U.S. Department of Homeland Security

United States Coast Guard

National Container Inspection Program

COMDTINST M16616.11D

U.S. Department of Homeland Security
United States Coast Guard

Commandant
United States Coast Guard

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COMMANDANT INSTRUCTION M16616.11D

Subj: NATIONAL CONTAINER INSPECTION PROGRAM MANUAL

Ref:
(a) MSC.1/Circ.1442, Inspection Programmes for Cargo Transport Units Carrying Dangerous Goods
(b) National Container Inspection Program (NCIP) Tactics, Techniques, and Procedures (TTP), CGTTP 3-72.3
(c) USCG Countering WMD Capabilities Manual (CWMD MANUAL), COMDTINST M3400.51 (series)
(d) Memorandum of Understanding between U.S. Customs Service & USCG, 1989, as amended
(e) Memorandum of Understanding between the U.S. Coast Guard and the National Cargo Bureau, 20 July 1994
(f) Safety and Environmental Health Manual, COMDTINST M5100.47 (series)
(g) Risk Management (RM), COMDTINST 3500.3 (series)
(h) Confined Spaces Entry Program Tactics, Techniques, and Procedures (TTP), CGTTP 4-11.8
(i) Fall Protection Program Tactics, Techniques, and Procedures (TTP), CGTTP 4-11.15
(j) Maritime Radiation Detection (MRD) Operations (Pre-Release) Tactics, Techniques, and Procedures (TTP), CGTTP 3-11.3
(k) Coast Guard Medical Manual, COMDTINST M6000.1 (series)
(l) Radiation Safety Tactics, Techniques, and Procedures (TTP), CGTTP 4-11.14
(m) Coast Guard Occupational Medicine Manual, COMDTINST M6260.32 (series)
(n) International Convention for Safe Containers (CSC)
(o) International Maritime Organization CSC Circular 138, as Amended
(p) Guide for Container Equipment Inspection, 6th Edition (IICL-6) - Institute of International Container Lessors
(q) Repair Manual for Steel Freight Containers, 5th Edition - Institute of International Container Lessors

DISTRIBUTION – SDL No. 169

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NON-STANDARD DISTRIBUTION:

(r) Navigational and Vessel Inspection Circular No. 8-00 - Guidance Regarding Enforcement of the International Convention For Safe Containers (CSC), 1972, for Freight Containers With One Door Removed, COMDTPUB 16700.4

1. PURPOSE. This Manual provides Policy and Doctrine used by the Coast Guard's National Container Inspection Program (NCIP) to enforce applicable hazardous material and container transportation laws and regulations.

2. ACTION. All Coast Guard unit commanders, commanding officers, officers-in-charge, deputy/assistant commandants, and chiefs of headquarters staff elements must comply with the provisions of this Manual. Internet release authorized.

3. DIRECTIVES AFFECTED.

   a. National Container Inspection Program, COMDTINST M16616.11C, is hereby cancelled.

   b. Guidance for Use of Customs and Border Protection's Automated Commercial Environment (ACE), CG-FAC Policy Letter No: 13-02, is hereby cancelled.

4. DISCLAIMER. This Manual is not a substitute for applicable legal requirements, nor is it itself a rule. It is intended to provide operational guidance for Coast Guard personnel and is not intended to nor does it impose legally-binding requirements on any party outside the Coast Guard.

5. MAJOR CHANGES.

   a. Changes the submission date for the Performance Goal Calculator (PGC) to 15 September annually to align with the Operational Performance Assessment Report (OPAR) Fiscal Year reporting periods.

   b. Allows the use of only loaded container throughput in the PGC when obtaining throughput from local port authorities or facilities.

   c. Creates a process for the Captain of the Port (COTP) to propose alternative methods for establishing container inspection performance goals when they feel the PGC is not appropriate for the specific container operations in their area of responsibility.

   d. Allows the inspection of empty containers towards the attainment of meeting container inspection performance goals. Up to 10% of each COTP zone's performance goal can be achieved via inspection of empty containers.

   e. Clarifies the type(s) of inspections (external, tailgate, internal) that should be conducted in different situations.

   f. Introduces the Intermodal Container Non-Deficiency Inspection Report, Form CG-5577A, and Intermodal Container Targeted Inspection List, Form CG-5577B, and discusses their use.

g. Requires COTP zones with an annual container throughput exceeding 50,000 containers to conduct at least one Multi-Agency Strike Force Operation (MASFO) per fiscal year.

6. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS.

a. The development of this Manual and the general policies contained within it have been thoroughly reviewed by the originating office in conjunction with the Office of Environmental Management, Commandant (CG-47). This Manual is categorically excluded under current Department of Homeland Security (DHS) categorical exclusion (CATEX) A3 from further environmental analysis in accordance with "Implementation of the National Environmental Policy Act (NEPA), DHS Instruction Manual 023-01-001-01 (series).

b. This Manual will not have any of the following: significant cumulative impacts on the human environment; substantial controversy or substantial change to existing environmental conditions; or inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment. All future specific actions resulting from the general policy in this Manual must be individually evaluated for compliance with the National Environmental Policy Act (NEPA), Department of Homeland Security (DHS) and Coast Guard NEPA policy, and compliance with all other applicable environmental mandates.

7. DISTRIBUTION. No paper distribution will be made of this Manual. An electronic version will be located on the following Commandant (CG-612) web sites: Internet: http://www.dcms.uscg.mil/directives/ and CGPortal: https://cgportal.uscg.mil/library/directives/SitePages/Home.aspx.

8. RECORDS MANAGEMENT CONSIDERATIONS. This Manual has been evaluated for potential records management impacts. The development of this Manual has been thoroughly reviewed during the directives clearance process, and it has been determined there are no further records scheduling requirements, in accordance with Federal Records Act, 44 U.S.C. 3101 et seq., National Archive and Records Administration (NARA) requirements, and Information and Life Cycle Management Manual, COMDTINST M5212.12 (series). This policy does not have any significant or substantial change to existing records management requirements.

9. FORMS/REPORTS.

a. The Hazardous Materials & Intermodal Container Inspection Report (Form CG-5577) and/or Intermodal Container Non-Deficiency Inspection Report, (Form CG-5577A) must be used during all container inspections. The Intermodal Container Targeted Inspection List (Form CG-5577B) may be used after identifying which containers are to be inspected. All previous editions are obsolete. Per Chapter II-16-35, Item No. 3 of the Information and Life Cycle Management Manual, COMDTINST M5212.12 (series), units must retain copies of the Form CG-5577, Form CG-5577A, and Form CG-5577B for three years after which they may be destroyed (NCI-26-76-2 items 453 and NC-26-80-4, and 221) unless they are related to a case under litigation or are part of an incomplete investigation. Documents entered into the Marine Information for Safety and Law Enforcement (MISLE) database meet these retention requirements. Copies of the forms are available through the CG Forms website at https://www.dcms.uscg.mil/Our-Organization/Assistant-Commandant-for-C4IT-CG-6/The-Office-of-Information-Management-

CG-61/Forms-Management/CG-Forms/, or via MILSTRIP from the Surface Forces Logistics Center.

b. Units will document NCIP activities in MISLE per applicable MISLE user guides available on the Commandant (CG-FAC-2) CGPortal page.

10. REQUESTS FOR CHANGES. Units and individuals may recommend changes by writing via the chain of command to: Commandant (CG-FAC); U.S. Coast Guard Stop 7501; 2703 Martin Luther King Jr Ave., SE; Washington, DC 20593-7501.

J. P. NADEAU /s/
Rear Admiral, U.S. Coast Guard
Assistant Commandant for Prevention Policy

RECORD OF CHANGES			
CHANGE NUMBER	**DATE OF CHANGE**	**DATE ENTERED**	**BY WHOM ENTERED**

NATIONAL CONTAINER INSPECTION PROGRAM

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CHAPTER 1. General

A. Background.

1. Cargo and Container Inspections. Under the NCIP, Coast Guard personnel inspect containers and cargo within containers to ensure compliance with applicable regulations and to promote maritime safety, security, and stewardship for U.S. ports and waterways. Specifically, the Coast Guard inspects containers for compliance with the Federal Hazardous Materials Transportation Law (FHMTL), 49 U.S.C. §§ 5101-5127, and the International Safe Container Act of 1977, codified at 46 U.S.C. §§ 80501-09 (ISCA). Regulations implementing the FHMTL are codified in 49 C.F.R. Parts 107-180. Regulations implementing the ISCA can be found in 49 C.F.R. Parts 450-453.

   a. With the United States being signatory to the International Convention for the Safety of Life at Sea (SOLAS) and the International Convention for the Prevention of Pollution from Ships (MARPOL), the Coast Guard maintains the responsibility to ensure compliance with the International Maritime Dangerous Goods (IMDG) Code. The International Maritime Organization (IMO) issued Reference (a) to provide guidance to Member Governments on the inspection guidelines and procedures, and these guidelines and procedures can be valuable to Coast Guard container inspectors. However, when Reference (a) contradicts this Manual or Reference (b), this Manual or Reference (b) must be followed. Field units must contact their servicing legal office for guidance when needed.

   b. Cargo incidents, especially those involving hazardous materials, threaten the public, mariners, port workers, the environment, and they can disrupt the marine transportation system. The Coast Guard also inspects containers of general cargo to ensure hazardous materials are not being illegally shipped. This is generally referred to as undeclared hazardous materials. Undeclared or improperly shipped hazardous material are often the cause of severe and high profile transportation incidents.

   c. Criminal elements use containers for drug and other smuggling activities; thus containers represent a widely recognized potential vector for weapons of mass destruction/effect. As such, Coast Guard personnel performing container safety inspections must always be on the lookout for containers being used for illegal purposes or that may threaten the security of port infrastructure, vessels, maritime workers, and the general public. Coast Guard container inspectors are encouraged to review Reference (c) for additional information on Coast Guard and government efforts as a whole on countering weapons of mass destruction.

