

## Supporting Statement For Various International Agreement Safety Certificates and Documents

OMB No.: 1625-0017

COLLECTION INSTRUMENTS: Instruction, CG-967, CG-968, CG-968A, CG-969, CG-3347, CG-3347B, CG-4359, CG-4360, CG-4361, CG-5643, CG-5679, CG-5679A, CG-5680, CG-6038 & CG-6038A

### A. Justification

#### 1) Circumstances that make the collection of information necessary.

The International Convention for the Safety of Life at Sea (SOLAS) is a product of the International Maritime Organization (IMO), an agency of the United Nations. SOLAS applies to all mechanically propelled cargo and tank vessels of 500 or more gross tons (GT), and to all mechanically propelled passenger vessels carrying more than 12 passengers that engage in international voyages. By IMO's definition, an "international voyage" means a voyage from a country to which the Convention applies to a port outside the country, or vice versa.<sup>1</sup> The authority for this collection is found in 46 U.S. Code 3306, 3307, 3316 and 3703.

SOLAS 1974 requires one or more of the following certificates to be carried on onboard certain passenger and cargo ships engaged in international voyages (46 CFR 2.01-25):

- 1) Passenger Ship Safety Certificate and Record.
- 2) Cargo Ship Safety Construction Certificate.
- 3) Cargo Ship Safety Equipment Certificate and Record.
- 4) Cargo Ship Safety Radio Certificate (issued by Federal Communications Commission (FCC)).
- 5) Exemption Certificate (exemptions issued by Coast Guard and FCC).
- 6) Nuclear Passenger Ship Safety Certificate.
- 7) Nuclear Cargo Ship Safety Certificate.
- 8) Safety Management Certificate.
- 9) International Ship Security Certificate

The U.S. Coast Guard will issue through the Officer in Charge, Marine Inspection (OCMI) the following certificates after performing an inspection or safety management audit of the vessel's systems and determining that the vessel meets the applicable requirements (46 CFR 2.01-25):

1. Passenger Ship Safety Certificate and Record (Forms CG-968 and CG-968A).<sup>2</sup>
2. Cargo Ship Safety Construction Certificate (Form CG-4359), except when issued to cargo ships by a Coast Guard recognized classification society at the option of the owner or agent.
3. Cargo Ship Safety Equipment Certificate and Record (Forms CG-3347 and CG-3347B).
4. Exemption Certificate (Form CG-967).
5. Nuclear Passenger Ship Safety Certificate (As nuclear-powered commercial vessels are not in use, this form is not used).
6. Nuclear Cargo Ship Safety Certificate (same comment as 5).
7. Safety Management Certificate (Form CG-5643), except when issued by a recognized organization authorized by the Coast Guard.
8. International Ship Security Certificate (Form CG-4360) or Interim International Ship Security Certificate (Form CG-4361).

<sup>1</sup> The United States, represented by the U.S. Coast Guard, was a major contributor and proponent of the 1974 Convention (SOLAS 74). By Executive Order 12234 of September 3, 1980, President Carter ordered the implementation of SOLAS 1974 to become effective on May 25, 1980.

<sup>2</sup> According to 46 CFR 2.01-25, when a Passenger Ship Safety Certificate is not received from the Commandant before a ship sails on a foreign voyage, the OCMI will issue a Notice of Completion of Examination for Safety Certificate (Form CG-969). The Notice describes the ship and certifies that an application for a Passenger Ship Safety Certificate is being processed, and that in the Commandant's opinion the vessel meets applicable requirements of the Convention administered by the Coast Guard.

SOLAS 74 also permits the issuance of certificates and documents by signatory countries, including:

9. High-Speed Craft Safety Certificate and Record (Forms CG-5679 and CG-5679A),
10. Permit to Operate High-Speed Craft (Form CG-5680),
11. Document of Compliance, and
12. Continuous Synopsis Record (Form CG-6038 and CG-6038A).

This information collection supports the following strategic goals:

Department of Homeland Security

- Prevention
- Protection

Coast Guard

- Marine Safety
- Marine Environmental Protection

Prevention Policy & Response Policy Directorates (CG-5P & CG-5R)

- Safety: Eliminate deaths, injuries, and property damage associated with commercial maritime operations.
- Human and Natural Environment: Eliminate environmental damage associated with maritime transportation and operations on and around the nation's waterways.

