

**Supporting Statement
for
Various International Agreement Pollution Prevention
Certificates and Documents, and Equivalency Certificates**

OMB No.: 1625-0041

COLLECTION INSTRUMENTS: CG-5352, CG-5352A, CG-5352B, CG-6047, CG-6047A, CG-6056, CG-6056A, CG-6056B, CG-6056C, CG-6057, CG-6059, CG-6059A, CG-6060, CG-6060A, CG-9191, CG-16478 & Instruction

A. Justification

1. Circumstances that make the collection of information necessary.

Title 33 U.S. Code (U.S.C.) 1901-1911 requires implementation of the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 (MARPOL 73/78). The United States Coast Guard is delegated the authority to implement the requirements of MARPOL. The requirement to possess an international certificate is mandated by the Act to Prevent Pollution from Ships 1980 (Pub. L. 96-478; 33 U.S.C. 1901-1911). Also, the Coast Guard has the authority to issue Flag State documents to prove equivalent compliance with MARPOL 73/78. The Coast Guard is also authorized to administer/enforce the International Convention on the Control of Harmful Anti-Fouling Systems on Ships (2001) (IAFS Conv) (Pub. L. 111-281, Title X). Additionally, the Coast Guard has the authority to issue Statements of Voluntary Compliance to prove equivalent compliance with the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (Ballast Water Management (BWM) Convention)). The Coast Guard also has authority to issue Statements of Voluntary Compliance to prove equivalent compliance with the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (Hong Kong (HK) Convention).

The statutory authority is 33 U.S.C. 1901-1911. The authority is delegated to the Coast Guard through the Department of Homeland Security Delegation No. 0170.1, Revision No. 01.2. (II)(77).

–**MARPOL Certificates** and other related MARPOL requirements are listed below:

a) *IOPP Certificates and supplements (33 CFR 151.19) (forms CG-5352, CG-5352A & CG-5352B)*

Each U.S. oil tanker of 150 gross tons and above and each other U.S. ship of 400 gross tons and above; that engages on international voyages to ports or off-shore terminals under the jurisdiction of other parties to MARPOL 73/78.

b) *Evidence required for ships not party to MARPOL 73/78 (33 CFR 151.21)*

All oil tankers of 150 gross tons and above and all ships of 400 gross tons and above.

c) *Retain discharge data recorded by a cargo monitor (33 CFR 157.37(d))*

All tank vessels 150 gross tons or more carrying oil in bulk.

d) *Statement of Voluntary Compliance (International Maritime Organization resolutions MEPC.94(46) & MEPC.111(50)) (form CG-6057)*

Each U.S. single hull tank vessels 15 years old and older.

e) *International Air Pollution Prevention (IAPP) Certificates and International Energy Efficiency (IEE) Certificates (MARPOL 73/78 Annex VI) (forms CG-6056, CG-6056A, CG-6056B, CG-6056C, CG-6060 & CG-6060A)*

Each U.S. ship of 400 gross tons and above; that engages on international voyages to ports or off-shore terminals under the jurisdiction of other parties to MARPOL 73/78.

–**IAFS Conv Certificates:**

f) *International Anti-Fouling Systems (IAFS) Certificates (IAFS Conv) (forms CG-6059 & CG-6059A)*

Each U.S. ship of 400 gross tons and above; that engages on international voyages.

–Flag State documents:

g) *Equivalency Certificate for MARPOL 73/78 (Revised) Annex IV (Sewage) International Convention for the Prevention of Pollution from Ships (33 CFR 159) (forms CG-6047 & CG-6047A)*

Annex IV applies to all new vessels built on or after September 27, 2003, which are 400 gross tons International Tonnage Convention (ITC), and above. The Annex also applies to new vessels less than 400 gross tons (ITC), which are certified to carry more than 15 passengers. Existing vessels 400 gross tons (ITC) and above and those existing vessels less than 400 GT (ITC) which are certified to carry more than 15 passengers need not comply until September 27, 2008. Existing federal regulations concerning sewage are outlined in 33 CFR 159 under 'Marine Sanitation Devices.'

h) *Ship-to-Ship (STS) Operations Plan for MARPOL 73/78 (Annex I, Regs 40 & 41)*

Each oil tanker and tank barge of 150 gross tons and above, that engages in transfers of oil at sea.