2. Program Establishment. The Department of Transportation and Related Agencies Appropriations Act for Fiscal Year 1994 provided specific funding to establish the Coast Guard's NCIP. Congress provided these funds in response to several commercial transportation incidents including the loss of four hazardous material containers overboard from the Motor Vessel SANTA CLARA I during a 1992 storm. Today, the Coast Guard's Sector Organization Manual, COMDTINST M5401.6 (series), includes container inspections as a responsibility of facility inspectors, though other properly qualified personnel may lead container inspections, and anybody, in accordance with unit procedures, can be part of a container inspection team.

B. Responsibilities.

1. Headquarters.

   a. Provide policy guidance and regulatory interpretation on all matters pertaining to the NCIP.

   b. Coordinate efforts to improve the NCIP through coordination with other Coast Guard entities.

   c. Share inspection results for data collection and trend analysis with U.S. Customs and Border Protection (CBP), Pipeline and Hazardous Materials Safety Administration (PHMSA), National Cargo Bureau (NCB), and other agencies or organizations as appropriate.

   d. Explore opportunities with CBP, PHMSA and NCB to improve personnel safety, combine training opportunities, and improve mission efficiency.

   e. Periodically review and update this Manual.

2. Areas and Districts.

   a. Provide oversight and support to the COTP performing the activities of the NCIP.

   b. Serve as a liaison between the COTP and Headquarters to address questions and provide suggestions for improving the NCIP.

   c. Ensure COTPs submit Performance Goals to Commandant (CG-FAC) annually by 15 September.

   d. Monitor COTP progress towards attainment of Container Inspection Performance Goals.

   e. Ensure appropriate risk-based decisions are being made by COTPs when they are unable to meet their Container Inspection Performance Goal due to competing operational demands.

3. COTPs.

   a. Develop standing local arrangements for cooperation and information sharing with other regulatory agencies and organizations having an interest in container inspections. These agencies and organizations include at a minimum CBP, PHMSA, NCB, port operators, and shippers.

   b. Through Reference (d), which is available on Commandant (CG-FAC-2) CGPortal page, COTPs are strongly encouraged to regularly contact CBP representatives to share intelligence and avoid operational conflicts, especially when examining imported containers not yet cleared by CBP.

c. Through Reference (e), which is available on Commandant (CG-FAC-2) CGPortal page, COTPs are required to make contact with the local NCB surveyor to establish procedures to coordinate daily hazardous material cargo inspections and enable both parties to utilize resources more efficiently and avoid a duplication of effort.

d. Develop relationships with PHMSA regional offices to address issues related to container inspections and the transportation of hazardous materials.

e. Meet container inspection performance goals as established per Chapter 2.A of this Manual.

f. Maintain an adequate cadre of qualified Container Inspectors.

g. Issue Container Inspector qualification letters to include language empowering inspectors to issue container detention orders under 49 C.F.R. Part 453. Although it is not mandatory for Container Inspectors to be designated as Notice of Violation (NOV) Issuing Officers to conduct container inspections, COTPs should issue NOV Issuing Officer designation letters to Container Inspectors who will be expected to initiate enforcement actions because of deficiencies discovered while conducting container inspections.

h. Ensure there is a written process in accordance with the Mission Management System (MMS) at the unit level to detain container shipments and control their movement. This process must also include a procedure to follow up on containers detained and taken out of service and cargoes placed on detention, to include the timely assessment of outstanding deficient containers and cargoes until such deficiencies are resolved.

i. Exercise prudent judgment before allowing containers with any damage to continue beyond the port area.

j. Ensure MISLE casework is completed in an accurate and timely manner in accordance with current Commandant (CG-FAC) policy.

k. Strengthen cooperation with other federal, state, and local agencies by leading and participating in MASFOs. When leading MASFOs, Coast Guard units must follow the guidance contained in Chapter 6 of this Manual.

l. Assist in program improvement by completing after action reports for all MASFOs conducted per Chapter 6 of this Manual.

m. Consistent with Chapter 7 of this Manual and Chapter 4 of Reference (b), conduct outreach to individuals who offer or transport hazardous materials in maritime commerce in order to increase compliance with applicable regulations.

C. Coast Guard Seal Accountability. Seals procured by Commandant (CG-FAC) must be used to seal containers Coast Guard Container Inspectors open. Typically, these seals are distributed by the Container Inspection Training and Assistance Team (CITAT). Use of unit procured seals is unauthorized. Missing, lost, or stolen Coast Guard seals can be used in a fraudulent manner to

convey a false appearance that the Coast Guard has inspected a container and/or its cargo. In doing so, hazardous materials, contraband and/or other illicit materials could then be transported more easily. To safeguard against this potential, field units conducting container inspections must exercise strict control over seals intended for use as part of their container inspection program. Units must develop a means to maintain accountability of both unused and used seals and incorporate this process in the unit MMS. If a container seal is found missing, lost or stolen, the unit must note the seal number and report that number to Commandant (CG-FAC-2), the local CBP office, and local port facilities or port authorities handling containerized cargo.

D. Technical Assistance and Policy Interpretation. Through the chain of command, Commandant (CG-FAC-2) and the CITAT are available to provide policy interpretations and technical assistance.

CHAPTER 2. Guidance for Performance Goals and Inspections

A. Performance Goal for Inspections.

1. Purpose. This Chapter discusses the methodology to determine performance goals for the number of container inspections to be conducted. Actual container inspection numbers may differ after considering the full suite of missions, priorities, and available Coast Guard and non-Coast Guard resources.

2. Background. In 1994, the Commandant established a national performance goal based on container traffic volumes. In 1999, the Commandant revised this performance goal by establishing a standard based on Container Inspector billets. The performance goal was designed using a statistical sampling method to set unit level performance goals. It incorporates a risk based approach informed by a historical analysis of trends in the container inspection targeting process.

3. Performance Goal Calculations. It is neither necessary nor possible for the Coast Guard to inspect every container entering and departing the United States. A risk based targeting of hazardous material and general cargo containers, particularly when done in cooperation with other agencies and organizations, can deter and detect many improper shipments. Outreach and enforcement, as appropriate, after detection can help deter future non-compliance. The methodology described in this Manual is based on a widely used sample size formula and is intended to derive statstically valid targets for individual COTP zones. When a COTP zone meets their performance goal there is a 95% certainity that they inspected a representative cross section of containers moving through their area of responsiblity. Cooperation, planning, and information sharing with other agencies and organziations is key to this process. COTPs must annually establish a fiscal year goal for the number of containers to be inspected.

   a. Determine baseline sampling size.

      (1) By 1 September each year, acquire the total number of loaded containers (hazmat containers, general cargo containers, refrigerated containers, ISO tanks, etc.) without regard to size, commonly represented as twenty-foot equivalent units (TEUs), that moved through all ports within the COTP zone during the most recently available 12 month period. The size of the container is not a consideration of the NCIP. This container throughput information can generally be obtained from local port authorities or port facilities through the port authority or facility websites, or by contacting port or facility representatives directly. If there is an inability to acquire this data locally, units may use the container throughput data from the PGC posted within the Commandant (CG-FAC-2) CGPortal site. This data is derived from the American Association of Port Authorities (AAPA) annual container report, and generally contains all containers, not just loaded containers. This information may not be updated annually and/or lack information on all container ports; therefore, engagement with port authorities and individual facilities is the preferred method to obtain container throughput data for each port.

(2) Enter the total number of containers into the PGC provided on the Commandant (CG-FAC-2) CGPortal site. The resulting value will be the baseline sampling size of containers to be inspected. Appendix C contains an example PGC.

b. Apply appropriate incentives. Units may "buy down" the baseline sampling size by applying one or more incentives, provided all criteria have been met to the satisfaction of the COTP. These incentives are aimed at helping the COTP target inspections of the highest risk containers by excluding containers that other organizations inspect, or which otherwise represent lower risk. Reducing the baseline will reduce the overall number of inspections required and the unit operational requirements. The intent of all the incentives below is to cooperate with port partners, review known shipping data (such as cargo sources, contents, and destinations), coordinate inspection activities to avoid duplication of effort, and use available Coast Guard personnel to target the highest risk shipments.

