®] NEWSLETTER



Spring 2023

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Editor:

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Trenkle,
AMS[®]**

**Layout/Design
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**EVERYONE
BE
SAFE!**



Do you have one of these ???



You will need one, to go here



2023 IMEC Montreal, Canada

Message From The Editor
[Page 2](#)

Members Information
[Page 22](#)

President's Message
[Page 3](#)

Members Corner
[Page 23](#)



**Bill Trenkle, AMS®
SAMS® Newsletter Editor**

As always, I first want to thank you for opening and reading your SAMS® Newsletter. We work hard to make it worth your while.

This issue will have lots of great information from your Board of Directors, and your Regional Directors. We had a board meeting in Jacksonville, in February, and there were some policy changes that are worth learning about, and they will be discussed by the appropriate Board Member, or Regional Director. There are also some very interesting, and informative submissions by our members that are related to our industry.

Ken Weinbrecht, AMS® presented his educational agenda for this year's IMEC, in Montreal, and it sounds great. Read about it in Ken's column.

Joe Loble, AMS® presented the latest on the logistics for Montreal, and has provided this information in his column so, definitely read it.

Our advertising, and Public Relations VP Eddy Assaf, AMS® has been working hard to get the SAMS® message out on the internet everywhere, and one of the methods is a social media campaign. You can help this along if you are on any of the platforms like Facebook. Just sign up to join the SAMS® group, and when you see the SAMS® posts please like and share them. This is how these little ad views get multiplied many, many more times. It is an extremely effective use of our advertising money, and you all can help make it stretch.

That's all for now, I will not remind you that Montreal is in Canada, and requires an up-to-date passport, because I know everyone else is doing this, in this issue.

Stay safe!!

Need CE Credits ???

Newsletter Material Deadline: Have an interesting topic? Send it in! If your article is published in the SAMS® NEWSLETTER, 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 July 1, 2023. 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.



**John Lowe, AMS®
SAMS® President**

Hello Everyone,

We just had our Northeast Regional Meeting, here in Stonybrook, NY. It was nice to see a lot of the old faces we haven't seen for a while, and the topics were interesting (Particularly the ethics talk). I'm getting good feedback from the attendees.

Things are heating up here in our boat market, with a large shows happening, so it looks like we will all be busy again this year. Everyone being busy means doing a volume business, which increases our chances of having some legal action taken against us. Those of us doing pre-purchase, and insurance C+V surveys should seriously consider purchasing errors and omissions insurance. There is an E&O policy available to SAMS® members which is the best value I've seen. This is due to the fact that there is a large enrollment, which translates to a lower price. Working without E+O coverage is akin to not having PFDs on board a vessel. We all feel that legal action will not be taken against us, however it does happen, and it would be too late to purchase a policy once litigation is initiated. Several members have stated that they are an LLC which will protect them, this is not entirely correct. I'm no attorney, but have spoken to several about this, and they point out that the corporate veil is easily pierced, and even if you prevail in an action, the cost of defense can be crippling. Speak to your attorney about their opinion on this, you may be surprised. This is inexpensive compared with our income level, and should be seriously considered. Don't jump without a parachute.

Be Well!!

I will look for you in the yards!!





Kristoffer Diel, AMS® SAMS®
Executive Vice President
Ethic Chair

An old saying goes: “If you think there is a question of ethics, there probably is...”

The Ethics Desk is presently much quieter, and I hope it remains that way as we ramp up into the spring workload. Please feel free to contact me if you have ANY questions. (PLEASE leave a message!! As I seldom pick up my phone!)

I know it sounds like a broken record, but I cannot stress enough, the necessity of your contacting your client, **AFTER** you have sent off your survey. I realize that when you are done; often you are ‘done’. But things can go wrong; an incorrect e-mail spelling, sent to the wrong person, or not sent after all (did not push the send button!?). Give the client a call a couple of days after you “send” your report. It will not only emphasize your professionalism, but also will make you relax.

The other subject on my mind is safety. Please review any/all Confined Space Entry procedures, even if you teach safety classes! The most important aspect is informing someone of where you are, and what you are doing. Set a time when they will try to contact you, if you haven’t checked in with them. It may save you an overnight experience, upside down, with the hatch locked above you....or worse.

Wishing that everyone has a safe and prosperous 2023, and Thank You for your contribution to SAMS®.





**Kenneth Weinbrecht, AMS[®]
Education Vice President**

MONTREAL IMEC

Greetings everyone, hope this finds you healthy and wishing you a prosperous New Year.

Joe Loble, AMS[®] has worked his magic again and has arranged for a wonderful venue for this IMEC, be sure to read Joe's column.

The agenda is really starting to take shape, here's what you can expect.

