

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the Supporting Statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW Washington, DC 20503.

<p>1. Agency/Subagency originating request</p> <p><u>Dept. of Homeland Security/US Coast Guard</u></p>	<p>2. OMB control number</p> <p>a. <u>1 6 2 5 - 0 0 1 9</u> b. <input type="checkbox"/> None - - - -</p>
<p>3. Type of information collection (check one)</p> <p>a. <input type="checkbox"/> New collection</p> <p>b. <input type="checkbox"/> Revision of a currently approved collection</p> <p>c. <input checked="" type="checkbox"/> Extension of a currently approved collection</p> <p>d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired</p> <p>e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired</p> <p>f. <input type="checkbox"/> Existing collection in use without an OMB control number</p> <p><i>For b-f, note item A2 of Supporting Statement instructions</i></p>	<p>4. Type of review requested (check one)</p> <p>a. <input checked="" type="checkbox"/> Regular submission</p> <p>b. <input type="checkbox"/> Emergency - Approval requested by: ___/___/___</p> <p>c. <input type="checkbox"/> Delegated</p> <p>5. Small entities. Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>6. Requested expiration date</p> <p>a. <input checked="" type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: ___/___</p>
<p>7. Title</p> <p><u>Alternative Compliance for International and Inland Navigation Rules -- 33 CFR Parts 81 through 89</u></p>	
<p>8. Agency form number(s) (if applicable)</p> <p><u>n/a</u></p>	
<p>9. Keywords</p> <p><u>Alternative compliance, Marine safety, Navigation, Treaties, Vessel, Waterways</u></p>	
<p>10. Abstract</p> <p>The information collected provides an opportunity for an owner, operator, builder, or agent of a unique vessel to present their reasons why the vessel cannot comply with existing International/Inland Navigation Rules and how alternative compliance can be achieved. If appropriate, a Certificate of Alternative Compliance is issued.</p>	
<p>11. Affected public (Mark primary with "P" and all others that apply with "X")</p> <p>a. <input checked="" type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms</p> <p>b. <input checked="" type="checkbox"/> Business or other for-profit e. <input checked="" type="checkbox"/> Federal Government</p> <p>c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Gov't</p>	<p>12. Obligation to respond (Mark primary with "P" and all others that apply with "X")</p> <p>a. <input type="checkbox"/> Voluntary</p> <p>b. <input checked="" type="checkbox"/> Required to obtain or retain benefits</p> <p>c. <input type="checkbox"/> Mandatory</p>
<p>13. Annual reporting and recordkeeping hour burden</p> <p>a. Number of respondents <u>19</u></p> <p>b. Total annual responses <u>38</u></p> <p> 1. Percentage of these responses collected electronically <u>100</u> %</p> <p>c. Total annual hours requested <u>171</u></p> <p>d. Current OMB inventory <u>180</u></p> <p>e. Difference <u>- 9</u></p> <p>f. Explanation of difference</p> <p> 1. Program change _____</p> <p> 2. Adjustment <u>- 9</u></p>	<p>14. Annual reporting and recordkeeping cost burden (in thousands of dollars)</p> <p>a. Total annualized capital/startup costs <u>0</u></p> <p>b. Total annual costs (O&M) <u>0</u></p> <p>c. Total annualized cost requested <u>0</u></p> <p>d. Current OMB inventory <u>0</u></p> <p>e. Difference _____</p> <p>f. Explanation of difference</p> <p> 1. Program change _____</p> <p> 2. Adjustment _____</p>
<p>15. Purpose of information collection (Mark primary with "P" and all others that apply with "X")</p> <p>a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management</p> <p>b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research</p> <p>c. <input type="checkbox"/> General purpose statistics</p> <p>d. <input type="checkbox"/> Audit g. <input checked="" type="checkbox"/> Regulatory or compliance</p>	<p>16. Frequency of recordkeeping or reporting (check all that apply)</p> <p>a. <input checked="" type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure</p> <p>c. <input checked="" type="checkbox"/> Reporting</p> <p> 1. <input checked="" type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly</p> <p> 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually</p> <p> 7. <input type="checkbox"/> Biennially 8. <input checked="" type="checkbox"/> Other (describe) <u>One-time</u></p>
<p>17. Statistical methods</p> <p>Does this information collection employ statistical methods?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>18. Agency contact (person who can best answer questions regarding the content of this submission)</p> <p>Name: <u>Mr. David Du Pont</u></p> <p>Phone: <u>(202) 372-1497</u></p>

**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. 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 will be published in the *Federal Register* to obtain public comment on this 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) 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 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

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

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.

Appendix A: Total Estimated Annual Burden on Industry

Annual Respondents	19
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Response type	Responses per year	Burden Hours/ Response	Annual Hour Burden	Wage Rate	Annual Cost Burden
COAC Applications	38	4.5	171	\$76	\$12,996
Annual Totals	38		171		\$12,996

Total

Total Respondents	19
Total Responses	38
Total Hour Burden	171
Total Cost Burden	\$12,996

*Estimates may not sum due to rounding

Appendix B: Estimated Annual Federal Government Cost

Response type	Responses per year	Hours/ Response	Annual Hours	Wage Rate	Annual Cost
COAC Application reviews	38	4	152	\$105	\$15,960
Annual Totals	38		152		\$15,960

Total

Total Cost	\$15,960
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*Estimates may not sum due to rounding