



# MILITARY SEALIFT COMMAND

## U.S. Coast Guard Inspection Overview

Prepared for Military Sealift Command  
by Emprise Corporation

UNCLASSIFIED//FOUO



# Learning Objectives

- **The overarching objective of this module is to introduce you to MSC's voluntary compliance with U.S. Coast Guard commercial vessel inspection and certification requirements.**
- **At the conclusion of this module, you will understand and be able to describe the following:**
  - **International regulation of shipping**
    - **International Maritime Organization (IMO) conventions for ship design, construction, equipment, manning, operation, and disposal**
    - **Flag State adoption and enforcement of IMO conventions**
  - **U.S. regulation of shipping**
    - **U.S. Coast Guard designation as U.S. flag state authority**
    - **U.S. Shipping Regulations**
    - **IMO conventions adopted by U.S.**
  - **Memorandum of Agreement between MSC and U.S. Coast Guard**
  - **U.S. Coast Guard Certificate of Inspection (COI)**
  - **Statement of Voluntary Compliance (SOVC)**
  - **Alternate Compliance Program**



# Commercial Shipping Industry

- **Commercial shipping industry is essential enabler of global economy**
  - International shipping transports approximately 90% of goods associated with global trade
- **Sustainable, cost-effective global shipping infrastructure requires uniform laws, regulations, and standards to prevent ship operators from compromising safety, security and environmental protection to gain competitive advantage**



# International Maritime Organization

- **United Nations agency responsible for safety and security of international shipping and prevention of marine pollution by ships**
  - **Facilitates development of international conventions (i.e., international treaties) to establish international standards for ship design, construction, equipment, manning, operation, and disposal**
- **IMO convention signatories are sovereign states (i.e., internationally recognized governments)**
- **Signatory states responsible for implementation and enforcement of IMO conventions**



# IMO Certificates

- **Ships flagged in signatory countries are subject to IMO convention requirements, regardless of where they sail**
- **Flag State Administration for signatory states issue IMO convention certificates for ships flagged by state**



# Flag State

- **“Flag state” is the sovereign state in which a commercial ship is registered**
  - **Responsible for establishing and enforcing laws and regulations for commercial ships registered under its flag, including compliance with adopted IMO conventions**
  - **Authority and responsibilities codified in combination of IMO conventions and flag state laws and regulations**



# Flag State Administration

- **“Flag State Administration” is agency responsible on behalf of flag state for:**
  - **Establishing laws and regulations for commercial ships registered in state**
  - **Enforcing commercial ship compliance**
  - **Detaining non-compliant ships**
  - **Reporting interventions**
  - **Conducting investigations for incidents involving violations of national and international laws and regulations**



# U.S. Coast Guard

- Designated as U.S. Flag State Administration
- Maritime interest missions:
  - Maritime Safety
  - Maritime Security
  - Marine Stewardship





# Regulation of Shipping

- **U.S. Coast Guard regulation of U.S. shipping primarily conducted by:**
  - **National Maritime Center**
  - **Marine Safety Center**
  - **Office of Marine Inspection**
- **Alternate Compliance Program**



# U.S. Shipping Regulations

- **Primary regulations governing U.S. flag ships:**
  - 33 CFR, Navigation and Navigable Waters
  - 46 CFR, Shipping
  - SOLAS
  - MARPOL
  - Other IMO requirements



# Code of Federal Regulations

- **33 CFR, Navigation and Navigable Waters.**
- **46 CFR, Shipping**



# SOLAS

- **International Convention for the Safety of Life at Sea (SOLAS)**
  - Intended to ensure ships flagged by signatory states comply with minimum safety standards for ship construction, equipment and operation
  - Required SOLAS Certificates:
    - Safety Radio
    - Safety Construction
    - Safety Equipment
    - Safety Management System



# MARPOL

- **International Convention for the Prevention of Pollution from Ships (MARPOL)**
  - Ensures ships flagged by signatory states comply with minimum standards for preventing pollution of oceans and seas, including air pollution
  - Required MARPOL Certificates
    - Annex I, Regulations for the Prevention of Pollution by Oil
    - Annex II, Regulations for the Control of Pollution by Noxious Liquid Substances in Bulk
    - Annex III, Prevention of Pollution by Harmful Substances Carried by Sea in Packaged Form
    - Annex IV, Prevention of Pollution by Sewage from Ships
    - Annex V, Prevention of Pollution by Garbage from Ships
    - Annex VI, Prevention of Air Pollution from Ships



# Other IMO Requirements

- **MSC Complies with:**
  - International Convention on the Control of Harmful Anti-fouling Systems on Ships (AFS)
  - Long Range Identification and Tracking (LRIT)
  - Automatic Identification System (AIS)
  - Ship Security Alert System (SSAS)
  - Continuous Synopsis Record (CSR)
  - Ship Energy Efficiency Management Plan (SEEMP)
- **MSC Does Not Comply with:**
  - International Ship and Port Facility Security Code (ISPS)
  - International Labor Organization (ILO)



# Inspection of MSC Fleet

- **Majority of MSC fleet inspected by U.S. Coast Guard pursuant to Memorandum of Agreement between MSC and U.S. Coast Guard**
  - **MSC funds approximately 10 U.S. Coast Marine Inspection billets annually to offset cost of inspecting MSC ships**



# Statement of Voluntary Compliance

- **IMO certificates present a dilemma for MSC ships**
  - **IMO conventions gives Flag State Administration in signatory states authority to board and inspect vessels carrying IMO certificates to confirm compliance whenever operating in flag state's territorial waters**
  - **U.S. asserts sovereign immunity for MSC's government owned ships pursuant to public vessel status provided under international law**
    - **Sovereign immunity precludes agents of other governments boarding and inspecting public vessels**
  - **MSC ships carry Statements of Voluntary Compliance (SOVC) in lieu of IMO certificates**





# Let's Review

- **What agency is designated as the U.S. Flag State Administration?**
- **Name four major regulations that apply to U.S. commercial shipping.**
- **What MSC ships are required to maintain a COI?**
- **What are the key focus areas of SOLAS?**
- **What are the key focus areas of MARPOL?**
- **What are the key distinctions between a Statement of Voluntary Compliance and a Statement of Fact?**
- **Why do MSC ships carry SOLAS and MARPOL Statements of Voluntary Compliance rather than SOLAS and MARPOL certificates?**



# Summary

- **During this module, we have discussed:**
  - **International regulation of shipping**
    - **International Maritime Organization (IMO) conventions for ship design, construction, equipment, manning, operation, and disposal**
    - **Flag State adoption and enforcement of IMO conventions**
  - **U.S. regulation of shipping**
    - **U.S. Coast Guard designation as U.S. flag state authority**
    - **U.S. Shipping Regulations**
    - **IMO conventions adopted by U.S.**
  - **Memorandum of Agreement between MSC and U.S. Coast Guard**
  - **U.S. Coast Guard Certificate of Inspection (COI)**
  - **Statement of Voluntary Compliance (SOVC)**
  - **Alternate Compliance Program**



# Additional Information

- **For additional information, please refer to:**
  - **33 CFR, Navigation and Navigable Waters**
  - **46 CFR, Shipping**
  - **International Convention for the Safety of Life at Sea (SOLAS)**
  - **International Convention for the Prevention of Pollution from Ships (MARPOL)**



# Final Questions





# Revision History

Date	Version	Description	Author
4/16/19	0.0	Draft presentation	Gary Fields
8/13/19	0.1	Corrected minor format errors	Gary Fields