ABYC / Transport Canada

Composite company speaking on rudder repairs and bearings

Cox Marine - Diesel outboards

Marine Salvage company

SAMS[®] Safety Committee - workplace safety

Keel repairs and replacement

Major Sail Maker - new developments, inspecting sails

Cargo Surveying

Batteries - good, bad, ugly

Electric Boat Manufacturer

We have streamlined the CE policy for Surveyor Associates and AMS[®]'s keeping it simple.

1 hour of education = 1 CE

Whether it's online or in a classroom. If you don't have the updated CE Requirement Policy, you can find it on the website under the Members Corner - Education Link or Click Below.

[AMS[®] CE Policy Update](#)
[Surveyor Associate CE Policy Update](#)

**YOU MUST HAVE A PASSPORT, DON'T DELAY IN OBTAINING ONE, APPLY EARLY. MORE PEOPLE
ARE TRAVELING THIS YEAR, PASSPORT OFFICE'S ARE VERY BUSY.**



Gary Frankovich, AMS[®]
Secretary / Treasurer

We just had a really good winter 2023 Board Of Directors meeting in Jacksonville. It's so great to be able to hold these meetings in person again.

I'm happy to report that SAMS[®] is in quite good shape financially, and since interest rates are rising we are now actually investing money in T-Bills and CDs. We receive the dues in January (for the most part) but spending that money is spread out over the year, so we've taken a portion of our money and invested it in 30, 60, and 90 day CD's, we've also bought some 6 month CDs. All of these are, of course, guaranteed by the US Government and we take no risk. By spreading the length of terms we will be able cash out most of the money every 30 days, and in an emergency we could cash some or all of it out, but take a hit on the interest. I want to thank the vast majority of you for paying your dues on time, as it makes budgeting so much easier.

Now, on to the Montreal IMEC, the closest you can get to Europe without crossing the Atlantic. Canada is a foreign country so, YOU MUST HAVE A PASSPORT TO ENTER! If you don't have one, APPLY NOW. The exchange rate as of today is \$1.00 US = \$1.38 Canadian, this makes the IMEC a great deal, and of course many of our members can drive, or take the train. The Education VP, Ken Weinbrecht, AMS[®] has, as always, arranged for a really good line up of presenters. I hope everyone who can, will take advantage of this opportunity and attend, so make your hotel reservations early.

Attention All AMS[®] Members

The SAMS[®] Nominating Committee is accepting nominations for the upcoming election of officers at the Annual Business Meeting on Saturday, October 28, 2023 in Montreal, Canada. Any AMS[®] members interested in running for an elective office should apply in writing with accompanying documentation to show the Nominating Committee your qualifications, knowledge and understanding of SAMS[®] Policies and By-laws. The letters should be addressed to the SAMS[®] International Office. To the attention of the Chairman/Nominating Committee. Must be received by May 1, 2023. Nominations can also be made from the floor during the Annual Business Meeting, per SAMS[®] Policy.



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

IMEC 2023 Montreal is approaching fast! The dates are October 25 - 28 at the DoubleTree by Hilton. The room rate is \$239.00 Canadian. If the exchange rate stays favorable, this should be at, or about, \$175.00 per night. PLEASE book your hotel reservations early. Indications are that we will sell out for this one. They are also working with the Canadian Government to petition for a refund of provincial taxes since the conference is for education. To receive this, the conference has to have 75% attendance for non-Canadian residence. I have a lot of paperwork to complete to get that done.

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 don't 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 many of our Canadian members will be attending. Montreal is a day's drive for most of the North East and Great Lakes members. We should have a great turn out. You will need a Passport.

IMEC 2024 is scheduled to be in New Orleans at, The Sheraton on Canal Street. The dates are September 11 - 14. 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 "back yard". 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.

IMEC 2025 is to be determined. It is the North East Region's turn and the vote on the floor at the last General Membership Meeting was for Dublin, Ireland as the first choice, and Providence, RI for the second choice. Dublin will be too expensive for a successful meeting. Providence is posing some issues for finding a correctly sized hotel for us. I am looking at several alternate locations so please stand by.

Rendez-vous a Montreal!



Angel Zeno, AMS®
Membership Vice President

Bonjour, j'espère que vous prévoyez nous rejoindre à Montréal en Octobre (Hello, I hope that you are planning on joining us in Montreal this October). Don't let me fool you, I do not speak French, but I have been trying to pickup a few common words and phrases, so that when I attend this year's IMEC in Montreal, I can at least appear to be trying to be polite when addressing the hotel staff. It's always struck me as odd that whenever I traveled overseas it was always easy to find a local that spoke English. So, I would like to recommend that you break out the Berlitz book that's buried in your closet, or experiment a little with Google Translate, or any one of hundreds of cell phone apps that allow you to learn and speak another language.

Speaking of Montreal, despite the fact that they are our friends to the North, do not forget that you will need a valid Passport in order to cross the Canadian Border. Joe Lobley, AMS® will be explaining all the great things that he has lined up to assist us in crossing the border, but it will all start with that valid passport. I would hate to think that you got all packed up and ready to attend IMEC, only to be denied entry into Canada. So check that passport now, make sure it's not expired, and if you don't have a passport, start filing the paper work immediately.