-BWM Convention Certificates:

i) *Statement of Voluntary Compliance (form CG-9191)*

Each U.S. ship equipped with ballast water tanks that engage on international voyages to countries signatory to the BWM Convention.

-HK Convention Certificates:

j) *Statement of Voluntary Compliance (form CG-16478)*

Each U.S. ship that engages on international voyages to European Union member States or countries signatory to the HK Convention.

a) IOPP Certificates and supplements. All ships engaged in international voyages are required to comply with IOPP certificate requirements. Due to the complex requirements of MARPOL 73/78 and the language difficulties associated with international trade, a uniform certificate listing vital information about the ship's characteristics in a standard form is necessary. The format of the certificate was agreed upon by the United States and other signatories to MARPOL 73/78. The IOPP Certificate is valid for a period of 5 years from the date of issue.

The IOPP certificates serve the necessary function of providing, in standard format and language, for ships of various countries, all the information needed by an inspecting official to efficiently determine whether a ship is in compliance with the requirements of MARPOL 73/78.

b) Evidence required for ships not party to MARPOL 73/78. This implements Article 5(4) of MARPOL 73/78, and is intended to prevent a ship from obtaining more favorable treatment due to its non-party status. Such ships will be required to have surveys conducted and valid documentation that the ship is in compliance with MARPOL 73/78.

c) Retain discharge data recorded by a cargo monitor. The installation and use of cargo monitor and control systems on tank vessels that are 150 gross tons or more is required by 33 CFR 157. Each tank vessel must retain the printout of discharge data from that system for at least three years.

d) Statement of Voluntary Compliance. In order to satisfy signatory Port States, owners of single hull tankers 15 years old and older may voluntarily comply with the Condition Assessment Scheme outlined in International Maritime Organization (IMO) resolution MEPC.94(46). The format of the certificate was agreed upon by IMO and other signatory nations the revised to MARPOL 73/78 regulations 13G and 13H. The Statement of Voluntary Compliance is valid for a period of not more than 5 years from the date of issue. The Certificate may never be valid beyond a single hull tanker's phase-out date required by the Oil Pollution Act of 1990.

e) IAPP and IEE Certificates. All ships engaged in international voyages are required to comply with IAPP & IEE certificate requirements. Due to the complex requirements of MARPOL 73/78 and the language difficulties associated with international trade, a uniform certificate listing vital information about the ship's characteristics in a standard form is necessary. The format of the certificate was agreed upon by the United States and other signatories to MARPOL 73/78. The IAPP Certificate is valid for a period of 5 years from the date of issue. The IEE Certificate is issued without expiration date.

f) IAFS Certificates. Each U.S. ship of 400 gross tons and above; that engages on international voyages must demonstrate compliance with the IAFS Convention. The IAFS Certificate is valid until the anti-fouling system is changed or replaced, or upon transfer of the ship to the flag of another country.

g) Flag State document for MARPOL 73/78 Annex IV (Sewage). Since MARPOL 73/78 Annex IV has not been ratified by the United States, and U.S. flagged vessels on international voyages sailing in the waters of countries that have adopted MARPOL 73/78 Annex IV will be subjected to Port State control boardings, these vessels will need to demonstrate equivalent compliance through the Flag State documents issued by the U.S. Coast Guard.

h) STS Operations Plan (Transfer of Oil Cargo between Oil Tankers at Sea) (MARPOL 73/78 Annex I, Regs 40 & 41).