(1) Coodination with NCB. Select "Yes" on the PGC if the following criteria are met, otherwise select "No":

(a) NCB regularly performs container inspections at ports in the COTP zone; and,

(b) Unit has an active relationship with those NCB surveyors who perform container inspections, discusses respective container inspection programs and shares unique experiences, best practices and lessons learned; and

(c) Procedures exist for sharing operational information between the Coast Guard and NCB to coordinate container inspections (dates/locations/cargos), discrepancy reporting, and notification of emergency situations.

(2) Coordination with CBP. Select "Yes" on the PGC if the following criteria are met, otherwise select "No". Note that the Customs Trade Partnership Against Terrorism (CTPAT), can provide information as part of the overall risk evaluation process.

(a) CBP regularly performs container inspections at ports in the COTP zone; and,

(b) Unit meets regularly with CBP to discuss respective container inspection programs, shares unique experiences, best practices and lessons learned; and

(c) Unit shares information with CBP regarding key areas of interest to the Coast Guard's NCIP, to include awareness of major structural deformities, improper or lack of placarding, marking or labeling of containers carrying hazardous materials or the hazardous materials packaging themselves, and actual or perceived discrepanices in shipping papers or other documentation; and

(d) Procedures exist for sharing operational information between the Coast Guard and CBP to coordinate container inspections (dates/locations/cargos), discrepancy reporting, and notification of emergency situations; and

(e) CBP is invited to and participates in MASFOs.

(3) Coordination with port operators and shippers such as facility operators, freight forwarders, and port authorities. Select "Yes" on the PGC if the following criteria are met, otherwise select "No":

(a) Unit meets with port operators and shippers to discuss cargo trends, understand port activity levels, and gain insight into plans that may affect cargo container volumes and shipping patterns, or reveal potential anomalies; and

(b) Unit communicates the goals and objectives of the Coast Guard's NCIP to ensure port officials are able to contribute.

c. Reporting of Performance Goal. Units must provide a copy of the completed PGC to Commandant (CG-FAC-2) upon determination of the performance goal and no later than 15 September of each year. The PGC for the following fiscal year will be available on the Commandant (CG-FAC-2) CGPortal page by 1 September of each year. Additionally, units must provide results of the previous years container inspections including progress towards attainment of performance goal, reason for not attaining performance goal (if applicable), best practices used in coordiation with other entities and on container inspetions, and container inspectoin succes stories from the previous years. This reporting enables Commandant (CG-FAC) to plan resources, training, and target setting necessary to manage the overall program.

d. If a COTP feels the resultant container inspection performance goal is inappropriate for the specific container operations within their zone, they may request approval for an alternative methodology from Commandant (CG-FAC) to calculate their container inspection performance goal. This request must be via memo and will only be considered for unique container operations (i.e. high proportion of refrigerated container or domestic to domestic shipments, etc.) and not due to workforce shortages. The memo must be routed through the appropriate District and Area for review and endorsement (signature or new page), detail why the COTP feels the performance goal from the PGC is inappropriate, a proposed methodology for determinimg their performance goal, the resultant performance goal for the next calander year based on that methodology, and other details as appropriate. Commandant (CG-FAC) will respond via memo with a determination. Approvals will be granted for a maximun of five years or until significant changes in container operations within the COTP zone occurs. The response will copy Commandant (CG-741) to ensure updates to personnel requirements within the Sector Staffing Model are made as appropriate.

B. Selection of Containers.

1. HAZMAT versus General Cargo Containers. Choose containers for inspection based on a variety of factors, including whether the container has declared hazardous material or general cargo. Units must inspect hazardous material and general cargo containers in equal amounts on an annual basis unless only general cargo is shipped through a particular COTP zone, or the ratio of general cargo to hazardous material containers shipped through a COTP zone is so large that inspecting them in equal amounts would impede commerce. This impediment would most likely

be due to the need to place a large portion of the hazardous material containers on hold to facilitate their inspection.

2. Empty Containers. Up to 10% of containers inspected may be empty containers, all of which must be recorded as general cargo containers in MISLE.

3. Refrigerated Containers. Coast Guard Inspectors may inspect refrigerated containers, but they should do so with caution and be fully aware of the impact opening refrigerated containers may have on cold treatments and temperature and humidity controls. Inspectors must also be aware that if there is cargo spoilage and a subsequent claim by the cargo owner, the impact of the Coast Guard inspection on the cargo may be called into question.

   a. Inbound Refrigerated Containers. If the incoming cargo manifest lists a fresh perishable fruit or vegetable, breaking the seal can compromise the phytosanitary certification that the U.S. Department of Agriculture (USDA) requires or other import conditions that are verified at the port of entry. For imported refrigerated containers under cold treatment, Coast Guard inspectors must not open containers until USDA Animal and Plant Health Inspection Service (APHIS) and CBP have each cleared the container and perishable cargo. For inbound cargo manifested as a fresh fruit or vegetable, perform any such inspections with the local CBP-Agriculture officials. If an inbound shipment manifested as general cargo or hazardous material is found to contain seeds, grains, solid wood packaging or logs with bark, nursery stock, other fresh plant materials, or if live bugs are evidenced, also contact the local CBP-Agriculture officials and the local APHIS office.

   b. Outbound Refrigerated Containers. Outbound refrigerated containers of fruits and vegetables under cold treatment protocol should generally not be opened. However, if an inspector has a reason to inspect an outbound refrigerated container that has already begun cold treatment, they must contact the local APHIS office to discuss the procedures, safety concerns, and impact to the shipment.

4. ISO tanks. Inspection of ISO tanks should be conducted and count towards total general or hazmat container inspection numbers (based on cargo). ISO tanks inspected for attainment of a units performance goal should be proportionate to the percentage of throughput of ISO tanks in each port. For example, if 5% of the total container throughput in a port is ISO tanks, and the unit has a performance goal of 1,000 container inspections, up to 5% of their performance goal, or 50 inspections on ISO tanks, can be counted towards their performance goal. The throughput and inspection of ISO tanks should be tracked at the unit level, and does not need to be reported to Commandant (CG-FAC-2).

5. Container source. When considering which containers to inspect, both import and export shipments should be considered. While it is often easier to coordinate inspection of export containers, inspectors should be aware of the deterrent affect inspections of imported containers have on others following applicable regulations. It should be noted that historical deficiency data shows a greater percentage of import containers are identified as containing deficiencies than export containers.

6. Other considerations. Inspectors should also consider, among other elements, available historical data, including violation history, to prioritize which containers to inspect. Reference (b) describes the method to target different types of containers to be inspected in order to meet the overall unit established performance goal.

C. Coastwatch. Units may desire to, but are not required to, use Coastwatch Cargo to assist them in identifying specific containers to inspect based on local operations, risk, or intelligence needs. Coastwatch Cargo has the capability of obtaining, screening, and analyzing both inbound and outbound declared cargo and associated entities as well as request-based unclassified Automatic Identification System (AIS) tracking and geofencing capabilities. To initiate a product, work through the Sector Intelligence Staff to contact the Coastwatch Cargo direct line at 571-468-1653 or HQS-SMB-ICC-Coastwatch-Cargo@uscg.mil.

D. CBP Automated Commerical Environment (ACE).

1. The CPB ACE commercial trade processing system allows authorized users from other federal agencies to view incoming and outgoing cargo transiting U.S. ports. ACE is designed to automate border processing of cargo, which enhances border security and increases the nations economic security through lawful international trade and travel. ACE provides a technology foundation for all border security initiatives within CBP and:

   a. Allows trade partners access to manage trade information,

   b. Expedites the flow of commerce between international borders by providing CBP tools to efficiently process clearance efforts for imports/exports,

   c. Improves communication, collaboration, and compliance efforts between CBP and the trade industry community,

   d. Facilitates efficient collection, processing and analysis of commercial import/export data, and

   e. Provides a platform for trade data information sharing throughout government agencies.

2. ACE is not mandatory for Coast Guard use, but rather it is an additional tool that assists Coast Guard inspectors to identify hazardous cargoes scheduled to arrive within the United States.

3. Coast Guard personnel can request access to ACE by following the instructions located at https://www.cbp.gov/document/forms/ace-secure-data-portal-pga-account-application.

4. Coast Guard users must use ACE in a “Read Only” mode and are not authorized to use the “hold” function in ACE. Use of ACE does not replace or amend any requirements for MISLE data entry for container inspections.

E. Personnel Requirements.

1. Sector Staffing Model. The Sector Staffing Model uses each unit's container inspection performance goal to determine personnel needs for container inspections at each unit. Because of this, it is critical that units adhere to the performance goal reporting requirements established in Paragraph 2.A.3.c and 2.A.3.d. of this Manual. Doing so allows Commandant (CG-FAC-2) to assess the overall performance of the NCIP and evaluate the need for appropriate workforce adjustments with Commandant (CG-741).