From a Membership standpoint, our membership numbers are standing strong with 848 members at the end of 2022 versus 849 members at the end of 2021.

I show that we have 33 Surveyor Associates that must upgrade in 2023. So please check your Up-or-Out date, and start making plans to begin the upgrade process. One piece of information that I feel will be really helpful for you, is a document published by Randall Sharpe, AMS® titled "Preparing for your AMS® exam", it provides a great overview on the exam, what to expect and how and what to study", If you don't have a copy please reach out to the International Office to obtain a copy, or click the link above.

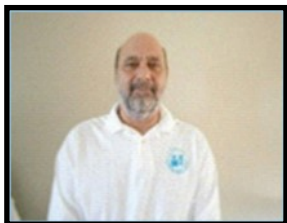
It should come as no surprise that the Florida region, which includes the Bahamas and the Caribbean, has the largest number of SAMS® surveyors at around 250 members. All those members have really been placing a strain on the application and survey review process, and at the last SAMS® Board meeting it was decided to begin evaluating ways to split the Florida region into more manageable regions. Nothing has been finalized yet, but keep an eye open for more information in the immediate future.

At the open discussion session of the St. Louis IMEC, there were a few SAMS® Surveyor Associates that expressed the desire to have a mentorship program. I couldn't agree more, in fact, I have been acting as a mentor for surveyors in my area for the past five years, and would strongly encourage any, and all AMS® surveyors to consider taking on the role of mentor. I like to jokingly say that the moment that I started mentoring was the last time that I had to carry and setup my own ladder. But quite seriously, one of the benefits that I have gained, is that training another surveyor causes me to reflect on the things that I know, along with the things that I do and why I do them.

Some of you may remember that SAMS® did launch a mentoring program a few years ago, and I would like to attempt to revive the mentoring program. So, if you are an AMS®, and would be willing to help a Surveyor Associate, please let me know. The mentoring can come in the way of just phone contact, survey reviews or actually thumping on hulls together. Let me know how you want to be involved, and I can make sure that we connect you with the appropriate Surveyor Associate.

With Spring just around the corner, we'll be able to put the winter months behind us and begin preparing for the 2023 boating season. Take this time to check the batteries on your inspection tools and give yourself a refresher on working safely. Remember, always let someone know where you are going, and when you should be returning, and always, always, always, tie up that ladder and keep an eye open for some information that the SAMS® Safety Committee will be sharing with you.

Have a safe and prosperous 2023 boating season.



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

Hi everyone, hope by the time this letter gets out I won't be looking at the mountains of snow around me. I do know it will eventually go away and spring will come, but for now it's all white and still snowing.

Our advertising is pretty much the same, trying different target areas with some, to make sure we are getting out there. We are in the process of making all new ads, the ones we had are dating back way before me, and I figured new more modern ads might be better, which should be in function by the end of April. If you see them, please send me a word so that I can keep track that they are being well seen. The media program is showing constant rise of members and viewers, with Facebook having a considerable lead over Twitter in items viewed. Starting to understand it a little more, but must admit I am a novice with this, it's a good thing several of our members are making it happen.

I am also going to be looking into Google ads words again, since the popularity is not as strong as it was in the past. This will be a complete redo, due to a conflict in one of our scripts on one of our pages that nobody at Google can tell us what it is. Google suggests that we redo it all, so this will also be in progress. It's better when a search for any thing related to marine survey be asked, that we show up on the first page.

We might be making a few changes to our website pages, sort of a refresh in the literature and maybe some pictures, but leaving the structure the same (for now).

This year's IMEC will be in my hometown, after being put off in 2020 due to Covid. As usual Joe Lobley, AMS[®] has a great venue set up for us. How he does it? Only he knows.

Remember to bring some warm clothing, however if the temperature is like it was last fall, we will be in the mid 60's. If we're lucky, we still might have some colors on the hillsides. Remember a passport is necessary to come into Canada, and vice versa so don't hesitate if your passport is not in order. The exchange rate varies, but you should be able to get about \$1.25 per US dollar. Please don't exchange your money at the airport exchange office, their rates are very different. If anybody needs to know anything about the city before coming up, send me an email

info@avtechmarine.com

That wraps it up for me. As usual, if members have any opinions or potential target areas to advertise, please reach out to me I can't cover everywhere and your input helps me a lot in finding good areas to advertise.

Cheers and be safe out there.



Randell Sharpe, AMS®
Testing Vice President

We are in the final stages preparing for the 2023 IMEC in Montreal, Canada. Check the date on your passport now, to make sure it will be valid for the meeting in Canada. If you need this meeting to meet your education credits, don't let an expired passport keep you from meeting the requirement, or for sitting for the AMS® exam. For those of you that plan on testing at the meeting, start preparing now. Also, if you are already approved to sit for the exam, don't waste 6 months putting it off. Test as soon as you are eligible, so you have time to take it again if you are not successful on the first attempt. Our policy requires 90 days between exams.