Each oil tanker and tank barge of 150 gross tons and above, that engage in transfers of oil at sea, and that engage in an STS oil-transfer operation is required to carry and follow an "STS Operations Plan," based on the International Maritime Organization (IMO) Manual on Oil Pollution, Section 1: Prevention. Regulation 41 also requires that the person in charge of STS Operations be qualified to perform all relevant duties, and that records of STS Operations be retained on board for 3 years.

i) BWM Convention Statement of Voluntary Compliance. In order to satisfy signatory Port States, owners of vessels fitted with ballast tanks may voluntarily comply with BWM Convention. The Statement of Voluntary Compliance is valid for a period of not more than 5 years from the date of issue.

j) HK Convention Statement of Voluntary Compliance. In order to satisfy signatory Port States, vessels may voluntarily comply with HK Convention. The Statement of Voluntary Compliance is valid for a period of not more than 5 years from the date of issue.

2. Purpose of the information collection.

a) and b) The IOPP Certificate makes possible the efficient and effective enforcement of MARPOL 73/78, saving both the government and the ship owner/operator time and expense. Without a standard IOPP Certificate, the routine inspection of a ship upon entry to a port would be extremely burdensome and time consuming for both the government inspector and ship operator. The potential delay represents a significant expense to the ship owner due to lost time for the ship to transfer cargo.

c) This recordkeeping requirement stems directly from the requirements of Regulation 15(3)(a) of Annex I of MARPOL 73/78 that each vessel retain the printout of cargo monitor discharge data from the recording device (part of the control system for three years.) This requirement has been incorporated in 33 CFR 157.37(d). These printouts verify the vessel's compliance with oil discharge standards. There is no requirement that these printouts be submitted to any agency.

In the event of an oil discharge this information will be used to verify if the vessel causing the discharge violated the oil discharge limits of MARPOL 73/78. If the vessel did not, it could be used by the vessel operator as mitigating evidence regardless of the presence of visible traces of oil. This would not be possible if this information was not available. However, this information is not required to be submitted to an agency, merely retained by the vessel and/or ashore for 3-years. In addition, this is a specific requirement of MARPOL 73/78, to which the United States is party, and under the terms of this treaty, must be implemented.

d) MARPOL 73/78 Annex I Regulations 13G and 13H have not been ratified by the U.S. Senate, however, certain U.S. flag vessels may be required by signatory nations to prove compliance with those provisions through Flag State documents. In order to satisfy signatory Port States, owners of single hull tankers 15 years old and older may voluntarily comply with the Condition Assessment Scheme outlined in International Maritime Organization resolution MEPC.94(46).

e) The IAPP or IEE Certificate makes possible the efficient and effective enforcement of MARPOL 73/78, saving both the government and the ship owners and operator's time and expense. Without standard Certificates, the routine inspection of a ship upon entry to a port would be extremely burdensome and time consuming for both the government inspector and ship operator. The potential delay represents a significant expense to the ship owner due to lost time for the ship to transfer cargo. MARPOL 73/78, Annex VI entered into force for the U.S. on January 8, 2009.

f) The IAFS Certificate makes possible the efficient and effective enforcement of IAFS Convention, saving both the government and the ship owner/operator time and expense. Without a standard IAFS Certificate, the routine inspection of a ship upon entry to a port would be extremely burdensome and time consuming for both the government inspector and ship operator. The potential delay represents a significant expense to the ship owner due to lost time for the ship to transfer cargo.

g) Since MARPOL 73/78 Annex IV has not been ratified by the United States, and U.S. flag vessels on international voyages sailing in the waters of countries that have adopted MARPOL 73/78 Annex IV will be subjected to Port State control boardings, these vessels will need to demonstrate equivalent compliance through the Flag State documents--Certificates of Equivalency or Statements of Voluntary Compliance—issued by the U.S. Coast Guard.

h) This requirement is used to ensure compliance with the STS Operation regulations, including development/periodic review of STS Operations Plan, and retention of records as required by the Plan.

i) Since the BWM Convention has not been ratified by the United States, and U.S.-flag vessels fitted with ballast water tanks on international voyages sailing in the waters of countries that are signatory to the BWM Convention may be subjected to Port State control boardings, these vessels will desire to demonstrate equivalent compliance through a Flag State Statement of Voluntary Compliance—issued by the U.S. Coast Guard or one of the Authorized Classification Societies.

j) Since the HK Convention has not been ratified by the United States, and U.S.-flag vessels on international voyages sailing in the waters of countries that are signatory to the HK Convention may be subjected to Port State control boardings, these vessels will desire to demonstrate equivalent compliance through a Flag State Statement of Voluntary Compliance—issued by the U.S. Coast Guard or one of the Authorized Classification Societies.

