

**Supporting Statement
for
Alternative Compliance for International and Inland Navigation Rules
-- 33 CFR Parts 81 through 89**

OMB No.: 1625-0019
COLLECTION INSTRUMENTS: Instructions

A. Justification

1. Circumstances that make the collection of information necessary.

The International Regulations for Preventing Collisions at Sea, 1972 (33 U.S.C. 1601 *et. seq.*) and the Inland Navigational Rules Act of 1980 (33 U.S.C. 2071) adopt a uniform system of navigational rules for international and inland waters, respectively. Both International and Inland Rule 1(e) allow deviation from the technical requirements when it is determined that a vessel cannot fully comply for reasons of configuration or special use. The operator, owner, builder, or agent of a vessel of special construction or purpose may apply by letter for approval that alternative compliance is justified. If authorized, a Certificate of Alternative Compliance (COAC) will be issued, and the vessel will be allowed to operate on international and inland waters with navigational light, shape, or whistle configurations different from those required by the Rules.

The statutory authority is 33 U.S. Code 1601-1608, and 33 U.S.C. 2071.

2. Purposes of the information collection.

Each application is reviewed by the Prevention Division in the appropriate Coast Guard District to determine if alternative compliance is justified. If the information were not collected, no deviation would be permitted, regardless of construction, special purpose, or economic realities. Once the information is assessed, the Coast Guard is able to decide whether a COAC is warranted.

3. Considerations of the use of improved technology.

By mail, fax or electronically submitted via e-mail to the CG District Commander, for a vessel seeking a COAC. A comprehensive list of contact info for Coast Guard units, including District Commanders, can be found at <https://www.uscg.mil/Units/Organization/>. The Coast Guard estimates that about 100% of applications are submitted electronically.

Regarding Usability Testing, this ICR—

- Public-facing instructions were tested by the staff of the CG Office of Standards Evaluation and Development (CG-REG) to ensure the use of plain language. Usability Testing participants reported that they had no difficulty navigating or understanding the instructions. As a result, Coast Guard did not make any changes to the collection. No changes were needed.
- Is not related to a public benefit program as detailed in OMB M-22-10 (titled “Improving Access to Public Benefits Programs Through the Paperwork Reduction Act” dated April 13, 2022).
- Is voluntary/option.
- Does not require the use of a form or specify a reporting format/method.
- Is required by international treaty, statute, and/or regulation as notes in section 1 of the Supporting Statement.
- Is required, for those that volunteer to participate, by regulations per 33 CFR 81 through 89.

4. Efforts to identify duplication.

This information is collected when a person determines that his vessel should be permitted to have

alternate compliance measures. The specific information in this request is not likely to be duplicated.

Similar information for this purpose is not available in any other form to the Coast Guard. As stated above, the information is provided only when a vessel owner, operator, or builder seeks to receive permission for alternate compliance measures for a specific vessel. To make an informed decision, the Coast Guard must have either the vessel's specifications or the vessel's unique circumstances.

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

This collection eases the regulatory burden by providing vessel owners, operators, builders, and agents the opportunity to have these regulations tailored to fit their needs. The need to submit information arises only when alternative compliance is requested.

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

Collection only occurs when alternative compliance is requested, and must be conducted before a COAC can be granted. Consequently, it is integral to this regulation that the information be submitted each time there is a request for alternative compliance.

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-2024-0282]; April 11, 2024, 89 FR 25637) and 30-Day Notice (July 25, 2024, 89 FR 60441) 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 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). The link to the MISLE PIA is provided below:

- https://www.dhs.gov/sites/default/files/publications/privacy_pia_uscg_misle.pdf

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 19.
- The estimated number of annual responses is 38.
- The estimated hour burden is 171 hours.
- The estimated cost burden is \$12,996.

The burden to respondents is provided in Appendix A. We estimate that a technical expert will take about

4.5 hours to prepare and submit a COAC application. For the wage rate, we used the Bureau of Land Statistics (BLS) wage rate for Marine Engineers and Naval Architects (17-2121) [May 2022, mean hourly wage, loaded 50%, and rounded].¹

13. Total annualized capital and start-up costs.

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

14. Estimates of annualized cost to the Federal Government.

The estimated annual Federal Government cost is \$15,960 (see Appendix B). The Coast Guard estimate that it takes a Lieutenant Commander (LCDR, O-4) about 4 hours to review a COAC application. The wage rate used is in accordance with the current edition of COMDTINST 7310.1(series) for "In-Government" personnel.

15. Reasons for changes in burden.

The change in burden is an ADJUSTMENT due to the change (i.e., decrease) in the estimated annual number of responses. The reporting and 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 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.

¹ <https://www.bls.gov/oes/2022/may/oes172121.htm>