We are still averaging about 2/3 pass rate. In the past year, there have been 26 passed exams for AMS®, 17 passed on first try, 8 on second try, and 1 on third try. There were 15 failed exams. One member requested that we regrade their exam which we did as a courtesy and the regrading produced the same result. Answers to the exam questions have all been researched and the cites for the correct answers are on the answer sheets. There are specific bullet points on the essay exam answer sheets that are expected for the answers. There is no variable on answers. One of our French language members requested that we regrade their exam due to possible poor translation of some of the questions. This was a French language AMS® exam for Y&SC. The translations were reviewed and several of the questions were found to be confusing or not clear and 4 of the answers on the answer key were incorrect for that exam. After clarifying the questions and answers, we found that he passed. One of our French speaking members and I are reviewing all of the translated French exams, and updating them now.

In the last newsletter, I let everyone know that there is now a list of all of the Y&SC exam questions given on all of the Y&SC exams over the years that I am adding questions to, and updating the list from the standards. This is a list for the Testing VP and contains the questions on the current AMS® exams. It is not available to the membership, as it contains the questions that are currently on the exams. Sorry!!

I, again, highly recommend taking the ABYC standards class, and the ABYC electrical class as a good way to study for the exam. Much of the general knowledge portion of the exam is standards based. Electrical and corrosion questions remain the biggest area where questions are missed. Other standards related questions are for safety systems, and equipment that we should be looking at closely during every survey. Remember the open book section of 25 questions should be good for 25 points, for everyone. Become familiar with the **USCG Regulations for Recreational Boats** publication so you can look up the answers to these questions. Bring your copy to the exam. I recommend using the table of contents as a good way to quickly find the answers to these questions. Don't wait until the last month to take the exam.

Don't leave any questions blank! When you think you are finished, look over every page to make sure you did not leave a question blank. There are no points taken off for a guess. If your guess wrong, it's the same as leaving it blank. If a question does not make sense to you, write me a note on the test of what you think the answer is and why, and a recommendation on clarifying the question. You should still pick the best answer.

Anyone that wants to discuss the test they took and passed or failed, can give me a call. I am happy to discuss the results in a general way, not specific questions. I hope to see you all in Canada at IMEC.



**Reinier Van Der Herp, AMS®
Northeast Regional Director**

Ahoy to the Northeast membership

Spring is just around the corner and we've had a mild winter which means that, it will get busy earlier than normal.

Hopefully everyone will be working, and earning a good living this season.

We just had our Northeast Regional Meeting which had a good turnout, and it's good to have an in-person meeting again. It's a lot more productive, and the networking is great! Special thanks to John Lowe, AMS® for helping me set it up at his yacht club, to Kenny Weinbrecht, AMS® and Brian Williams, AMS® for stepping in for John Malool, AMS® who came down with Covid. Get well soon John! Zoom had its place, but I'm glad that's over with.

We have our IMEC coming up in October, and I encourage all members to attend. Montreal is a great city and it will be a great time for all! Our Northeast membership has been pretty steady in numbers, even though several have retired. We have quite a few new members applying, so I think we'll get a little bump in the numbers.

To all of our Surveyor Associates, if you're close to your upgrade date, don't wait till the last minute to submit your paperwork, do it six months in advance so you give yourself plenty of time to study for the AMS® test. It's hard, and the pass rate on the first round isn't great, plus you only have three tries to pass with 3 months between them. We don't like to see members get suspended, or kicked out, and that can easily be avoided by being well prepared.

That's all for now, have a great season !!!

The Following Member Has



Will Return For The Next Issue, Maybe



**John W. Huddleston, AMS®
Gulf Regional Director**



**Charles W. Solarek, AMS®
Pacific Regional Director**

It was great to see everyone at our recent Regional Meeting. I would once again like to thank Randell Sharpe, AMS® for organizing the event. And thanks to all who participated. Nothing beats an in-person meeting.

Well, Spring is around the corner, supposedly. Most of us have enjoyed a slower pace of things for the past few months. But hopefully soon, things will pick up. Which means long days on board inspecting, underway demonstrations, and boats hanging on lifts in yards. You know the drill.

If you have not been out in the field in a while, be prepared to take just a little longer the first few times out to conduct your survey. Slow things down and do not be in a hurry to get through the day. Safety is so important when we are out and about.

Did you remember to sight an applicable number of personal floatation devices (PFDs) on board prior to getting underway? What about distress signals? Does the horn work? The navigation lighting? I don't know about you, but when I get underway I have no intention of having a swim call, or requesting a tow to return to the marina. Then there are a few things that are not so obvious. Fuel? All it takes is one time to run out, not fun. Battery condition? When conducting neutral safety checks, I always have the boat operator shut one engine down, test, and restart. Then we go to the second engine. If there is only a single engine, well, testing is done dockside. Someone once asked me during a survey, prior to getting underway, if I had checked the oil levels in the engines and gears. I politely told them it was not my responsibility to ensure that the fluids were at the proper level. Does not mean that I haven't checked

sometimes, but we are to "observe and report." Be careful if you are "verifying something is safe to operate." While appropriate in some instances, it is not for others.

