

Supporting Statement for Alternate Compliance Program

OMB No.: 1625-0081
COLLECTION INSTRUMENTS: Instruction

A. Justification

1. Circumstances which make the collection of information necessary.

This voluntary program, under Part B of Subtitle II of 46 U.S.C. 3101-4705, provides owners of U.S. tank vessels, passenger vessels, mobile offshore drilling units (MODUs), and cargo and miscellaneous vessels an alternative method to fulfill the requirements for vessel design, inspection and certification. Under this program, the Coast Guard issues a Certificate of Inspection based upon a recognized Classification Society's reports that the vessel complies with the International Convention for the Safety of Life at Sea, as amended (SOLAS 74/83), other applicable international conventions, Classification Society rules, and other specified requirements. Information showing the compliance status of a vessel enrolled in this program is provided to the Coast Guard by the Classification Society prior to issuance of a Certificate of Inspection by the Coast Guard. The statutory authority for the program is found at 46 U.S.C. 3103, 3306, 3316 and 3703.

The regulations under which this requirement is implemented are in 46 CFR Part 8 and Subpart D entitled 'Alternate Compliance Program'. References to the option of enrolling and being inspected in the Alternate Compliance Program (ACP) are found in 46 CFR 31.01-3 (Tank Vessels), §71.15-5 (Passenger Vessels), §91.15-5 (Cargo and Miscellaneous Vessels), and §107.205 (Mobile Offshore Drilling Units), but the details of the applicable regulations are contained in Part 8 and Subpart D as mentioned above.

Some of the sections applicable to this collection are in 46 CFR 8.130, 8.240, 8.320, 8.420 and 8.430. These sections outline the requirements that a Classification Society must fulfill for Coast Guard recognition and authorization of that Classification Society to perform delegated functions, issue international certificates and participate in the ACP.

The other sections applicable to this collection are 46 CFR 8.440(b) and (c) outlining the terms for 'Vessel Enrollment in the Alternate Compliance Program'.

This information collection supports the following strategic goals:

Department of Homeland Security

- Prevention
- Protection

Coast Guard

- Maritime Safety
- Protection of the Natural Resources

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. Purpose of the information collection.

Information is collected by the Coast Guard in order to determine the compliance status of a vessel enrolled in this program. If the information is not made available to the Coast Guard, the Coast Guard will not be able to issue a Certificate of Inspection to an enrolled vessel.

3. Considerations of the use of improved technology.

Information is submitted in writing or electronically via e-mail. Information is submitted to the CG Officer in Charge, Marine Inspection (OCMI) at the local Sector Office. A comprehensive list of contact info for Coast Guard units is found at: <https://www.uscg.mil/Units/Organization/>.

Additionally, all Coast Guard field offices have access to Recognized Classification Society databases. The Coast Guard believes that there is an electronic transfer of information regarding vessel inspections, between the classification societies and the Coast Guard, for about 50-60% of all annual applications. There is also more information now available about classification societies and authorization on the US Coast Guard website can be found at this [LINK](#).

We estimate that much of the reporting and recordkeeping requirements can be done electronically. At this time, we estimate that approximately 100% of the applications are collected electronically.

4. Efforts to identify duplication.

Only the Classification Society that classifies an enrolled vessel will have the information required by the Coast Guard under this program.

5. Methods used to minimize the burdens to small business if involved.

This information collection does not have an impact on small businesses or other small entities.

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

Without information provided annually, the Coast Guard would not be able to ensure that an enrolled vessel continues to be eligible for a Certificate of Inspection.

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-2018-0188], April 9, 2018, 83 FR 15167) and 30-Day Notice (July 3, 2018, 83 FR 31166) 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.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 annual number of respondents is 87.
- The estimated annual number of responses is 87.
- The estimated annual hour burden is 174 hours.
- The estimated annual cost burden is \$19,140.

The burden to respondents is provided in Appendix A. There are two components to this collection. One is Classification Society recognition and authorization to participate in the ACP; the other is vessel inspection under the ACP.

a. Classification Society Authorization.

The requirements for Classification Society recognition and authorization are in 46 CFR 8.130, 8.240, 8.320, 8.420 and 8.430. These sections outline the requirements that a Classification Society must fulfill for Coast Guard recognition and authorization of that Classification Society to perform delegated functions, to issue international certificates and to participate in the ACP. In essence therefore, participation involves a three-step process -- recognition, authorization to issue international certificates, authorization to participate in the ACP -- and is implemented as follows.

i. Recognition -- The first phase of participation requires satisfying a set of performance criteria based on: standards developed by the International Maritime Organization (IMO); a satisfactory port state control performance (based on a rolling, three-year average of detentions of distinct arrivals in U.S. waters); and reciprocity for ABS to perform similar functions in the country where the Classification Society is based.

ii. Authorization to Issue International Certificates -- Upon recognition, a Classification Society may apply to the Coast Guard to issue certain international certificates on behalf of the Coast Guard. Based on a review of the class rules and procedures, the Coast Guard may enter into an agreement with the society to issue international certificates. In order to delegate official USCG functions, there must be a written, legal agreement between the recognized Classification Society and the USCG.

iii. Authorization to participate in the ACP -- In the third and final step of this process, the Coast Guard may authorize a Classification Society to participate in the ACP. This occurs two years after the Society has issued its first safety related international certificate under step two above.

Currently, there are five (5) Classification Societies authorized to participate in the ACP -- the American Bureau of Shipping (ABS), Det Norske Veritas (DNV, Norway), Lloyd's Register (LR, Great Britain), Germanischer Lloyd (GL, Germany) and ClassNK (Japan). Additionally, other recognized classification societies—Bureau Veritas (BV, France) and RINA, S.p.A. (RINA, Italy)—are authorized to issue some international safety certificates—see table at this [LINK](#).

It is not necessary for a Classification Society to renew an authorization so there are no other applications involved after initial authorization. A Classification Society must maintain the safety standards outlined in 46 CFR Part 8 for continued authorization.

We do not estimate any ACP applications for this period, and thus estimate 0 hours for the element.

b. Certificate of Inspection applications in the ACP.

We estimate that a shore side technical specialist it will take about 2 hours to prepare and submit an application for a Certificate of Inspection via the ACP.¹ The position of shore side technical specialist is analogous to a Lieutenant (LT). The wage rate used is in accordance with the current edition of COMDTINST 7310.1(series) for "Out-Government" personnel.

The validity of a Certificates of Inspection varies based on vessel type. Tank vessel (§31.05-10), cargo and miscellaneous vessel (§91.01-10) and MODU (§107.215(d)) Certificates of Inspection are valid for 5-

¹ First, a vessel owner/operator must apply for classification, plan review and inspection by a recognized Classification Society to determine compliance with international treaties and agreements. Then the Classification Society submits information to the Coast Guard so that a Certificate of Inspection can be issued to the vessel owner/operator.

years. Passenger vessel (§71.25-1) Certificates of Inspection are valid for 1-year. Thus, to estimate annual number of vessels in the ACP, we sum 1/5 of those vessels with 5-year certificate with all those with 1-year certificates.

13. Total of 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 \$6,873 (see Appendix B). We estimate that it will take 1 hour by a LT to review and process each application. The wage rate shown is in accordance with the current edition of COMDTINST 7310.1(series) for "In-Government" personnel.

15. Explain the reasons for change in burden.

The change in burden is an ADJUSTMENT due to a change (i.e., increase) in the estimated annual number of respondents. There is no proposed change to the reporting or recordkeeping requirements of this collection. The reporting and recordkeeping requirements, and the 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 Coast Guard will display the expiration date for OMB approval of this information collection.

18. 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.