2. Time to Complete Values: For planning purposes, the Coast Guard Office of Shore Forces, Commandant (CG-741), Sector Staffing Model assumes that the average time to complete a single container inspection, less travel and administrative processing time, is 30 minutes. The average administrative time to complete a MISLE entry is also assumed to be 30 minutes. Units are encouraged to report differences in these average values to Commandant (CG-FAC-2) as they affect the Sector Staffing Model.

F. Types of Inspection. All container inspections by the Coast Guard must be conducted in accordance with the procedures outlined in Reference (b). Each container inspected should consist of an external inspection to evaluate compliance with structural servicability requirements, and a tailgate inspection. A tailgate inspection is defined as an inspection of the container and its cargo beginning at the door sill and ending at an imaginary plane established at the lesser or either the first three feet of the container itself or the first tier of dunnage. A tailgate inspection on an empty container consists of simply opening the container to verify it is in fact empty. When deemed necessary by the inspector due to an observed condition or an uncertainty of compliance, and when safe to do so, an internal inspection can be conducted in accordance with Reference (b), but is not normally expected. With the exception of portable tanks and refrigerated containers, when the Container Inspector does not open the container due to concerns with cargo spoilage, structural only inspections will not count towards unit performance goal attainment.

CHAPTER 3. Hazards Associated with Container Inspections

A. Safety and Health Risks. The safety of Container Inspectors while performing their duties under the NCIP is of utmost importance and the standardization of inspection and safety procedures is a top priority. Reference (f) promulgates Safety and Environmental Health (SEH) policies, support functions, program standards and broad guidance for the Coast Guard's Safety and Environmental Health program. All container inspections must be conducted in accordance with these policies and standards, and with caution given the potential safety and health risks these activities present. If this manual contradicts information in Reference (f), Reference (f) must be followed. When the policies or standards in Reference (f) cannot be met, units must request a variance or alternate standard from Commandant (CG-113). Additionally, Container Inspectors must employ the concepts of Operational Risk Management as prescribed in Reference (g). As part of the mission preparation, safety assessment and container opening phases as detailed in Reference (b) must be completed for each container to be inspected as no two containers present the same exact hazards.

1. Safety Hazards.

   a. Container Inspectors must fully understand the hazards involved with making entry into a container.

      (1) The Occupational Safety and Health Administration defines an enclosed space at 29 C.F.R. § 1915.4(q) as "any space, other than a confined space, which is enclosed by bulkheads and overhead." One of the major hazards an enclosed space may present is the possibility for accumulation of a hazardous atmosphere due to inadequate ventilation. Reference (h) identifies shipping containers as Enclosed Spaces, but this designation does not apply to portable tanks, flat racks, and multiple element gas containers (MEGCs). Precautions must be taken to minimize risks associated with entry into an enclosed space and potential exposure during inspections.

      (2) Under certain circumstances, a container could also be considered a confined space. Chapter 13 of Reference (f) explains that a confined space has three distinct characteristics: (1) it is large enough and so configured that an employee can bodily enter and perform assigned work; (2) it has limited or restricted means for entry or exit; and (3) it is not designed for continuous employee occupancy. Portable tanks and MEGCs are always to be treated as a confined space. Container Inspectors must never enter confined spaces as part of performing the NCIP; the ideal solution is to require the cargo custodian to de-van the cargo to continue an inspection or secure the services of properly trained and equipped emergency response personnel.

      (3) A main factor in determining whether or not a container may initially be treated as an enclosed space is assessing the ability to quickly egress from within the container. If the nature of the cargo or loading procedure allows for a direct or unobstructed egress path, the container, or a portion thereof, may be treated as an enclosed space.

   b. While on container yards, inspectors must remain alert for moving vehicles or other container handling equipment to avoid being inadvertently struck.

c. While inspecting a container, inspectors must remain alert and ensure that facility personnel do not attempt to move the container being inspected.

d. Inspectors must apply fall protection program requirements found in References (f) and (i) as appropriate, and minimize the likelihood of slips, trips or falls especially while inspecting containers loaded on chassis. Inspectors should normally not climb on any container even if designed for such purpose, and in no case climb on any container if it is stacked on top of another container. In accordance with Reference (i), ladders must be used to view the container components (corner fittings, top side rails, roof, etc.) otherwise not readily visible from the ground.

e. Inspectors must always use safety straps when opening container doors given the possibility that cargoes have shifted and may be resting against the container doors.

f. Inspectors must not open the doors of a container that is part of a stack. Container doors are a structural part of a container and, if opened while stacked, may compromise the structural integrity of the container and stack.

g. Coast Guard personnel are prohibited from smoking while conducting container inspections.

2. Additional Safety Measures. There may be times it is necessary to require partial or complete de-vanning of cargo, forced ventilation of a container, or other measures in order to ensure safety of personnel while verifying compliance with applicable regulations. Given the potential cost to industry or delay to the shipment of a container and/or cargo, units must develop a process for such situations, including who is authorized to approve these required actions, and incorporate it in their MMS. Generally, this authority should not be granted to anyone below the Division Chief level or as directed by unit specific procedures.

3. Health Considerations.

a. Low oxygen content inside a container is harmful and may be fatal. Many factors encountered during transportation may create an oxygen deficient atmosphere regardless of whether the container is loaded or empty.

b. Exposure through inadvertent ingestion, absorption, injection or inhalation of hazardous materials from a container may be harmful or fatal. Of note, Poisonous by Inhalation (PIH) commodities generally have low Immediately Dangerous to Life and Health (IDLH) levels, Threshold Limit Values (TLV), and Short Term Exposure Limits (STEL). The inspector must exercise additional caution while conducting inspections of these commodities as prescribed within this Manual and Reference (b).

c. Fumigated containers present a potentially fatal chemical hazard. Fumigants are used for agricultural products or when wood (including cargo, cargo dunnage, container flooring, etc.) is shipped to countries that require fumigation as a condition of entry, or for U.S. bound shipments that require a quarantine fumigation. On imported containers, many are under

fumigation as a precaution by the exporter, and not under a quarantine treatment. Coast Guard inspectors must not open cargo manifested as an agriculture product until they receive clearance from CBP-Agriculture. Outbound containers under fumigation to meet export requirements must not be opened until the concentration of the fumigant in the container has reached one part per million or less which can be verified by local APHIS officials. Container Inspectors are authorize to place containers on hold until they have been cleared by APHIS and CBP to ensure the concentration of the fumigant has reached one part per million or less. When doing so, the inspector must make proper notification to the COTP of the hold. If an inbound shipment manifested as general cargo or hazardous material is found to contain seeds, grains, solid wood packaging or logs with bark, nursery stock, other fresh plant materials, or if live bugs are evidenced, also contact the local CBP-Agriculture officials and the local APHIS office.

d. Exposure to radioactive materials may pose potential health risks. Reference (c) contains guidance that Container Inspectors must adhere to when radioactive materials are present, and Reference (j) contains procedures that must be followed on all container inspections. Per Reference (c) all container inspectors must carry a Personal Radiation Detector (PRD) on all container inspections. During radiation detection operations, when using a PRD or a radioisotope identification device (RIID), if measurements exceed established gamma dose rate and/or neutron count rate thresholds, personnel must follow the Stop; Move Away; Alert; and Close-off (SMAC) protocols.

B. Response to Releases or Exposures. All personnel must immediately egress from the exposure area and muster in a safe location upwind. This action is referred to as an emergency egress.

1. Situations Requiring Egress. The following, among others, are indications of possible exposure and require an immediate emergency egress:

a. Leaks, odors, or sounds (such as when compressed gas is released),

b. Personal monitor or meter alarms,

c. Feeling dizzy or light-headed, or

d. If a Container Inspector senses any unexpected chemical through smell or dermal sensation. This is a judgment call; however, you must emergency egress any time there is a burning sensation in your lungs or you experience a shortness of breath. Any of these sensations may indicate a life-threatening situation and you must react promptly to avoid injury.

2. Actions after an Emergency Egress.

a. The Container Inspector must institute, when safe and appropriate, applicable safety measures, such as establishing isolation and protective action distances (close off the area) to safeguard other personnel from accidental exposure to a hazardous atmosphere or environment in accordance with specific emergency response information such as in the Department of Transportation (DOT) Emergency Response Guidebook (ERG).

b. After any emergency egress, the Container Inspector or facility representative should evaluate the need to contact emergency medical care and/or first responders using the 911 system.

c. Following the establishment of the appropriate safety measures, proper notifications must be made to the COTP via the Sector Command Center and the National Response Center. Additional notifications to CBP and facility personnel may be required.

d. The Container Inspector must work with the COTP to institute appropriate operational control measures, such as detaining and placing a container out of service and detaining the cargo.

e. The appropriate carrier, facility and shipper personnel who have the capability to resolve the emergency must be notified. Waterfront facilities may have response plans that detail the facility procedures for resolving hazardous material spills that include required notifications. This does not preclude a Container Inspector from notifying emergency response personnel, but it does ensure appropriate action is taken to quickly resolve any emergencies.

f. The Container Inspector must not reenter any container that required emergency egress until the cause of the situation that required emergency egress is determined and addressed. When conducting this assessment, the inspector must take the health considerations outlined in paragraph 3.A.3 into account. For a situation involving low oxygen, allowing additional natural ventilation may be appropriate. In other instances additional safety measures, as outlined in paragraph 3.A.2, may be warranted.