Finally, my pitch for using a checklist. If you are not using one when conducting a survey, it is only a matter of time before you forget something important. A checklist will save you a return trip to the boat, more times than not. A simple checklist that takes 3-5 minutes to go through, will ensure you have done your due diligence for your customers. It should be user friendly so that you will not be inclined to skip using it, before you walk off the boat at the end of the day. Bottom line, be safe out there. Be thorough. Be professional. You are not only representing yourself but also the Society of Accredited Marine Surveyors®. How you present and conduct yourself reflects on our society and professional marine surveyors.

Remember to sign up for the upcoming IMEC in Montreal.

Have a great spring on the waterfront!



Jared H. Houghtalen, AMS®
Mid - Atlantic Regional Director

I hope everyone's season is starting out strong! We had a very successful Mid-Atlantic Regional Meeting in Wilmington, NC on February 23rd & 24th. It was a great turnout (over 50 members) and it was a great lineup of speakers. I want to say thank you to all of the SAMS® members who volunteered their time to speak at the meeting, and to those who took a few days off to attend. I know it can be difficult to find the time, but I always walk away having learned something new, and meeting a few new surveyors. Based on the feedback I received, we will likely be holding next years regional meeting in the same location and around the same time (end of February). If you have some experience or expertise in a topic that you feel would benefit other surveyors, please do not hesitate to reach out and discuss that with me, as we are always looking for new speakers at these meetings.

I hope everyone has a productive Spring season, if you need something from this end, please do not hesitate to email or call me.



Richard Reichelsdorfer, AMS®
Great Lakes Regional Director

Spring is here and business is ramping up, and boats are being readied for the summer season. We have just completed our Spring Regional Meeting in Fond du Lac, WI, which was well attended, and included a factory tour of Mercury Marine. Thank you to all that attended. For those that were not able to attend, I am planning on another meeting most likely after the IMEC, which is slated for October 25th-28th in Montreal, Canada. For our fall meeting, location TBD, I would like to have a two-day USPAP course, as well as, our regular meeting with speakers and a possible tour of a boat building facility (Formula, Tartan, etc.). I will also try to organize a one-day online USPAP refresher course, sometime before year end. If anyone has contacts within Formula and/or Tartan, please let me know so that we can start to organize a tour.

As always, if anyone has any questions or concerns, Please do not hesitate to contact me.



**Christopher Day, AMS®
Florida Regional Director**

Hello from Sunny Florida!!!

The home of the “newly wed and the nearly dead”. Fortunately for us marine surveyors, the boating season is getting off to a good start with healthy reports from the Stuart, St. Petersburg, and Miami. I have heard reports from local brokers that used inventory is up, call volumes are starting to increase, and it is getting harder to schedule short hauls, sometimes scheduled a week or two out. So, let’s keep our ears peeled, and make sure we have our phone volumes up.

Remember that as surveyors, our reports are our biggest calling/business card and we should treat them as such. No matter what type of inspection that we have done and what type of report that we are writing, it needs to be detailed to suit the needs of the client, and the institution that it is being written. In today's market, there seem to be A LOT of new boat buyers, or buyers that are making a significant jump in vessel size, and are not familiar with all the systems that are part of a larger vessel. So, we need to be able to tailor our reports accordingly to provide the detail needed for the client to better understand what they are buying. The days of a short report with a few pictures have become a thing of the past, and we need to be able to have our reports improve with the industry, as well as our client base. The SAMS® Recommended Survey Content document, should be used as a guide to make sure that your reports are meeting the minimum recommended content. Anything above and beyond the recommended content is a bonus to the client who receives your report, and is a credit to your attention to detail. **Things to note:** Useful and Meaningful photos, Explanation of Valuation Methodology, Condition ratings of systems, Do items work/operate/function as expected.

A bit of SAMS® news for the Florida Region. . . The region will be splitting into North and South with the lines drawn at Stuart and Ft. Myers (lines are approximate and are being evaluated by member count). So, we are looking for an AMS® to step up and become a Regional Director for the Southern Florida Region. This is a volunteer position and will be working closely with other Regional Directors and the Membership VP to help with the application, upgrade and membership process. Anyone interested, please contact myself or SAMS® HQ to put your name on the list of potential candidates.

As a last note, the IMEC is months away, and registration flyers will be sent out in August. This IMEC is being held in Montreal, Canada at the end of October. For those intending on traveling to the meeting, a Passport is required for entry into Canada, and required for the return to the US. So, if you don’t have your passport, and you plan on attending the meeting, please put the paperwork in now, to insure that you are ready to travel to Canada.