3. Considerations of the use of improved technology.

Information is not submitted to the Coast Guard. Upon successful completion of an inspection, the CG will issue the appropriate Certificate(s). The Certificate(s) should be posted on the vessel. For oil tanker discharge monitoring and control systems, per Resolution MEPC.108(49) dated 18 July 2003, monitoring and control system data may be recorded and stored electronically (paragraphs 6.9.1 & 6.9.3). This information is not sent to the Coast Guard, rather it is made available upon inspection. We estimate that 50% of all recordkeeping is done electronically.

4. Efforts to identify duplication.

The Coast Guard is the only agency, Federal or State that requires this information collection and that administers these MARPOL 73/78 requirements on commercial vessels. The regulations allow foreign vessels to show compliance through an IOPP Certificate, or an Equivalency Certificate, rather than directly submitting information to the Coast Guard. This avoids duplication on an international level.

5. Methods used to minimize the burdens to small entities 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 these international Certificates and Statements of Voluntary Compliance, a ship could encounter severe international trade restrictions and delays. Most certificates are reissued every 5 years. Without the cargo monitor discharge data, engine fuel and exhaust emissions data, or the Certificate of Equivalency for MARPOL 73/78 Annex IV (Sewage), it would not be possible to confirm that the ship is operating in compliance with U.S. regulations and/or international pollution prevention-related 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 was published in the Federal Register to obtain public comment on this collection (See [USCG-2023-0094]; January 31, 2023, 88 FR 6291) and 30-Day Notice (April 28, 2023, 88 FR 26324) 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 payment or gift 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 respondents are 923.
- The estimated annual responses are 7,294.
- The estimated annual burden hours are 4,369.
- The estimated annual cost is \$253,659.

The burden to respondents is in Appendix A.

a) IOPP Certificates and supplements.

This recordkeeping requirement is for certain U.S. vessels (tank and nontank) that engage on international voyages. An IOPP Certificate is valid for five years. We estimate that each year 20% of these vessels will receive a certificate. Additionally, we estimate that it will take a vessel Mate about 6 minutes (0.1 hours) to receive and file an IOPP Certificate. For the wage rate, we used the Bureau of

Labor Statistics (BLS) wage rate for Captains, Mates, and Pilots of Water Vessels (53-5021) [May 2021, mean hourly wage, loaded 50%, and rounded].¹

b) Evidence required for ships not party to MARPOL 73/78.

This requirement is for certain foreign-flag vessels trading in U.S. waters that are not signatory to MARPOL 73/73. Historically, we estimate this population is 10. Additionally, we estimate that the compilation and presentation of the required information takes about 20 hours per ship by a Technical Specialist. For the wage rate, we used the BLS wage rate for Marine Engineers and Naval Architects (17-2121) [May 2021, mean hourly wage, loaded 50%, and rounded].²

c) Retain discharge data recorded by a cargo monitor.

This recordkeeping requirement is for certain U.S. tank vessels. To estimate the burden, the following assumptions are made:

- each vessel operates for 350 days a year;
- a ballast discharge is made every 20 days, making approximately 17 discharges per year;
- recordkeeping takes 15 minutes (0.25 hours) per ballast discharge; and .
- a Mate is in charge of keeping the record.

d) Statement of Voluntary Compliance.

This recordkeeping requirement is for certain U.S.-flag single-hulled tank vessels. The total number of U.S. vessels affected by the Statement of Voluntary Compliance (SVC) is estimated to be 0. We estimate that it will take a vessel Mate about 6 minutes (0.1 hours) to receive and file an SVC.

e) IAPP & IEE Certificates.