C. Emergency Medical Treatment.

1. Use of Guides. Consult chemical specific emergency response information such as that found in the DOT ERG, the National Institute for Occupational Safety and Health (NIOSH) Pocket Guide, the Chemical Hazard Response Information System (CHRIS), COMDTINST M16465.12 (series), or Safety Data Sheets (SDSs) for appropriate initial decontamination. Coast Guard personnel must be aware of the location and contact information of facility-operated and local fire departments, first aid stations, and chemical decontamination stations.

2. Medical Facilities. Exposure to hazardous materials requires specialized medical facilities. COTPs must maintain current listings and locations of medical facilities capable of isolating, if necessary, and treating hazardous material exposure victims. If such facilities do not exist, every effort must be taken to bring personnel to other appropriate pre-identified medical facilities.

3. Medical Care. Reference (k) provides policy for emergency medical care. Provide emergency medical services personnel, including 911 operators, with all known information including the name and concentration of the hazardous materials, duration of exposure, and most probable route of exposure. Also, give medical personnel the 24-hour telephone number to the Centers for Disease Control and Prevention, which is 770-488-7100.

D. Inspection Controls Established for Specific Hazards.

1. Radioactive Material. Shipments of radioactive materials, identified in 49 C.F.R. § 173.403 or IMDG Code 2.7.2, must be inspected taking into account the unique nature of the hazard. Radioactive materials shipped properly pose little risk of exposure and are required to be prepared in compliance with the same standards as all other hazardous material shipments. The inspection of radioactive materials must be done with caution and follow the safety procedures in References (c), (j) and (l).

2. Poisonous by Inhalation. Containers with PIH commodities, as identified in the Hazardous Material Table (49 C.F.R. § 172.101), or with "FUMIGANT" warning signs per 49 C.F.R. § 173.9 or Section 5.5.2.3 of the IMDG Code may be opened, but must only be inspected visually without the inspector crossing the plane of the container doorway. If a visual inspection reveals a reasonable suspicion of a violation needing further investigation, the Container Inspector may require the cargo custodian to de-van as necessary to the satisfaction of the inspector.

3. Emergency Escape Breathing Device (EEBD). Container Inspectors must carry an EEBD in accordance with Chapter 10.D.5.d.1 of Marine Safety Manual, Volume I, Administration and Management, COMDTINST M1600.6 (series), including if they enter a container of compressed gas cylinders, or other containers with the potential for suddenly changing atmospheres. Prior to conducting container inspections in hot or cold weather, container inspectors must ensure their EEBD is designed to operate in those temperatures. Contact your District Safety and Environmental Health Officer (SEHO) for additional support.

E. Responses to Unexpected Hazards and Situations. Containers have been known to be used for many purposes other than the legal intermodal transportation of goods including illicit drug trafficking and human smuggling. If a Container Inspector discovers unexpected hazards or situations during the course of an inspection, when safe and appropriate, the inspector must establish isolation and protective action distances to safeguard themselves and other personnel in the area. The Container Inspector must also make appropriate notifications to law enforcement agencies, the Facility Security Officer, and the Sector Command Center.

F. Health Related Recordkeeping. Reference (m) sets the policy for enrollment in the Occupational Medical Surveillance and Evaluation Program (OMSEP). Generally, all marine safety personnel, including container inspectors, meet the criteria for enrollment in OMSEP's Hazardous Waste Operations and Emergency Response medical surveillance program. While there are numerous requirements for this program, there are specific requirements to follow when Coast Guard personnel are acutely exposed or potentially exposed to hazardous material. In such instances, Coast Guard personnel must complete the Form CG-6000-1 and undergo a medical examination in accordance with Reference (m).

G. Reports. Chapter 3 of Reference (f) sets the policy for MISHAP response, investigation and reporting. Notify Commandant (CG-FAC-2) of all container inspection related MISHAPS by including the Command Email address CMD-SMB-COMDT-CG-5P in the e-MISHAP system distribution list. Also, notify Commandant (CG-FAC-2) at FAC-2-SAFETY@uscg.mil for each instance where a high potential for a MISHAP or "near miss" has occurred on container inspections.

As appropriate, this information will be used to evaluate this Manual and associated TTPs, and to create safety alerts.

CHAPTER 4. Structural Serviceability

A. Structural Serviceability. Containers are transported as single units or as integral parts of larger structures when secured to other containers. They are designed to protect contents while withstanding rough handling and adverse conditions. A Container Inspector must be cognizant of structural weaknesses that are introduced through allowable alterations or structural damage and must consider conditions that a container is expected to withstand under all modes of transportation. As an example, an empty or loaded container with structural weaknesses that is part of a stack may compromise an entire load.

B. Inspection Criteria.

1. Available Inspection and Repair Criteria. Coast Guard Container Inspectors must have a working knowledge of widely used inspection and repair criteria listed below. Understanding these criteria is crucial in assessing actions necessary when damage is identified during a container inspection.

   a. International Maritime Organization (IMO).

      (1) Reference (n) establishes provisions for containers used in international transport.

      (2) Reference (o) provides guidance to enable authorized officers from port states to assess the integrity of structurally sensitive components of containers. While these circulars where developed for containers being shipped in international trade, Coast Guard container inspectors can use the standards outlined in these documents to assist in determining structural serviceability of containers being shipped domestically.

   b. Institute of International Container Lessors (IICL), Ltd.

      (1) Reference (p) is an industry publication establishing container serviceability standards intended primarily for container leasing and shipping companies during container interchanges.

      (2) Reference (q) provides recommended repair procedures for damaged containers.

   c. Other Industry Criteria. Owners, lessees and other industry groups have published and made their inspection and repair criteria available to the public. Below is a list of some publically available criteria.

      (1) MIL-STD-3037, Department of Defense Standard Practice: Inspection Criteria for International Organization for Standardization (ISO) Containers and Department of Defense Standard Family of ISO Shelters.

      (2) Unified Container Inspection and Repair Criteria is an International Chamber of Shipping guide available to be used for in-service and on/off hire inspections.

(3) Trade organizations such as the Association of Certified Marine Surveyors have published guidelines for their members to use when inspecting containers.

C. Out of Service Damage Criteria and Repair Standards. When examining the structural serviceability of containers and making a determination on corrective actions necessary for damaged containers, inspectors must adhere to the following policy:

1. All Containers. If any container falls beyond tolerances specified in Reference (o), the inspector must detain and take the container out of service and require it to be repaired to a safe condition. In some unique circumstances, Reference (p) may be used in conjunction with an inspector's knowledge of the dynamic forces a container is subject to during transport to determine if the container is unsafe. However, Reference (p) must not be used in the course of every inspection as this may result in undue delays.

2. Containers Carrying Explosives. Containers used for transport of Class 1 (explosive) materials must meet the specific requirements of 49 C.F.R. §§ 176.170 and 172. If a structural condition is not addressed in title 49 of the C.F.R., the inspector must use criteria found in the previous paragraph to determine if damage warrants the container being detained and taken out of service.

3. Damage Repair. Containers detained and taken out of service must be repaired to a safe condition. A safe condition is considered as repairs made to the applicable standard in Reference (q), owner developed criteria that is equal to or more stringent than the tolerances in Reference (o), or original manufacturer specifications.

D. Alterations. A common allowable alteration is a container with one door removed. This alteration is addressed in Reference (r). Approval of new containers and approval of modifications to existing containers are performed by Commandant (CG-OES-2) or Approval Authorities delegated by Commandant. A list of approval authorities may be obtained from Commandant (CG-OES-2) at http://www.dco.uscg.mil/OES.

CHAPTER 5. Container Inspection Activity Reporting

A. Container Inspection Reporting.

1. MISLE. Container Inspectors must record inspection activities in MISLE within 24 hours of completion when a container is detained and taken out of service or a cargo is detained, and within seven days for all other container inspections. Data entry into MISLE is critical to the success of the NCIP. Data inconsistencies, especially with quantities inspected, country of origin, and undeclared hazardous materials make it difficult, and at times impossible, to assess the effectiveness of this inspection program. All Container Inspectors must strictly follow applicable MISLE User Guides when entering data. Instructions for data entry can be found in the MISLE User Guides on the Commandant (CG-FAC-2) CGPortal page. Direct questions or recommendations regarding these user guides to Commandant (CG-FAC-2).