So, let’s keep our ears peeled for those phones ringing, hone our reports to suit the client needs, and make sure your passports are valid, prior to making the trip to Montreal.

Best of luck out there and keep on surveying . . .

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



**STANDARDS FOR THE VERTICAL CLEARANCE OF WIRES
OVER WATERWAYS, MARINAS AND BOATYARDS**

I recently worked a case where a boater was decapitated by a wire rope strung across a river. The boater was standing up at the helm of a runabout and the line had been strung across the waterway to assist in moving barges across the water during the construction of a new bridge. Aside from the question of whether the line was properly marked (how would you mark it?), the question arose about how high the wire rope should have been strung across the waterway and what the standards are for the proper vertical height of wires across that waterway. This article proposes to discuss that question as well as the proper vertical clearance across any type of waterway, well as boatyards and marinas.

Federal navigable waters. The waterway was a river in the Pacific Northwest and it was found to be federal navigable waters. 33 CFR 322.5, *Special Policies* sets standards for vertical clearances over those waters.

Sub-paragraph (i) *Power transmission lines*, sets standards for those lines by nominal system voltage and requiring them to have a minimum additional clearance over that required for bridges. The lowest is 20' above a bridge clearance for a line with a nominal voltage of 115kV or below and going up to 45' for lines with a nominal voltage of 750-765 kV. The height above the bridge requirement is probably so the line can be seen outlined against the sky, as opposed to being lost in the bridge structure. More relevant to the case was sub-paragraph (i)(3) which states:

“Clearances for communication lines, stream gaging cables, ferry cables, and other aerial crossings are usually required to be a minimum of ten feet above clearances required for bridges. Greater clearances will be required if the public interest so indicates.”

Other federal waters and sole-state waters. There are other vertical clearance standards. The Army Corps of Engineers standards can be found in 33 CFR 222.3 - *Clearances for power and communication lines over reservoirs*. Since the subject is reservoirs, the minimum vertical clearance is defined under sub-paragraph (d)(3) as “the distance from the design high water level ... to the low point of the line.”. Interestingly the regulation doesn't go on to cite clearances but section (e) refers the reader to “section 23, rule 232 of the latest revision of the National Electrical

Cont.

Safety Code (ANSI C2 Besides reservoirs the waterways specified in Table 232-1 include ‘lakes, ponds, reservoirs, tidal waters, rivers, streams, and canals,’ the type of vessel (sailboats) is mentioned, as the area of the waterway, and the area over boat launch ramps (posted with signs for sail boat rigging) is mentioned. Heights range from a low of 14’ over an area not suitable for sailboats or where sailboats are prohibited to 40.5’ for water areas suitable for sailboats over 2000 acres in area with open supply conductors over 750v to 22kV.”

Table 232-1 covers power lines strung across non-navigable waters and sole state waters. For other types of lines over those waters 33 CFR 322.5 (i)(3) as seen above does set a standard. Its applicability in a state court is why we have lawyers. Furthermore what if the line is stretched across the water non-contiguous to a bridge? In that case it would appear that the type of vessel traffic on the waterway would come into play. Setting a height would require the nominal air draft of the largest vessel or sailboat with the highest mast using the waterway plus a safety margin. The height would also have to take into account the highest water level. For its purposes the Army Corps of Engineers in 33 CFR 322.3(d) (1) defines design high water level as that “level above which clearances are to be provided (which) shall be either: (i) The elevation of the envelope profile of the 50 year flood, or flood series, routed through the reservoir with a full conservation pool after 50 years of sedimentation, or (ii) the elevation of the top of the flood control pool, whichever is higher.” A hydrologist familiar with the area should be able to provide that information for most waters. The expert would then have to come up with a rationale for a vertical clearance figure and be prepared to defend it at a deposition and in court.

Marinas and Boatyards. Article (Art.) 555, Marinas and Boatyards, of NFPA 70, the National Electric Code (NEC), sets the standards for vertical clearances in those areas. The NEC has been adopted in its entirety by many states so non-compliance with it is a violation of the law. An informational note at the beginning of Art. 555 refers the reader to NFPA 303 Fire Protection Standard for Marinas and Boatyards “for additional information” on fire, electrical and other safety issues in those areas. Art. 555.13 (b), (1) *Installation – Overhead Wiring*, states that “Overhead wiring shall be installed to avoid possible contact with masts and other parts of boats being moved in the yard. Conductors and cables shall be routed to avoid wiring closer than 6.0 m (20’) from the outer edge of any portion of the yard that can be used for moving vessels or stepping or unstopping masts.” In effect, a boatyard servicing sailboats should not have wires passing over it.

As always, anyone who would like to discuss this article, or has questions about commercial workboats, tugs, barges or 46 CFR Subchapter M should contact me at 503-236-6818.