2) Purposes of the information collection.

All mechanically propelled passenger vessels carrying more than 12 passengers that engage in international voyages must have one or more of the following certificates on board: Passenger Ship Safety Certificate, Exemption Certificate, Safety Management Certificates, International Ship Security Certificate, and the Polar Ship Certificate. The Passenger Ship Safety Certificate (or Notice of Completion of Examination for Safety Certificate) and Exemption Certificate are valid for one year. The Safety Management Certificate, International Ship Security Certificates, and the Polar Ship Certificates are valid for five years.

All mechanically propelled cargo vessels<sup>3</sup> of 500 or more gross tons that engage in international voyages must have one or more of the following certificates on board: Cargo Ship Safety Construction Certificate, Cargo Ship Safety Equipment Certificate, Safety Management Certificate, Exemption Certificate, International Ship Security Certificate, and the Polar Ship Certificate for vessels greater than 500 gross tons. These certificates are valid for five years.

The purpose of the Passenger Ship Safety Certificate (or Notice of Completion of Examination for Safety Certificate) is to certify that a ship has been surveyed in accordance with the requirements of regulation I/7 of SOLAS, and that the survey showed that the ship complied with the requirements of SOLAS as regards:

- a. the structure, main and auxiliary machinery, boilers and other pressure vessels;
- b. the watertight subdivision arrangements and details;
- c. subdivision load lines;
- d. the structural fire protection, fire safety systems and appliances and fire control plans;
- e. the life-saving appliances and the equipment of the lifeboats, liferafts and rescue boats were provided;
- f. the presence of a line-throwing appliance and radio installations used in life-saving appliances;
- g. the radio installations;
- h. the functioning of radio installations used in life-saving appliances;
- i. the ship-borne navigational equipment, means of embarkation for pilots and nautical publications;
- j. provision of lights, shapes, means of making sound signals and distress signals; and

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<sup>3</sup> Bulk carriers, oil tankers, chemical tankers, gas carriers, mobile offshore drilling units, and other cargo ships are the vessels that must comply and post the Cargo Ship Safety Certificates.

- k. other relevant requirements.

The purpose of the Cargo Ship Safety Construction Certificate is to certify that the ship:

- a. has been surveyed in accordance with the requirements of regulation I/10 of SOLAS, as modified by the 1978 Protocol;
- b. has complied with the relevant requirements of chapters II-1 and II-2 of SOLAS (other than those relating to fire safety systems and appliances and fire control plans), and that the condition of the structure, machinery and equipment defined in regulation I/10 is satisfactory; and
- c. has been surveyed on an annual basis in accordance with regulation I/6(b).

The purpose of the Cargo Ship Safety Equipment Certificate is to certify that a ship has been surveyed in accordance with the requirements of regulation I/8 of SOLAS, as modified by the 1978 Protocol; and that the survey showed that the ship complied with the requirements as regards:

- a. fire safety systems and appliances and fire control plans;
- b. life-saving appliances and the equipment of the lifeboats, liferafts and rescue boats;
- c. the provision of a line-throwing appliance and radio installations used in life-saving appliances;
- d. the shipborne navigational equipment, means of embarkation for pilots and nautical publications;
- e. lights, shapes, means of making sound signals and distress signals; and
- f. other relevant requirements.

Furthermore, the ship operates in accordance with regulation III/26.1.1.1 within the limits of a specified trade area, and undergoes mandatory annual surveys.

The purpose of the Exemption Certificate is to certify that the passenger or cargo ship, under the authority conferred by specific regulations of SOLAS, is exempted from particular requirements. It is valid for one-year for a passenger vessel and five-years for a cargo vessel.

The purpose of the Safety Management Certificate is to certify that the safety management system of the ship has been audited and that it complies with the requirements of the International Management Code for the Safe Operation of Ships and for the Prevention of Pollution (ISM Code) following verification that the Document of Compliance for the Company is applicable to the type of ship. The type of a ship may be passenger ship, passenger high-speed craft, cargo high-speed craft, bulk carrier, oil tanker, chemical tanker, gas carrier, mobile offshore drilling unit, or other cargo ship. This Certificate is valid for 5 years.

