

SUPPORTING STATEMENT

**Section 80.59 --Compulsory Ship Inspections, and Ship Inspection Certificates, FCC Forms 806, 824, 827, and 829**

**A. Justification:**

The Federal Communications Commission (FCC) seeks to promote efficiency in the Commission's service to the public and to encourage the use of private sector organizations to take over government operations whenever possible.

1. The requirements contained in Section 80.59 are necessary to implement the provisions of Section 362(b) of the Communications Act of 1934, as amended, which require the Commission to inspect the radio installation of large cargo ships and certain passenger ships at least once a year to ensure that the radio installation is in compliance with the requirements of the Communications Act.

Additionally, the Communications Act requires the inspection of small passenger ships at least once every five years.

The Safety Convention (to which the United States is a signatory) also requires an annual inspection.

However, the Safety Convention permits an Administrator to entrust the inspections to either surveyors nominated for the purpose or to organizations recognized by it. Therefore, the United States can have other parties conduct the radio inspection of vessels for compliance with the Safety Convention.

The Commission allows FCC-licensed technicians to conduct these inspections. FCC-licensed technicians certify that the ship passed an inspection and issue a safety certificate. These safety certificates (FCC Forms 806, 824, 827 and 829) indicate that the vessel complies with the Communications Act and the Safety Convention. These technicians are required to provide a summary of the results of the inspection in the ship's log. In addition, the vessel's owner, operator, or ship's master must certify in the ship's log that the inspection was satisfactory.

Inspection certificates issued in accordance with the Safety Convention must be posted in a prominent and accessible place on the ship.

Further, Section 80.59(d) states that the Commission may, upon a finding that the public interest would be served, grant a waiver of the annual inspection required by Section 362(b) of the Communications Act, for a period of not more than 90 days for the sole purpose of enabling a United States vessel to complete its voyage and proceed to a port in the United States when an inspection can be held. An information application must be submitted by a ship's owner, operator or authorized agent. The application must be submitted to the Commission's District Director or Resident Agent in charge of the FCC office nearest the port of arrival at least three days before the ship's arrival. The

application must provide specific information that is contained in rule Section 80.59. The forms to be completed are FCC Forms 806, 824, 827, and 829.

Statutory authority for this collection of information in Sections 4, 303, 307(e) 309, and 332 48 Stat. 1066, 1082, as amended; 47 U.S.C. sections 154, 303, 307(e), 309, and 332, unless otherwise noted.

This collection of information does not affect individuals or households; thus, there are not impacts under the Privacy Act.

2. The purpose of the information is to ensure that the inspection was successful so that passengers and crewmembers of certain United States ships have access to distress communications in an emergency. If the collection were not conducted, the Commission would be unable to grant eligible vessels waivers and such ships would be unable to sail until an inspection was performed. This, in turn, would require an increased expenditure for agency travel funds and/or additional personnel, as well as additional operating costs for vessels required to remain in port until an inspection can be completed. The waiver request information is used by FCC personnel to determine the eligibility of a vessel for a waiver of the required annual radio station inspection, pursuant to Section 362(b) of the Communications Act.
3. Portions of this collection cannot be done electronically. The Wireless Telecommunications Bureau conducts an analysis to ensure that improved information technology may be used to reduce the burden on the public. Copies of the FCC forms are available on the FCC website for printing at: <http://www.fcc.gov/formpage.html>. This analysis considers the possibility of obtaining and/or computer-generating the required data from existing data bases in the Commission or other Federal agencies.
4. The Commission decided to merge these two information collections together because they are related, i.e., one information collection contained the rule section requirements and the other information collection contained in the ship safety certificates that are issued by FCC-licensed technicians.
5. In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents, regardless of size. The Commission has limited the information requirements to those absolutely necessary. There are no significant economic impacts on small businesses or small entities as a result of this collection.
6. If the inspections were not conducted, it would adversely affect the safety of crews and passengers on certain United States vessels and be in violation of the Communications Act and the Safety Convention. Further, as for the waiver requests, the information is collected only when a licensee requests a waiver to operate beyond the expiration of a radio safety certificate.
7. There are no special circumstances which would require collections to be conducted in a manner not consistent with the guidelines in 5 CFR 1320.
8. The Commission initiated a 60-day public comment period which appeared in the Federal Register on April 15, 2021 (86 FR 19885) seeking comment from the public on the

information collection requirements contained in this collection. No PRA comments were received as a result of the Notice from the public.

9. Respondents will not receive any payments associated with this collection.
10. There is no need for confidentiality with this collection of information.
11. This does not address any private matters of a sensitive nature.
12. The Commission estimates that there are 8,359 ships requiring mandatory ship radio inspections. Of the 8,359 ships, approximately 833 require annual inspections. The remaining 7,526 ships require mandatory ship radio inspections once every 5 years. (approximately 1,505 annually, rounded down). This result yields a total number of **2,338<sup>1</sup>** respondents required to complete “ship inspection” forms annually. The actual inspection will take approximately **4 hours** to complete. Each ship inspection certificate will take approximately **0.084 hours (5 minutes)** to complete. Providing a summary in the ship’s log will take approximately **0.25 hours (15 minutes)** to complete. These estimates are based on FCC staff’s knowledge and familiarity with the availability of the data required.

Approximately 100 requests for a waiver of the required annual inspection are received each year from the licensees of large oceangoing vessels returning from a foreign port. It is estimated than an engineer or communications specialists would spend **two hours** preparing such a waiver request. The burden is de minimized compared to the cost of holding a large oceangoing vessel in port even on extra day while awaiting an annual radio station inspection

**Reporting requirement:**

2,338 responses x 4 hours (per ship inspection form) = 9,352 hours.

**Certification requirement:**

2,338 responses x 0.084 hours (per 3<sup>rd</sup> party certification form) = 196.392 hours. (196 rounded)

**Recordkeeping requirement:**

2,338 log entry responses x 0.25 hours/response = 584.5 hours. (585 rounded)

**Waiver Requests:**

100 waivers x 2 hours/waiver request = 200 hours

**Total Annual Burden:** 9,352 + 196 + 585 + 200 = **10,333 hours.**

**Total Number of Respondents:** **2,438.<sup>2</sup>**

**Total Number of Annual Responses:** **2,438.**

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<sup>1</sup> This total was calculated as follows: 833 respondents + 1,505 respondents = 2,338 annual respondents.

<sup>2</sup> There are 2,338 respondents for the mandatory ship radio inspections + 100 respondents filing waiver requests = 2,438 respondents and 2,438 responses.

**In-House Cost:** Regarding the cost of inspecting the ships, the respondents' costs are absorbed into the cost of doing business. As for the waiver requests, we assume that the respondent will use internal personnel (engineer) at equivalent to the GS-11/5 level to prepare the information. Therefore:

200 hours x \$36.95/hr. (engineer) = \$7,390.00.

**The Total Annual In-House Cost: \$7,390.00.**

13. There is no external cost to respondents.
14. Estimated annual cost to the Federal Government: Ship inspections are conducted by private sector technicians licensed by the FCC. There is no cost to the federal government. As for the waiver requests, we assume that a GS 11/5 engineer would spend 2 hours to review the waiver request.

200 hours x \$39.51/hr. (engineer) = **\$7,902.00.**

15. There are no program changes or adjustments to this collection.
16. The data will not be published for statistical use.
17. The Commission is requesting a waiver to not display the OMB expiration date on each of the FCC forms. This is necessary so that the forms do not have to be revised each time this collection is submitted to OMB for renewal.
18. There are no exceptions to the certification statement.

**B. Collections of Information Employing Statistical Methods:**

No statistical methods are employed.