UNITED STATES COAST GUARD

U.S. Department of Homeland Security

MARINE SAFETY ALERT

Inspections and Compliance Directorate

February 3, 2023
Washington D.C.

Safety Alert 01-23

SALTWATER INTRUSION CAUSES DAMAGE TO ELECTRONIC VEHICLE BATTERIES

Recently, Hurricane IAN caused significant damage and flooding throughout Florida and the Southeastern United States. During the response and reconstitution after the hurricane, first responders encountered numerous vehicle fires involving Electronic Vehicles (EVs) that are powered by Lithium-Ion batteries. Subsequent investigations have revealed that the vehicle fires resulted from exposure of the Lithium Ion batteries to salt water. Many vehicles had been susceptible to flooding. Saltwater exposure can significantly degrade lithium-ion (Li-ion) batteries, causing a chemical reaction that creates an extreme fire risk. Review of vehicle registration records revealed there are over 7,000 electric vehicles (EVs) in Lee County, Florida with potential for damage.



Naples Fire Department Responding to EV Fire

Vessels, ports, and shippers should be aware of this extreme risk and avoid loading EVs with damaged Lithium-Ion onto commercial vessels. [Safety Alert 01-22](#) highlights a recent example of the danger damaged batteries pose. The U.S. Fire Administration further details the hazard in their [Responding to Electric Vehicle Fires Caused by Salt Water Flooding](#) article.

The Coast Guard strongly recommends that vessels, ports, shippers, and regulators:

- Conduct a comprehensive review of the vehicle shipping requirements found in both the Hazardous Materials Regulations (49 CFR) and the International Maritime Dangerous Goods (IMDG) Code. All lithium batteries are hazardous materials regulated by the Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA). As such, they are required to comply with the [Lithium Battery Guide for Shippers](#).
- Conduct review of additional requirements for shipping damaged lithium ion batteries located in the [PHMSA Safety Advisory Notice for the Disposal and Recycling of Lithium Batteries in Commercial Transportation](#). Due to the large size of EV batteries, the packaging requirements to comply with damaged shipment regulations are inadequate.

As such, IMDG special provision 376 specifically requires approval from the competent authority (PHMSA or US Coast Guard) prior to shipment of damaged lithium batteries.

- Remain vigilant and ensure damaged lithium-ion vehicle batteries are not loaded onto vessels for shipment, placed within port facilities, or enclosed in containers.

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UNITED STATES COAST GUARD

U.S. Department of Homeland Security

MARINE SAFETY ALERT

Inspections and Compliance Directorate

February 15, 2023
Washington D.C.

Safety Alert 02-23

ENGINE ROOM EXHAUST HAZARDS ON FISHING VESSELS

This Safety Alert addresses the importance of installing noncombustible materials in machinery space boundaries with dry exhaust systems. A recent marine casualty resulting in an engine room fire onboard a commercial fishing vessel identified significant hazards associated with main engine dry exhaust systems coming in direct contact with combustible materials, such as general-purpose resin on a wood Fiberglass Reinforced Plastic (FRP) vessel.



Main Engine Dry Exhaust

Some commercial fishing vessels are required to insulate combustibles from heated surfaces in accordance with 46 Code of Federal Regulations (CFR) 28.380(b) and ABYC P-1 requires fittings in contact with uncooled exhaust carriers to be noncombustible. However, there are currently no specific requirements for commercial fishing vessels to use fire retardant resin or to install noncombustible panels around machinery compartment boundaries.

When constructed of wood or general-purpose resin, a lack of noncombustible materials can lead to the main engine exhaust heating a wood/FRP deck, which can ultimately lead to a fire. In the above-mentioned vessel casualty, the main engine's dry exhaust caused the vessel's wooden deck to ignite and caused \$200,000 in damage.

The Coast Guard **strongly recommends** that commercial fishing vessel owners and operators:

- Ensure that dry exhaust piping passing through combustible bulkheads or partitions are insulated/shielded from combustible materials.
- Install noncombustible panels on existing vessels with general purpose resin.
- For new construction vessels, install noncombustible panels or fire-retardant resin around machinery compartment boundaries constructed of wood/FRP.



Dry exhaust passing through wood/FRP deck

This Safety Alert is provided for informational purposes only and does not relieve any domestic or international safety, operational, or material requirement. Developed by Sector Delaware Bay Investigations Division and distributed by the Office of Investigations and Analysis. Questions may be sent to HQS-SMB-CGINV@uscg.mil.



UNITED STATES COAST GUARD
U.S. Department of Homeland Security

MARINE SAFETY ALERT

Inspections and Compliance Directorate

March 17, 2023
Washington, DC

Safety Alert 04-23

INFLATABLE BOAT SAFETY: DO NOT OVER-PRESSURIZE!

This safety alert addresses the importance of proper maintenance and adherence to manufacturer's recommendations for filling/inflating buoyancy chambers on some models of inflatable boats.



Figure 1 -Zodiac after bladder failure. Deformation to the deck is visible.