The purpose of the High-Speed Craft Safety Certificate is to certify completion of an initial or renewal survey to a craft that complies with the requirements of the International Code of Safety for High-Speed Craft (HSC Code), which include:

- a. structure, materials, and condition of the craft;
- b. equipment and fittings;
- c. radio station arrangements; and
- d. life-saving appliances.

This Certificate is valid for a period of no longer than 5 years. The purpose of the Record of Equipment for High-Speed Craft is to outline the details of the vessel's life-saving appliance and radio facilities as a supplement to the High-Speed Craft Safety Certificate.

The purpose of the Permit to Operate High-Speed Craft is to ensure the management of the company operating the craft exercises strict control over its operation and maintenance by a quality-management system, including:

- a. qualification and training of employed personnel;
- b. operational limitations;
- c. proximity to place of safe refuge;
- d. availability of adequate communications facilities, weather forecasts, and maintenance facilities; and
- e. availability and suitability of rescue facilities.

This Permit is valid for a period of no longer than 5 years.

The purpose of the Document of Compliance for Carriage of Dangerous Goods certifies a ship is constructed and equipped following the requirements of regulation II-2/54 of SOLAS, as amended. SOLAS, as amended, requires a document of compliance for carriage of dangerous goods only when a ship carries or intends to carry dangerous goods as defined in SOLAS regulation VII/2 (except class 6.2 and class 7) and is:

- a. A passenger ship constructed on or after September 1, 1984;
- b. A cargo ship of 500 gross tons or more constructed on or after September 1, 1984; or
- c. A cargo ship of less than 500 gross tons constructed on or after February 1, 1992.

The Document of Compliance is valid for a period of no longer than 5 years.

All mechanically propelled passenger vessels carrying more than 12 passengers that engage in international voyages and all mechanically propelled cargo vessels of 500 or more gross tons that engage in international voyages must have both a Continuous Synopsis Record and an International Ship Security Certificate on board the vessel.

The purpose of the Continuous Synopsis Record is to provide an onboard record of the history of the vessel with respect to its flag, owner, operator, charterer, classification society, safety management and security activities following the requirements of regulation 5 of SOLAS Chapter XI-1. Vessel owners or operators are required to complete and submit the Amendments to the Continuous Synopsis Record and Index of Amendments form whenever changes occur to any of the vessel's data elements listed in SOLAS Chapter XI-1, Regulation 5. The purpose for the Amendments to the CSR and Index of Amendments to the CSR form is to notify the Coast Guard of the changes, allowing the Coast Guard to issue an updated Continuous Synopsis Record.

The purpose of the International Ship Security Certificate is to establish an international framework to efficiently convey security-related information among international security entities and to provide a methodology for marine transportation related security assessments so as to have appropriate plans and procedures in place. This certificate is mandated by the International Ship and Port Facility Security Code, and is valid for not more than five years.

The above certificates and permits attest that the vessel has met applicable requirements of SOLAS to the satisfaction of the U.S. Government. Without such forms, U.S.-flag vessels could be detained in foreign ports as being unsafe.

### 3) Consideration of the use of improved technology.

Information is not submitted to the Coast Guard (CG). Upon successful completion of an inspection, the CG will issue the appropriate SOLAS Certificate(s). The SOLAS Certificate(s) should be posted on the vessel.

### 4) Efforts to identify duplication.

The Coast Guard is the only U.S. Government agency authorized to issue the certificates. In turn, the Coast Guard has authorized classification societies, such as the American Bureau of Shipping and Lloyd's Register, to issue some of these certificates. Close contact and continuous communication with those classification societies ensures the Coast Guard that no duplication of effort occurs.

