

Environmental Health & Safety

Title: Protocol for Third Party Diving Activities	
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I. Purpose

To ensure diving activities by third parties, which are arranged or advised by Buffalo State College (BSC) employees, including, but not limited to research, operational, or maintenance (i.e., work)-related diving, are conducted in a safe manner that:

1. Protects divers from accidental illness and injury; and
2. Minimizes BSC's liabilities under applicable laws and regulations.

II. Scope and Limitations

This Policy and Procedure identifies the protocol to be followed by BSC employees, when acting within the scope of their employment by BSC (or SUNY), who prescribe, procure, or arrange for diving activities by Third Party Entities as defined in Section VIII. This includes diving activities that involve or rely upon: 1) direction, supervision, or expertise from BSC employees; 2) equipment or facilities owned or leased by BSC; 3) equipment leased or owned by SUNY that is in the custody of BSC employees; or 4) financial compensation from BSC, SUNY, or grants secured or dispersed by an employee of BSC or SUNY. Note that this policy is not intended for indoor pool diving (i.e., without supplied air) as part of recreational or athletic competition activities.

This policy provides additional specific protocols for Third Party Entity diving activities that are not elucidated in BSC's "Diving and Snorkeling Safety Program," policy no. DIV-008-001.

III. Applicability and Responsibilities

This policy and procedure applies to BSC employees, including but not limited to staff and faculty, who prescribe, procure or otherwise arrange third party diving activities. Responsibilities for ensuring safe diving operations are identified as follows:

1. DCB - The DCB (Diving Control Board) has absolute authority over the diving conducted under the Auspices of BSC/GLC employees. The DCB is responsible for setting protocols and conditions for diving activities by third party entities. These responsibilities include:
 - A) Identifying and implementing changes to this policy;
 - B) Ensuring third parties providing diving services, if eligible, follow BSC diving safety program requirements or have their own diving safety program;
 - C) Approving or disapproving, as appropriate, use of BSC property (facilities and equipment) for conducting diving activities;
 - D) Referring names of BSC employees that do not adhere to the protocols of this policy to Human Resources for further disciplinary action;
 - E) Ensuring third party diving programs are reviewed for adequacy prior to performing such activity;
 - F) Selecting appointees to the DCB and a Diving Safety Officer (DSO);
 - G) Serving as the point of contact for regulatory agency safety inspections of the BSC/GLC Scientific Diving program; and
 - H) Meeting at least once per year.

2. DSO – The DSO (Diving Safety Officer) is a certified diver and member of the DCB, who is selected by the DCB to implement and enforce safety responsibilities of the DCB. The DSO is authorized to ensure proper arrangements and lines of communication are established for cooperative diving, where BSC employees perform underwater diving. The DSO is also authorized by the DCB to verify the adequacy of the third party diving safety programs and disapprove those third party entities that he/she finds unsafe, pose a substantive risk to bring harm, or otherwise endangers BSC equipment, facilities, or employees. The current DSO is Capt. Caleb P. Basiliko, phone no. 878-5625.
3. GLC Director – The GLC Director or their designee is responsible for A) ensuring that diving activities performed for the GLC are limited to Scientific Diving and conducted in accordance with this policy; B) providing an adequate number of representatives, who are properly trained and qualified divers, to the DCB; and C) Maintaining and storing records as identified in Section XIII of this policy.
4. BSC Environmental Health and Safety (EH&S) Office Director – The EH&S Office Director or their designee is responsible for:
 - A) Monitoring regulations and disseminating information to the DCB on new or modified diving requirements;
 - B) Providing representatives and consultative guidance to the DCB and DSO;
 - C) Maintaining this policy and procedure in accordance DCB recommendations and overarching EH&S policies.
5. All BSC Faculty, Researchers and Staff - Any BSC or GLC faculty, researcher, or staff member, who procures or arranges for Third Party Entity diving activities, shall review and adhere to this policy and procedure, including but not limited to items specified in Sections V and VI .

IV. References

U.S. Department of Labor, 29 CFR 1910, Subpart T, "Commercial Diving Operations"

U.S. Department of Labor, 29 CFR 1910, Subpart T, Part 401 and Appendix B, "Guidelines for Scientific Diving"

BSC EH&S Policy and Procedure, No.DIV-008-001, "Diving and Snorkeling Safety Program."

V. Pre-Dive Requirements

1. Prior to procuring or arranging with a Third Party Entity to perform diving activities falling within the scope of this policy (per Section II), the BSC faculty, researcher, or staff member shall contact the DSO to arrange for a diving safety review of their project. The DSO may be reached by calling 878-5625 or 878-4329.
2. Prior to written commitment or arrangement of financial or other BSC resources to a Third Party Entity, the cognizant BSC faculty, researcher or staff member shall furnish information, preferably written documentation, to the DSO that provides reasonable assurance of the adequacy of the Third Party Entity to conduct the diving activity in a safe manner. This may include, but is not limited to a copy of the third party's diving program, a copy of diving certifications, a copy of contractual conditions or specifications for the proposed diving services, or a letter from the third party that assures compliance with OSHA diving requirements.

3. Diving is not authorized until the DSO has found the Third Party Entity's diving safety program to be adequate for the prescribed objective or task(s). The DSO shall then issue a written memo to the DCB confirming acceptance of the Third Party Entity's diving program.

VI. Reporting Accidents, Incidents, and Issues

1. Immediate Notification and Reporting – In the event of a fatality, or accident requiring hospitalization, immediate notification shall be made to the DCB and University Police.
2. 24-hour Notification – Within 24-hours, the following accidents and incidents must be reported to the DSO:
 - A. Any accident that requires medical attention;
 - B. Any incident involving a rescue of an endangered diver; and
 - C. Any incident involving a serious malfunction of equipment.

VII. Records Management

1. At a minimum, an up-to-date copy of this policy and procedure shall be maintained at the GLC Field Station, the EH&S Office, and the BSC-owned vessel(s) or facilities where diving will occur.
2. Copies of documents or memos from the DSO (e.g. per Section V, item 3) required by this policy shall be maintained with the DSO at the GLC Field Station.

VIII. Definitions

Third Party Entities – Are organizations or individuals that are not organizations or direct employees of BSC. Third Party Entities include, but are not limited to: 1) service (private) contractors; 2) auxiliary/volunteer organizations (e.g. Buffalo Underwater Rescue Team); 3) individual volunteers not affiliated with any organization; and 4) researchers or faculty from other (i.e., non-BSC) academic or research institutions.