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Title 46 – Shipping

Chapter I – Coast Guard, Department of Homeland Security

Subchapter A – Procedures Applicable to the Public

Part 8 – Vessel Inspection Alternatives

Subpart D – Alternate Compliance Program

Authority: 33 U.S.C. 1903, 1904, 3803 and 3821; 46 U.S.C. 3103, 3306, 3316, 3703, and 70034; Department of Homeland Security Delegation No. 0170.1 and Aug. 8, 2011 Delegation of Authority, Anti-Fouling Systems.

Source: CGD 95-010, 62 FR 67532, Dec. 24, 1997, unless otherwise noted.

Editorial Note: Nomenclature changes to part 8 appear by USCG-2009-0702, 74 FR 49224, Sept. 25, 2009.

§ 8.420 Classification society authorization to participate in the Alternate Compliance Program.

- (a) The Commandant may authorize a recognized classification society to participate in the ACP. Authorization will be based on a satisfactory review of:
 - (1) Applicable class rules; and
 - (2) Applicable classification society procedures.
- (b) Authorization for a recognized classification society to participate in the ACP will require development of a U.S. supplement to the society's class rules that meets the requirements of § 8.430 of this part, which must be accepted by the Coast Guard.
- (c) A recognized classification society:
 - (1) Will be eligible to receive authorization to participate in the ACP only after the Coast Guard has delegated to it the authority to issue the following certificates:
 - (i) International Load Line Certificate;
 - (ii) International Tonnage Certificate;
 - (iii) Cargo Ship Safety Construction Certificate;
 - (iv) Cargo Ship Safety Equipment Certificate; and
 - (v) International Oil Pollution Prevention Certificate; and
 - (2) Must have performed a delegated function related to general vessel safety assessment, as defined in § 8.100 of this part, for a two-year period.
- (d) If, after this two-year period, the Coast Guard finds that the recognized classification society has not demonstrated the necessary satisfactory performance or lacks adequate experience, the recognized classification society will not be eligible to participate in the ACP. The Coast Guard will provide the reason for this determination to the recognized classification society. A classification society may appeal the decision of the Coast Guard concerning recognition to the Commandant in writing in accordance with 46 CFR 1.03-15(h)(4).

- (e) The Coast Guard will enter into a written agreement with a recognized classification society authorized to participate in the ACP. This agreement will define the scope, terms, conditions and requirements of the necessary delegation. Conditions of this agreement are presented in § 8.130.

[CGD 95-010, 62 FR 67532, Dec. 24, 1997, as amended by USCG 2004-19823, 74 FR 20419, May 4, 2009]