### 5) Methods to minimize the burden to small business if involved.

The burden to an entity is the time it takes to post the relevant certificates on each of the vessels it owns. Mechanically propelled cargo vessels that are 500 or more gross tons and that engage in international voyages must display these certificates. Furthermore, mechanically propelled passenger vessels that carry more than 12 passengers that engage in international voyages must display the relevant certificates. Typically, the larger the vessel, the greater the revenue-earning capacity of that vessel is. As

small entities tend to own fewer vessels than larger entities, and also small entities are more likely to own smaller vessels as well, we expect the burden to small entities to be less than the burden of larger entities because smaller entities would have fewer certificates to post.

6) Consequences to the Federal program if collection were conducted less frequently.

The Coast Guard is able to reduce the frequency of collection only if permitted by international treaties.

7) Special collection circumstances.

This information collection is conducted in manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8) Consultation.

A 60-Day Notice (See [USCG-2017-0158], July 27, 2017, 82 FR 34961) and 30-Day Notice (October 24, 2017, 82 FR 49216) were published in the Federal Register to obtain public comment on this collection. The Coast Guard has not received any comments on this information collection.

9) Provide any payments or gifts to respondents.

There is no offer of monetary or material value for this information collection.

10) Describe any assurance of confidentiality provided to respondents.

There are no assurances of confidentiality provided to the respondents for this information collection. This information collection request is covered by the Marine Information for Safety and Law Enforcement (MISLE) Privacy Impact Assessment (PIA) and System of Records Notice (SORN). Links to the MISLE PIA and SORN are provided below:

- [https://www.dhs.gov/sites/default/files/publications/privacy\\_pia\\_uscg\\_misle.pdf](https://www.dhs.gov/sites/default/files/publications/privacy_pia_uscg_misle.pdf)
- <https://www.gpo.gov/fdsys/pkg/FR-2009-06-25/html/E9-14906.htm>

11) Additional justification for any questions of a sensitive nature.

There are no questions of sensitive language.

12) Estimate of annual hour and cost burdens to respondents.

- The estimated number of annual respondents is 367.
- The estimated number of annual responses is 875.
- The estimated hour burden is 90 hours.
- The estimated cost burden is \$2,441.

The burden to respondents is provided in Appendix A. We estimate that it takes about six minutes (0.1 hours) to post each certificate, something done at the frequency of a certificate's expiration. We expect that a vessel crewmember would be responsible to post these documents. The position of crewmember is analogous to a Cadet. The wage rate used is in accordance with the current edition of COMDTINST 7310.1(series) for "Out-Government" personnel.

13) Total annualized capital and start-up costs.

There are no capital, start-up or maintenance costs associated with this information collection.

14) Estimates of annualized Federal Government costs.

The estimated annual Federal Government cost is \$35,478 (see Appendix B). It takes the Coast Guard an average of 30 minutes to complete each Certificate or Notice, a task typically performed by a Lieutenant (O-3). The wage rate used is in accordance with the current edition of COMDTINST 7310.1(series) for "In-Government" personnel.

15) Reasons for the change in burden.

The change (i.e., increase) in burden is an ADJUSTMENT due to a decrease in the estimated annual number of responses. The recordkeeping requirements, and methodology for calculating burden, remain unchanged.

16) Plans for tabulation, statistical analysis, and publication.

This information collection will not be published for statistical purposes.

17) Approval for not explaining the expiration date for OMB approval.

The certificates associated with this collection are prescribed by an international treaty (SOLAS) that the U.S. Government is signatory to. These certificates all have specific one to five year expiration dates related to requirements set out in SOLAS. The addition of a second expiration date to these certificates—that for OMB approval—may cause several problems. First, it may cause U.S.-flag vessel owner/operators to interact with the Coast Guard more frequently than required to reconcile the existence of 2 expirations dates on their ships' certificates. Second, it may cause confusion with foreign Port State Control boarding officers, resulting in U.S.-flag ships being delayed or detained in foreign ports due to 2 differing expiration dates. It is for these reasons that expiration dates for OMB approval are not displayed on the certificates associated with this collection. However, the OMB expiration date is displayed on the Instruction sheet related to the information collection request.

18) Explain each exception to the certification statement.

The Coast Guard does not request an exception to the certification of this information collection.

**B. Collection of Information Employing Statistical Methods**

This information collection does not employ statistical methods.