2. Container Inspection Forms. The Form CG-5577, Form CG-5577A, and Form CG-5577B are legal documents and must be filled out legibly and correctly. Information on these forms are entered into MISLE and used by NCIP Program Managers to review data on total container inspections, container content (general cargo or hazmat), type of container, deficiencies by category, port of origin, inspection port code and owner code. This data is used to formulate better risk based targeting matrices, assess the overall accomplishments of the NCIP, identify areas of the FHMTL, IMDG Code, ISCA and CSC that may need revision, and make annual reports to Congress and the IMO.

   a. Intermodal Container Inspection Report, Form CG-5577. The Form CG-5577 serves as:

      (1) Official notice of deficiency to the shipper, carrier, or facility representative;

      (2) A notification of a detention order;

      (3) A form to capture data for entry into MISLE; and

      (4) Documentation for record keeping.

   b. Intermodal Container Non-Deficiency Inspection Report, Form CG-5577A. The Form CG-5577A serves as notification that a container was inspected with no deficiencies noted. Up to 20 containers without deficiencies can be entered on a single Form CG-5577A. This form replaces what was formerly known as the “short form.”

   c. Intermodal Container Targeted Inspection List, Form CG-5577B. The Form CG-5577B may be issued to container custodians notifying them of containers the Coast Guard is placing on hold in order to inspect. While not required, when used this form is official notice by the COTP to a container custodian that the Coast Guard will conduct an inspection on the containers specified on the form.

3. Form Usage. Local forms must not be used in lieu of the intended usage of the Form CG-5577, Form CG-5577A, and/or Form CG-5577B. Use of the Form CG-5577 and Form CG-5577A are

mandatory following inspections of containers. Use of the Form CG-5577B is optional when targeting containers.

B. Data Review. To ensure data quality and consistency, Commandant (CG-FAC-2) conducts periodic reviews of MISLE activities.

CHAPTER 6. Multi-Agency Strike Force Operation (MASFO)

A. Purpose. A MASFO is a surge enforcement activity involving multiple agencies with varying jurisdictions, authorities and resources. MASFOs are usually led by the agency having the predominant authority over the physical location of the operation. MASFOs prompt interagency cooperation and information sharing that synergistically enhances each agency's safety and security missions. To assist units, a job aid specific for MASFOs is available on the Commandant (CG-FAC-2) CGPortal page.

B. Frequency of Operations. COTPs with container shipments exceeding 50,000 containers per year must lead at least one MASFO activity per fiscal year, though additional MASFOs are encouraged. Other ports with container shipments should consider conducting MASFOs. The size of a MASFOs should be commensurate to container activity within that COTP zone, meaning COTP zones with lower container throughput numbers may conduct smaller MASFOs. COTP zones with several container ports should consider conducting small-scale MASFOs at multiple locations.

C. Other Operations with Other Government Agencies. On occasion, Coast Guard Container Inspectors encounter other law enforcement or regulatory personnel outside of planned MASFOs and conduct joint container inspections. While this is encouraged, to ensure proper accounting of MASFOs, container inspections conducted with other agencies outside of a planned MASFOs must not be entered in MISLE with an Activity Type of "MASFO".

D. Standardization

1. National Incident Management System (NIMS) Compliant MASFO Plan. For Coast Guard led MASFOs, COTPs must prepare an Incident Action Plan (IAP) for each MASFO. This IAP must follow the NIMS Incident Command System (ICS) format for a planned event and be tailored to the size and type of the MASFO.

2. After Action Reporting. A hot wash must be conducted following each MASFO to identify areas for improvement by listing lessons learned, recommendations, and best practices. COTPs must submit an after action report into the CGSAILS module within the Coast Guard Contingency Planning System (CPS). These after action reports will be reviewed by Commandant (CG-FAC-2) to improve the NCIP. If an After Action Report is not completed and submitted via CGSAILS, units will not be given credit for completing a MASFO.

E. Interagency Coordination. MASFOs normally involve Federal, state and local agencies with authority to enforce requirements applicable to facilities, containers, and cargoes, as well as equipment and people responsible for transporting hazardous materials in commerce. Units must establish local arrangements with participating agencies to increase productivity and enhance communications. These arrangements serve to clarify roles, responsibilities, safety requirements, and inspection procedures of each agency. The COTP may invite any relevant agency to participate in a MASFO, but they are not required to participate. Below is a list of agencies and organizations that may be interested in participating.

1. Federal agencies.

   a. The Coast Guard has authority over maritime facilities, personnel and vessels. This authority can be used to direct shipment or movement of containers used or intended to be used for hazardous material carriage in the maritime mode. The Ports and Waterways Safety Act, which was codified to 46 U.S.C. Chapter 700 Ports and Waterways Safety (PWS, Hazardous Materials Transportation Authorization Act (HMTAA), 33 C.F.R. Part 6 and the ISCA are the laws through which the Coast Guard exercises its authorities.

   b. The Federal Motor Carriers Safety Administration (FMCSA) has authority over employers, employees, and commercial motor vehicles who transport property over the nation's highways in interstate commerce (49 C.F.R. § 390.3). FMCSA agents generally have close ties with state police and other state and local public road enforcement officials.

   c. Authority to enforce the Federal railroad safety laws has been delegated by the Secretary of Transportation to the Federal Railroad Administrator (49 C.F.R. § 1.89). The laws apply to all railroads (except self-contained urban rapid transit) and convey on the Federal Railroad Administration (FRA) the authority to issue rules and orders covering every area of railroad safety (49 U.S.C. § 20103).

   d. U.S. Customs and Border Protection (CBP) is an agency in the Department of Homeland Security. Among its many duties, CBP is charged with managing the import and export of commercial goods, including hazardous materials. While anti-terrorism is a primary mission of CBP's Office of Field Operations, many of the importation inspection functions that CBP performs at field offices are related to revenue collection, consumer protection, fair trade practices and other traditional commercial activities. As such, CBP receives and uses vast amounts of cargo data. CBP field missions complement the Coast Guard's NCIP.

   e. The Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) directorate is responsible for investigating a wide range of domestic and international activities arising from the illegal movement of people and goods into, within and out of the U.S. HSI uses its legal authority to investigate issues such as immigration crime, human rights violations and human smuggling; smuggling of narcotics, weapons and other types of contraband; and financial crimes, cybercrime and export enforcement issues. ICE special agents also conduct investigations aimed at protecting critical infrastructure industries that are vulnerable to sabotage, attack or exploitation. HSI can assist with container inspections, targeting, and other CG operations within the port.

   f. Pipeline and Hazardous Materials Safety Administration (PHMSA) is an agency in the Department of Transportation. Its mission is "to protect against the risks to life, property, and the environment that are inherent in the transportation of hazardous material in intrastate, interstate, and foreign commerce" (49 U.S.C. § 5101). PHMSA's Office of Hazardous Materials Safety Field Operations (OHMSFO) promotes and verifies compliance with the provisions of 49 C.F.R. Parts 100-180 and conducts investigations into hazardous material incidents. This is accomplished through compliance inspections of entities that offer hazardous materials for transportation in commerce (including shippers, freight

consolidators, and freight forwarders) and that manufacture, re-qualify, rebuild, repair, recondition, and retest packaging (other than cargo tanks and tank cars) used to transport hazardous materials. The investigators monitor company procedures, practices, and operations for regulatory compliance and recommend enforcement action for regulatory violations. OHMSFO also oversees the Systems Integrity Safety Program (SISP) which is a collaborative program that provides and facilitates in-depth analyses, observations, and cooperative follow-up inspections to identify the root causes of transportation safety concerns at facilities that are identified through an in-depth analysis. SISP is designed to collaborate with industry and stakeholders to achieve compliance by identifying systems failures, contributing key factors, and implementing systems to control risk and improve safety. OHMSFO also conducts investigations into transportation incidents involving hazardous materials (accident investigation) and conducts outreach activities to promote compliance via the Hazardous Materials Safety Assistance Team (HMSAT). Upon request, PHMSA also provides investigative assistance and training to federal, state and local enforcement officials engaged in the enforcement of 49 C.F.R. Parts 100-180.

g. Animal and Plant Health Inspection Service (APHIS) is an agency under the Department of Agriculture, provides leadership in ensuring the health and care of animals and plants. This agency enforces regulations regarding invasive species (7 C.F.R. Parts 300-399).

h. Transportation Security Administration (TSA) is an agency under the Department of Homeland Security. Its responsibilities span all modes of transportation with several having a direct link to the Coast Guard and the NCIP. TSA's Port and Intermodal Division is engaged in providing expertise in credentialing as well as passenger and vehicle screening techniques and procedures. The Hazardous Materials Endorsement Threat Assessment Program conducts a security threat assessment for any driver seeking to obtain, renew, or transfer a hazardous materials endorsement on a state-issued commercial driver's license. The Surface Transportation Security Inspection Program fields inspectors that are focused on the areas of highest risk in the freight rail industry. The inspection program is responsible for verifying implementation of voluntary security measures, conducting vulnerability assessments, and conducting regulatory compliance inspections. The inspectors also act as local liaisons to rail carriers and other government agencies for emergency planning and response.

i. The Federal Maritime Commission (FMC) is an independent federal agency responsible for fostering a fair, efficient, and reliable international ocean transportation system as well as protecting the public from unfair and deceptive practices. Specifically, the FMC regulates the financial aspects of the international container trade by sea and is responsible for investigating instances of shippers and ocean transportation intermediaries mis-describing cargo in order to obtain a lower rate on shipping (46 U.S.C § 41102(a)).

