

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 Communications Act.

Additionally, section 385 of the Communications Act requires the inspection of small passenger ships at least once every five years, and Subpart T of Part 80 of the Commission's rules requires the inspection of certain vessels operating in the Great Lakes at least once every 48 months.

The Safety Convention – an international treaty (to which the United States (U.S.) is a signatory) – also requires an annual inspection. 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 U.S. 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 not only certify that the ship passed an inspection, but also issue a safety certificate. These safety certificates (FCC Forms 806, 824, 827, and 829) indicate that the vessel complies with the Communications Act, the Commission's rules, 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.

Notably, the Commission seeks revision of this OMB control number due to recent amendments to the Safety Convention by way of Resolution Marine Safety Committee (MSC) 496(105) that was adopted on April 28, 2022;¹ as a result of SOLAS revisions of its Passenger Ship Safety Certificate and Cargo Ship Radio certificates, FCC Forms 806 and 829 are being revised accordingly. Regarding the remaining forms associated with

¹[https://wwwcdn.imo.org/localresources/en/KnowledgeCentre/IndexofIMOResolutions/MSCResolutions/MSC.496\(105\).pdf](https://wwwcdn.imo.org/localresources/en/KnowledgeCentre/IndexofIMOResolutions/MSCResolutions/MSC.496(105).pdf).

this OMB control number, FCC Forms 824 and 827 will undergo technical amendments for non-substantive edits.

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 U.S. vessel to complete its voyage and proceed to a port in the U.S. 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 electronically submitted to the FCC Headquarters (via e-mail to Ghassan.Khalek@fcc.gov, Katie.Knox@fcc.gov, Kathleen.Curameng@fcc.gov, and Thomas.Derenge@fcc.gov) 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 47 U.S.C. §§ 154, 303, 307(e), 309, and 332 of the Communications Act of 1934, as amended.

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 U.S. 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. Because the FCC is the only Federal agency charged with the inspection of radio installation on vessels, the Commission will be the only Federal agency distributing the information collection associated with OMB Control Number 3060-0228. As noted above, the Commission allows FCC-licensed technicians to conduct radio inspections of vessels, certify whether a vessel passes inspection, and issue the safety certificates (FCC Forms 806, 824, 827, and 829) associated with OMB Control Number 3060-0228.
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 U.S. 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 25, 2024 (89 FR 31749), seeking comment from the public on the information collection requirements contained in this collection. No PRA comments were received from the public as a result of the Notice.
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 17,551 ships requiring mandatory ship radio inspections. Approximately 515 of those ships require annual inspections; 4,082 require inspections every 4 years (or 1,021 annually when rounded up); and 6,428 ships require mandatory ship radio inspections once every 5 years (or 1,286 when rounded up). While the remaining 6,608 ships have no inspection timeline specified by law, for purposes of this information collection, the FCC will calculate the annual inspections by factoring in the 3-year period that the OMB control number remains valid; accordingly, the Commission estimates that there are 2,203 (when rounded up) of these ships that are inspected annually.

Altogether, about 5,025² inspectors are required to complete one of the FCC ship safety certificate forms (FCC Forms 806, 824, 827, and 829) annually.

The actual inspection will take approximately **4 hours** to complete. An FCC ship safety certificate form will take approximately **0.083 hours (5 minutes)** to complete. Providing an entry in the ship's log will take an inspector and ship operator/owner approximately **0.25 hours (15 minutes)** each 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 that an engineer or communications specialist would spend **two hours** preparing such a waiver request. The burden is de minimized compared to the cost of

² This total was calculated as follows: 515 respondents + 1,021 respondents + 1,286 respondents + 2,203 respondents = 5,025 annual respondents.

holding a large oceangoing vessel in port even on extra day while awaiting an annual radio station inspection.

- o **Reporting and Certification Requirement:**
5,025 responses x (4 hours (per ship inspection) + 0.083 hours (FCC ship safety certificate form)) = 20,517 hours (when rounded down).
- o **Recordkeeping requirement:**
5,025 log entry responses by ship inspector x 0.25 hours/response = 1,256.25 hours (1,256 hours when rounded down).

5,025 log entry responses by ship operator/owner x 0.25 hours/response = 1,256.25 hours (1,256 hours when rounded down).
- o **Waiver Requests:**
100 waivers x 2 hours/waiver request = 200 hours.

Total Annual Burden: 20,517 + 1,256 + 1,256 + 200 = **23,229 hours.**

Total Number of Respondents: 10,150.³

Total Number of Annual Responses: 15,175.⁴

The Total Annual In-House Cost: \$8,988.00. 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 \$44.94/hr. (engineer) = \$8,988.00.

13. There are no external costs 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 \$44.94/hr. (engineer) = **\$8,988.00.**

15. There are program changes to this collections as a result of the recent amendments to the Safety Convention by way of Resolution Marine Safety Committee (MSC) 496(105) that was adopted on April 28, 2022. The program changes are as follows: +7,712 to the number of respondents, +12,737 to the annual number of responses and +12,896 to the annual burden hours.

³ There are 5,025 inspectors for the FCC ship safety certificates and logbook, 5,025 ship operators/owners also filling out a logbook, and 100 respondents filing waiver requests, which equals 10,150 respondents total.

⁴ The calculation is as follows: 5,025 inspection and certification forms (FCC Forms 806, 824, 827, and 829) + 5,025 logbook entries by inspectors + 5,025 logbook entries by ship owner/operator + 100 waivers = 15,175 responses.

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.