commercial vessels, these inspections and surveys are largely duplicative. The U.S. Coast Guard's ABS Based Alternate Compliance Program (ACP) is a cooperative effort between the Coast Guard and ABS. The goal of the ACP is to allow a vessel to be inspected by ABS under the applicable ABS class rules, international treaties and agreements to which the U.S. is a party, and other prescribed standards which have been determined by the Coast Guard to provide a level of safety equivalent to compliance with current regulations. Under current regulations, the Coast Guard may accept a wide range of equivalencies or alternative compliance methods on a case-by-case basis.

The ABS, in cooperation with the Coast Guard, has reviewed the current regulations in 33 CFR Chapter I and 46 CFR Chapter I, the ABS Rules for Building and Classing Steel Vessels, and applicable international treaties and agreements such as the International Convention for the Safety of Life at Sea as amended (SOLAS 74/78), the 1973 International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 (MARPOL 73/78), and the 1969 International Convention on Tonnage Measurement of Ships. Based on this review, the ABS developed the U.S. Supplement to the ABS Rules to address current regulatory requirements that are not satisfied by compliance with the other standards. The U.S. Supplement also contains amplifying information necessary to ensure compliance with SOLAR 74/78. The Coast Guard has determined that the U.S. Supplement to the ABS Rules, when used in conjunction with the ABS Rules for Building and Classing Steel Vessels, and applicable international treaties and agreements, provides a degree of safety consistent with the minimum standards set forth in the subchapters of Titles 33 and 46 of the Code of Federal Regulations relating to tankers and cargo vessels.

Under the ACP pilot program, an ABS surveyor would examine the vessel to determine compliance with these alternative standards. A Coast Guard Officer in Charge of Marine Inspection (OCMI) may then issue a Certificate of Inspection to the vessel based upon a determination by the Coast Guard that the required international and classification certificates are valid and properly endorsed, other reports from the ABS, and that the vessel is properly manned and maintained by the operator.

The purpose of the ACP is to increase the international competitiveness of the U.S. maritime industry by eliminating

unnecessary regulations and duplication of the inspections conducted by the Coast Guard with surveys conducted by the ABS. The ACP also improves the regularity in the processing of requests for equivalency determinations. Owners and operators of vessels which participate in the ACP may realize substantial time savings in the vessel certification process, as well as increased flexibility in scheduling required tests and examinations. While the ACP is designed to eventually include inspection and examination of newly-constructed vessels, the pilot program is limited to existing vessels.

Although broader application of this program will be accomplished through rulemaking, the Coast Guard has developed a Navigation and Vessel Inspection Circular (NVIC) which provides an overall description of the ACP, identifies the conditions for enrollment, and describes the duties and responsibilities of participating vessel owners and operators, ABS and the Coast Guard. Persons interested in obtaining a copy of this NVIC are invited to contact the Program Manager identified above in FOR FURTHER INFORMATION CONTACT.

Copies of all referenced documents may be viewed at Room 1400, Coast Guard Headquarters, 2100 Second Street, S.W., Washington, DC 20593-0001, between the hours of 8 AM and 3 PM Monday through Friday, except Federal holidays. Copies of the ABS Rules for Building and Classing Steel Vessels and the U.S. Supplement to the ABS Rules for Steel Vessels for Vessels on International Voyages may be obtained from ABS as listed under ADDRESSES above. Consolidated editions of the SOLAS Convention and MARPOL 73/78 may be obtained from the International Maritime Organization as listed under ADDRESSES above.

## **Pilot Program**

The Coast Guard intends to initiate rulemaking on this subject through publication of a notice of proposed rulemaking. Beginning February 3, 1995, it will conduct a limited pilot program to test and evaluate the standards and procedures that have been developed in cooperation with the ABS. The Coast Guard will also use the pilot program to check the application of these standards and procedures to existing tankers and cargo vessels. Therefore, during the pilot program, ABS surveyors will apply these standards during classification surveys, damage surveys, drydock examinations and other required tests and inspections for participating vessels. The cognizant Coast Guard OCMI may rely upon the

ABS reports to issue a Certificate of Inspection. The Coast Guard will also provide oversight to ensure that vessels participating in this program maintain a level of safety equivalent to that experienced by vessels inspected under the traditional process. The high level of safety present on vessels of the U.S. merchant marine will not be compromised.

Coast Guard user fees are the subject of a separate ongoing rulemaking. Participants in the pilot program may be responsible for payment for both Coast Guard user fees and costs of ABS services. Participants in the pilot program should not expect that any applicable user fees will be reduced. However, the Coast Guard will collect data on the level of Coast Guard resources utilized in the ACP and evaluate the need for future changes to applicable user fee regulations.

## Eligibility

The Coast Guard invites companies which own or operate U.S. flag, ABS classed, Coast Guard inspected commercial vessels to apply to participate in a pilot program beginning February 3, 1995. At present, only cargo ships and tank ships possessing valid international certificates are eligible to enter the pilot program because currently the U.S. Supplement to the ABS Rules is only applicable to cargo ships and tank ships surveyed for international voyages. In addition, ships offered for the pilot program must currently be classed by the ABS and have a valid Certificate of Inspection.

A company may not participate in the pilot program if it has a history of recurring marine casualties, oil spills, civil penalties or a record of poor maintenance of its vessel or vessels.

Due to resource limitations during the pilot program, the Coast Guard may, on a case by case basis, reject an application for vessels which will undergo inspection for certification in a foreign port. Additionally, due to limited resources, the Coast Guard will also consider scheduling and location of inspection services as criteria for participation.

Selected participants should be prepared to provide feedback and suggestions for improvement of the program and to participate in other activities to help the Coast Guard and the ABS refine the ACP.

Companies may apply to enroll in the pilot program by submitting a written request to the address listed in **ADDRESSES** above. Applications must indicate the name and official number of the vessel or vessels offered for enrollment, the expiration date of each