

**Supporting Statement
for
Towing Vessels – Title 46 CFR Subchapter M**

OMB No.: 1625-0117
COLLECTION INSTRUMENTS: Instruction

A. Justification

1) Circumstances that make the collection of information necessary.

Section 415 of the Coast Guard and Maritime Transportation Act of 2004 (Act) [Pub L. 108-293; 118 STAT 1028, Aug. 9, 2004] added “towing vessels” to the list of vessels subject to Coast Guard inspection in 46 U.S.C. 3101. Section 415 of the Act also added 46 U.S.C. 3306(j) that authorized the establishment by regulation of a safety management system appropriate for the characteristics, methods of operation, and nature of service of towing vessels. The regulations are in 46 CFR Subchapter M. The statutory authority is 46 U.S.C. 3306.

2) Purposes of the information collection.

This collection allows for obtaining and renewing a certificate of inspection, which will involve compilation of information by the owners and operators of the affected towing vessel, submission of the information to the Coast Guard and third parties, and review by the Coast Guard and third parties. Additionally, this collection of information allows for collection of information at the vessel, company, and third party organization level regarding application, safety, operations, drills, record keeping, and general compliance.

3) Consideration of the use of improved information technology.

This information collection includes both reporting and recordkeeping. We estimate that 90% of the reporting and recordkeeping requirements can be done electronically. At this time, based on our experience with inspections of comparable vessels, we estimate that 33% of the responses will be collected electronically.

4) Efforts to identify duplication.

There are no other Federal or State agencies that collect this information. There is no similar information available that could be used or modified for these purposes.

5) Methods to minimize the burden to small entities if involved.

Most of towing vessels inspected under the 46 CFR Subchapter M are owned and operated by small entities. The Coast Guard has taken steps to provide these owners and operators with flexibility and options to comply with requirements. Examples of this flexibility include—

- Two inspection compliance options—a traditional Coast Guard inspection option and a Towing Safety Management System (TSMS) inspection option. The requirements for the TSMS are developed so that owners/operators can customize the TSMS to fit the scale of each entity's operations.
- Phased implementation—the regulations include a 2-year phase-in period, and a multiple-year schedule for vessels to obtain their initial Certificate of Inspection (COI)--2-years for single-vessel entities and 4-years for entities with 2 or more vessels.
- Deferred requirements—the requirement for installation of the pilothouse alerter system is deferred until 5-years after the initial COI.
- Rolling requirements—the drydock requirements can be fulfilled on a rolling or partial basis over the 5-year compliance period. That is, the requirements do not need be met as a single event; individual requirements can be met while conducting various maintenance or repair activities.

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

Reducing the frequency of collection would hinder or degrade the administration of the towing vessel inspection program.

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-2019-0245], April 8, 2019, 84 FR 13942) and 30-Day FR Notice (June 19, 2019, 84 FR 28571) 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 assurances of confidentiality provided to respondents.

There are no assurances of confidentiality provided to 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 number of annual respondents is 7,782.
- The estimated number of annual responses is 7,511,527.
- The estimated hour burden is 151,219 hours.
- The estimated cost burden is \$8,139,827.

The burden to respondents is in Appendix A. Respondents are—(a) towing vessels, (b) towing vessel companies (i.e., owners and operators), and (c) third party organizations. Respondents must report and keep records with varying frequencies. The frequency of each regulation in the Appendix A. Individuals conducting these activities are Captains, Mates and Pilots of Water Vessels (equivalent to WG-10), Sailors and Marine Oilers (equivalent to WG-03), and drydock inspectors (equivalent to GS-12). The wage rates used are 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 \$4,045,120 (see Appendix B). For various Coast Guard activities, we use personnel for—management activities (O-5), senior and technical specialists to

review reports from industry and third party organizations (GS-13 & GS-12), and clerical specialist for admin activities (GS-9). The wage rates used are in accordance with the current edition of COMDTINST 7310.1(series) for "In-Government" personnel.

15) Reasons for the change in burden.

The change in the burden is an ADJUSTMENT due to a change (i.e., decrease) in the estimated annual number of responses. There is no proposed change to the reporting and 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) 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 additional collection of information does not employ statistical methods.