2. State and Local Agencies. Other agencies involved in the enforcement of hazardous material and safety regulations include port authorities, state and local police, state transportation agencies, and fire departments. When coordinating with state agencies, any jurisdictional conflict or overlap for state/local agencies should be resolved by the overarching state/local

department (such as the state DOT or Department of Environment) prior to the MASFO and addressed in the IAP.

3. Non-Governmental Organizations. While not an agency, the National Cargo Bureau is a not-for-profit membership organization dedicated to the safe loading, stowage, securing, and unloading of cargo on all vessels and the safety of shipboard cargo handling gear through the application of uniform standards designed to protect cargo, vessels, personnel and the public. In their role as maritime surveyors, NCB experts are hired by various maritime interests to perform hazardous material container inspections. The NCB is authorized by the U.S. Government to assist in the administration of regulations pertaining to the safe loading of cargo. NCB is authorized by 46 C.F.R. § 148.12 and 49 C.F.R. § 176.18 to issue certificates and assist the Coast Guard in administering the regulations governing the Carriage of Solid Hazardous Materials in Bulk (46 C.F.R. Part 148) and the Hazardous Materials Regulations (49 C.F.R. Subchapter C). Reference (e) outlines the NCB's mutual interests and concerns regarding the safe carriage and stowage of hazardous materials and formalizes NCB's hazardous material inspection role on the behalf of the COTP. NCB office locations are listed on their website.

CHAPTER 7. Outreach Activities

A. Purpose. Outreach is one of the ways the Coast Guard's Prevention program accomplishes its goals. By proactively engaging stakeholders and cooperating with our partner Federal agencies, we can leverage resources to increase awareness of the FHMTL and the common trends faced in the shipment of hazardous materials. Outreach provides an opportunity to continuously implement an adequate level of prevention awareness to decrease the risk of a major transportation incident. The NCIP relies on a robust outreach effort for its success. Due to the complexity of domestic and international regulations, outreach efforts are necessary at the field level. In keeping with the Commandant's intent, this outreach provides increased opportunities to establish partnerships with other agencies and industry. Additionally, to meet future increases in containerized traffic, the Coast Guard must continue to foster partnerships now that will serve as future force multipliers. The activities described in this chapter can be conducted in conjunction with other established committees or convenient forums such as industry days. Possible committees include Area Maritime Security Committees (AMSCs), Harbor Safety Committees (HSC), Local Emergency Planning Committees (LEPCs), Area Committees (ACs), and Port Readiness Committees (PRCs). COTPs may also offer to host or participate in other agency traveling road shows and conferences.

B. Frequency. Units must conduct outreach efforts in order to increase awareness of hazardous materials transportation regulations. COTPs with container shipments exceeding 50,000 containers per year must conduct at least one day of outreach activity per fiscal year. Other ports with a significant number of container shipments should consider conducting a yearly outreach event. COTPs with several container ports should consider conducting small-scale outreach events at their various container ports.

C. Documenting Outreach Activities. Units must document required container outreach activities in MISLE. To maintain consistency with other outreach activities conducted with maritime and port partners, this documentation must be captured using a Waterways Management activity. When creating this activity, select Outreach as the activity subtype and Port Management as the action type. The Title/Description of the activity must include "Container Inspection Outreach" or other similar distinguishing verbiage.

D. Stakeholders. Local outreach efforts should include, but not be limited to, the following members of the maritime transportation community:

1. Industry-Registered DOT entities.

    a. Manufacturers;

    b. Shippers, forwarders & freight consolidators;

    c. Carriers, unions, trucking associations & rail personnel;

    d. Custom House Brokers;

    e. Agents, custodians & facility managers; and

f. Importers & exporters.

2. Federal agencies.

   a. PHMSA Office of Hazardous Materials Safety;

   b. CBP;

   c. ICE HSI;

   d. TSA;

   e. USDA;

   f. FMCSA;

   g. FRA;

   h. FMC; and

   i. Department of Justice (through the local U.S. Attorney's Office).

3. State Agencies.

   a. State police;

   b. State DOT; and

   c. State port authority.

4. Local Agencies.

   a. County / local police;

   b. Port authority; and

   c. Fire departments.

5. Other.

   a. National Cargo Bureau.

CHAPTER 8. Authorities and Legal Considerations

A. Port Safety. A COTP has broad authority to inspect hazardous materials shipments and waterfront facilities for compliance with various laws and regulations under PWS. 33 C.F.R. § 160.109 states the following: "To prevent damage to, or the destruction of, any bridge or other structure on or in the navigable waters of the United States, or any land structure or shore area immediately adjacent to such waters, and to protect the navigable waters and the resources therein from harm resulting from vessel or structure damage, destruction, or loss, each District Commander or COTP may: (1) Direct the handling, loading, unloading, storage, and movement (including the emergency removal, control and disposition) of explosives or other dangerous articles and substances, including oil or hazardous material."

B. Port Security. To prevent potential damage or destruction when a national emergency or security threat is declared by the President, the Coast Guard under PWS has authority for visitation, search, and removal of any articles or things in port areas. This authority is based on Executive Order 11249 of 13 October 1965, which is codified in 33 C.F.R. § 6.04-7, and states: "The Captain of the Port may cause to be inspected and searched at any time any vessel, waterfront facility, or security zone, or any person, article, or thing therein, within the jurisdiction of the United States, may place guards upon such vessel, waterfront facility, or security zone and may remove there from any and all persons, articles or things not specifically authorized by him to go or remain thereon or therein."

C. Legal Considerations. The authorities referenced in this Chapter do not give Container Inspectors free access to anything or everything in or on a container or facility. Coast Guard Container Inspectors need to understand how to carry out the missions within the guidelines of the Fourth Amendment. Field units must contact their appropriate District Legal Office for guidance when needed. If any criminal activity is suspected or discovered, the inspection activity must cease and the local Coast Guard Investigative Service (CGIS) office must be notified. The inspection must not recommence until the CGIS representative has given clearance.

D. Searches and the Fourth Amendment. Inspecting the contents of a container under the NCIP may constitute a search within the meaning of the Fourth Amendment. Therefore, Coast Guard inspectors must give due consideration to the requirements of the Fourth Amendment and its protections against unreasonable searches and seizures. Such consideration will not only help establish the underlying legal reason for the search but will also help ensure that the container inspection program is conducted in a fair and responsible manner One or more of the below-discussed exceptions to the warrant requirement of the Fourth Amendment will normally apply to Coast Guard container inspections. Inspectors should clearly be able to articulate which of the following exception(s) applies to the case at hand. This is not intended to suggest that legal advice is required in every case. On the contrary, a good working knowledge of these exceptions will contribute to a fair and highly efficient inspection program that is legally supportable. However, when complex legal questions do arise, they should be referred to the District Commander's legal staff. Common exceptions to the warrant requirement include the following:

1. Closely Regulated Industry/Pervasively Regulated Business. Under this exception, if a container is declared as containing hazardous materials (placarded, listed on the dangerous cargo manifest (DCM), declared on shipping papers, etc.) or the inspector has an objectively reasonable and

articulable belief that there are hazardous materials or contraband within the container, it may be inspected without a warrant because hazardous materials are part of a closely regulated industry under HMTAA. An "objectively reasonable and articulable belief" is something less than probable cause but something more than mere suspicion. The inspector must be able to specifically articulate what factor or factors led them to believe the package contained a hazardous material. The decision to inspect may be based upon all of the circumstances confronting a trained inspector drawing inferences and deductions based upon his or her training and background, law enforcement reports, intelligence sources such as CBP or PHMSA, and other information that would elude an untrained person. This applies anywhere within the COTP's zone of jurisdiction as long as the container was, is being, or is intended to be transported by water mode.

2. Exigent Circumstances/Emergency Situations. Any container may be inspected without a warrant if there is reason to believe an emergency situation exists. Emergencies may include, but are not limited to, leaking packages in the container and obvious damage to the container and/or its contents. The inspector must reasonably believe that the emergency involves hazardous materials or that the situation otherwise poses a significant risk of injury to persons or damage to property or the environment. To maximize the likelihood that a search under this exception is upheld, it should be undertaken only when the emergency is an actual safety problem, not merely an apparent regulatory violation. This exception applies anywhere within the COTPs zone of jurisdiction.