This recordkeeping requirement is for certain U.S. vessels (tank and nontank) that engage on international voyages. An IAPP Certificate is valid for five years, and an IEE Certificate has no expiration date. We estimate that each year 20% of these vessels will receive a certificate. Additionally, we estimate that it will take a vessel Mate about 6 minutes (0.1 hours) to receive and file the IAPP & IEE Certificates.

f) IAFS Certificates.

This recordkeeping requirement is for certain U.S. vessels. The total number of U.S. vessels affected by the IAFS Certificate is estimated to be 0. We estimate that it will take a vessel Mate about 6 minutes (0.1 hours) to receive and file an IAFS Certificate.

g) Flag State documents (Certificates of Equivalency) for MARPOL 73/78 Annex IV (Sewage).

This recordkeeping requirement is for certain U.S. vessels (tank and nontank) that engage on international voyages. We estimate that each year 75% of these U.S. vessels will receive a certificate. Additionally, we estimate that it will take a vessel Mate about 6 minutes (0.1 hours) to receive and file the Certificate.

h)(1) STS Operations Plan (new)

This requirement is for certain U.S. tank vessels that engage in transfers of oil at sea, and that engage in an STS oil-transfer operation. We estimate that each year 5% of these U.S. vessels will develop a new STS Operations Plan. Additionally, we estimate that it will take a Training and Development Specialist 135 hours to prepare a new STS Operations Plan. For the wage rate, we used the BLS wage rate for

¹ <https://www.bls.gov/oes/2021/may/oes535021.htm>

² <https://www.bls.gov/oes/2021/may/oes172121.htm>

Training and Development Specialist (13-1151) [May 2021, mean hourly wage, loaded 50%, and rounded].³

h)(2) STS Operations Plan (update)

This requirement is for certain U.S. tank vessels that engage in transfers of oil at sea, and that engage in an STS oil-transfer operation. We estimate that each year 10% of these U.S. vessels will update an existing STS Operations Plan. Additionally, we estimate that it will take a Training and Development Specialist 4 hours to update an existing STS Operations Plan.

i) BWM Certificates (Statement of Voluntary Compliance)

This recordkeeping requirement is for certain U.S. vessels (tank and nontank) that engage on international voyages. An SVC for BWM is valid for five years. We estimate that each year 20% of these vessels will receive a certificate. Additionally, we estimate that it will take a vessel Mate about 6 minutes (0.1 hours) to receive and file an SVC.

j) HK Certificates (Statement of Voluntary Compliance)

This recordkeeping requirement is for certain U.S. vessels (tank and nontank) that engage on international voyages. An SVC for the HK Convention is valid for five years. We estimate that each year 20% of these vessels will receive a certificate. Additionally, we estimate that it will take a vessel Mate about 6 minutes (0.1 hours) to receive and file a SVC.

13. Estimate of annual 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 annualized Federal Government cost estimate is \$103,949. The wage rate shown is in accordance with the current edition of COMDTINST 7310.1(series) for "In-Government" personnel. This cost is comprised of 2 elements.

a) International treaty Certificates

We estimate that it takes a GS-13 about 2 hours to complete and process each Certificate.

b) Issuing Flag State documents

We estimate that it takes a W-3 about 10 minutes to complete and process each Flag State document and each Statement of Voluntary Compliance.

c) STS Operations Plans

We estimate that it takes a GS-13 about 14 hours to review a new STS Operations Plan and 0.5 hour to review a Plan update.

15. Explain the reasons for the change in burden.

The change in burden is due to both a PROGRAM CHANGE and an ADJUSTMENT. The PROGRAM CHANGE is an increase in burden due to the new HK Convention Certificate Statements of Voluntary Compliance. The ADJUSTMENT is an increase in burden due to an increase in the estimated annual number of responses. The reporting and recordkeeping requirements, and the methodology for calculating burden, remain unchanged.

16. Plans for tabulation, statistical analysis and publication.

³ <https://www.bls.gov/oes/2021/may/oes131151.htm>

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 (e.g., MARPOL) that the U.S. Government is signatory to. These certificates either have specific five year expiration dates related to requirements set out in treaty, or are valid indefinitely. The addition of an 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 up to 2 expiration 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 up 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. 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.