An investigation has identified that the keel bladder suffered a rupture due to excessive pressure in the tube. The recommended operating pressure by the manufacturer is 3.4 pounds per square inch (p.s.i) or 240 millibar pressure (mb). An on-scene survey of multiple inflatables on board the cruise ship noted pressures up to and exceeding 9 p.s.i. (620 mb) in other keel bladders. The keel bladder is not protected by a safety relief valve, and the manufacturer recommends that they be inflated with a foot pump to reduce the chance of over-pressurization. However, crewmembers were routinely using an air compressor to fill the buoyancy chambers (including the keel tube) prior to the incident. In addition, pressure levels were not being checked using a manometer as recommended by the manufacturer.

During a recent investigation of an incident that occurred involving foreign cruise vessel operations in the Antarctic, a U.S. passenger was severely injured due to a Zodiac MILPRO model FC 580/MK5 keel bladder failure while underway on a sightseeing excursion. In calm weather, the keel bladder suddenly ruptured, sending the passenger several feet into the air before landing onto the deck and sustaining serious injuries including a fractured femur. Another passenger was thrown overboard into the freezing water, risking hypothermia.



Figure 2 – Ruptured keel bladder and the view of the underside of the metal hull. The red line has been added to highlight the deformities in the hull metal due to the keel bladder rupture.

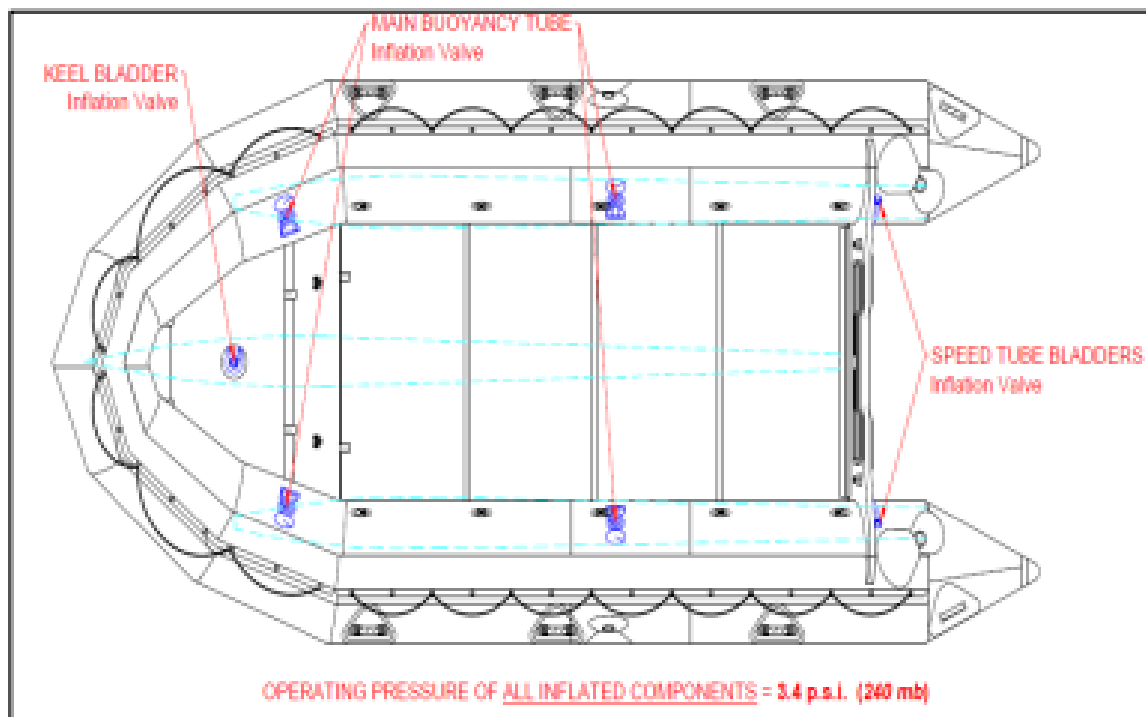


Figure 3 – Diagram of Zodiac MILPRO.

The Coast Guard **strongly recommends** that operators of cruise ships and other companies employing inflatable boats:

- Review all manufacturer recommendations for inflatable boat filling and maintenance to verify those procedures are being followed prior to any boat operations including passenger excursions.
- Use manufacturer recommended inflation devices (e.g., a foot pump) and appropriate pressure measurement tools to avoid over-pressurization.
- Verify that company policy addresses manufacturer recommendations and that crews are properly trained before operating and performing maintenance on inflatable boats.
- Contact the manufacturer of your inflatable boats for any additional recommendations and/or training options they may offer.

This Safety Alert is provided for information purposes only and does not relieve any domestic or international safety, operational, or material requirement. Developed by Activities Europe and distributed by the Office of Investigations and Analysis. Please address questions to HQS-SMB-CG-INV@uscg.mil.



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