3. Border Search/Customs Search. A container located in a Customs area, or just having been imported or intended to be exported, whether or not marked or manifested as containing hazardous materials, may be inspected under the "border search" exception of the Fourth Amendment. Customs areas include the docks, container stations, cargo terminals, and the importer's premises. The Customs area in which the Coast Guard will conduct the majority of its inspections of containers is that area immediately adjacent to the waterfront where cargoes are loaded and unloaded. Coast Guard commissioned, warrant, and petty officers may conduct inspections of containers in Customs areas under this exception pursuant to authority contained in 19 U.S.C. § 1581, 46 U.S.C. § 703, and 19 U.S.C. § 1401. Under Reference (d), examination of un-cleared imported containers by the Coast Guard will be coordinated with the CBP.

4. Consent. Any container may be inspected if consent to search is granted by the container's owner or the agent of the container's owner. This exception applies anywhere within the COTP's zone of jurisdiction. Inspectors are cautioned that merely being the custodian of a container does not necessarily imply authority to provide consent.

APPENDIX A. Acronyms

Acronym	Meaning
AAPA	American Association of Port Authorities
AC	Area Committee
ACE	Automated Commercial Environment
AIS	Automatic Identification System
AMSC	Area Maritime Security Committee
APHIS	Animal and Plant Health Inspection Service
CBP	U.S. Customs and Border Protection
C.F.R.	Code of Federal Regulations
CGIS	Coast Guard Investigative Service
CGSAILS	Coast Guard Standard After Action Information and Lessons Learned System
CHRIS	Chemical Hazard Response Information System
CITAT	Container Inspection Training and Assistance Team
COTP	Captain of the Port
CPS	Contingency Preparedness System
CSC	International Convention for Safe Containers
CTPAT	Customs Trade Partnership Against Terrorism
DCM	Dangerous Cargo Manifest
DHS	Department of Homeland Security
DOT	Department of Transportation
EEBD	Emergency Escape Breathing Device
ERG	Emergency Response Guidebook
FHMTL	Federal Hazardous Materials Transportation Law

FMC	Federal Maritime Commission
FMCSA	Federal Motor Carriers Safety Administration
FRA	Federal Railroad Administration
HAZMAT	Hazardous Materials
HMSAT	Hazardous Materials Safety Assistance Team
HMTAA	Hazardous Materials Transportation Authorization Act
HSC	Harbor Safety Committee
HSI	Homeland Security Investigations
IAP	Incident Action Plan
ICE	Immigration and Customs Enforcement
ICS	Incident Command System
IDLH	Immediately Dangerous to Life and Health
IICL	Institute of International Container Lessors
IMDG	International Maritime Dangerous Goods
IMO	International Maritime Organization
ISCA	International Safe Container Act of 1977 codified at 46 U.S.C. Chapter 805
ISO	International Organization for Standardization
LEPC	Local Emergency Planning Committee
MARPOL	International Convention for the Prevention of Pollution from Ships
MASFO	Multi-Agency Strike Force Operation
MEGC	Multiple-Element Gas Container
MIL-STD	Military Standard
MISLE	Marine Information for Safety and Law Enforcement

MMS	Mission Management System
MRD	Maritime Radiation Detection
MSC	Maritime Safety Committee
NCB	National Cargo Bureau
NCIP	National Container Inspection Program
NIMS	National Incident Management System
NIOSH	National Institute for Occupational Safety and Health
NOV	Notice of Violation
OHMSFO	Office of Hazardous Materials Safety Field Operations
OMSEP	Occupational Medical Surveillance and Evaluation Program
OPAR	Operational Performance Assessment Report
PGC	Performance Goal Calculator
PHMSA	Pipeline and Hazardous Materials Safety Administration
PIH	Poisonous by Inhalation
PRC	Port Readiness Committee
PRD	Personal Radiation Detector
PWS	46 U.S.C. Chapter 700 – Ports and Waterways Safety
RIID	Radioisotope Identification Device
SDS	Safety Data Sheet
SEH	Safety and Environmental Health
SISP	Systems Integrity Safety Program
SMAC	Stop; Move Away; Alert; and Close-off
SOLAS	International Convention for Safety of Life at Sea

STEL	Short Term Exposure Limits
TEU	Twenty-foot Equivalent Units
TLV	Threshold Limit Values
TSA	Transportation Security Administration
TTP	Tactics, Techniques, and Procedures
UN	United Nations
U.S.C.	United States Code
USCG	United States Coast Guard
USDA	United States Department of Agriculture
WMD	Weapon of Mass Destruction

APPENDIX B. Glossary

Word or Phrase	Definition
Agent	A person who represents and acts on behalf of a container's owner.
Captain of the Port Detention	The act of restricting the movement of a container, the cargo within a container, or both.
Confined space	A space with all of the following characteristics: (1) it is large enough and so configured that an employee can bodily enter and perform assigned work; (2) it has limited or restricted means for entry or exit; and (3) it is not designed for continuous employee occupancy.
Container	A freight container, portable tank, multiple-element gas container (MEGC), flat rack, quadcon, tricon, tactical ISO shelters, MILSPEC Van and other structures which must comply with the International Convention for Safe Containers (CSC) requirements.
Custodian	The terminal operator, stevedore or other person having actual control over the container involved.
De-van	An industry term used synonymous with the word "unload."
Enclosed space	Any space, other than a confined space, which is enclosed by bulkheads and overhead.
Freight container	A reusable container having a volume of 64 cubic feet or more designed and constructed to permit being lifted with its contents intact and intended primarily for containment of packages (in unit form) during transportation.
Intermodal container	A freight container designed and constructed to permit it to be used interchangeably in two or more modes of transport.
Internal Inspection	An inspection of a container and its cargo forward of the area inspected during a tailgate inspection.
Hold	Restricting the movement of a container to ensure its availability for inspection.
Multi-Agency Strike Force Operation (MASFO)	A surge enforcement activity involving multiple agencies with varying jurisdictions, authorities and resources, usually led by the agency having the predominant authority over the physical location of the operation.
Multiple-element gas container (MEGC)	Assemblies of UN cylinders, tubes, or bundles of cylinders interconnected by a manifold and assembled within a framework,

	including all service equipment and structural equipment necessary for the transport of gases.
Portable tank	A bulk packaging (except a cylinder having a water capacity of 1000 pounds or less) designed primarily to be loaded onto, or on, or temporarily attached to a transport vehicle or ship and equipped with skids, mountings, or accessories to facilitate handling of the tank by mechanical means.
Tailgate inspection	An inspection of a container and its cargo beginning at the door sill and ending at an imaginary plane established at the lesser of either the first three feet of the container itself or the first tier of dunnage.

APPENDIX C. Performance Goal Calculator

COTP Zone: San Francisco **CY 2018 Goal: 1537**

Total container throughput for all ports in COTP Zone	1,383,335
Qualify for National Cargo Bureau Incentive? (Click on cell to toggle Yes/No) - SEE NOTE 1	Yes
Qualify for Customs and Border Patrol Incentive? (Click on cell to toggle Yes/No) - SEE NOTE 2	Yes
Qualify for Port / Facility Interaction Incentive? (Click on cell to toggle Yes/No) - SEE NOTE 3	Yes
Confidence Interval (CI) Base - automatically populated using numbers in Table 2	1.75
Calculated Annual Performance Goal	1537

Table 2	
COTP Throughput Threshold	Minimum CI
Equal or greater than 5,000,000	0.5
Equal or greater than 3,000,000	1.25
Equal or greater than 1,000,000	1.75
Equal or greater than 500,000	2
Equal or greater than 100,000	2.75
Equal or greater than 50,000	3.75
Less than 50,000, CI input value continues to increase	

Table 1	
COTP	Throughput
Sector Anchorage	188,476
Sector Baltimore	542,040
Sector Boston	141,222
Sector Charleston	1,133,428
Sector Delaware Bay	437,782
Sector Detroit	1,220
Sector Guam	116,594
Sector Hampton Roads	1,515,487
Sector Honolulu	835,327
Sector Houston	1,367,793
Sector Jacksonville	490,779
Sector LA/LB	8,625,601
Sector Miami	1,312,555
Sector Mobile	259,144
Sector New Orleans	323,476
Sector New York	3,595,142
Sector North Carolina	143,552
Sector Northern New England	6,639
MSU Portland	13,808
MSU Port Arthur	2,552
Sector Puget Sound	1,998,255
MSU Savannah	2,019,114
Sector San Diego	71,411
Sector San Francisco	1,346,879
Sector San Juan	579,710
Sector St. Petersburg	43,476

Use throughput obtained from port authority. If unavailable, use throughput from Table 1.

APPENDIX D. Coast Guard Container Inspection Forms

DEPARTMENT OF HOMELAND SECURITY
U.S. COAST GUARD
INTERMODAL CONTAINER INSPECTION REPORT

1. MISLE Activity Number:	
2. Inspection Type:	
3. Container Number:	**4. Country of Origin:**
5. Container Type: Freight / Tank / Reefer	**6. Date of Inspection:**
7. Inspection Location:	**8. Time of Inspection:**
9. **Involved Party:**	**10. COTP Zone:**
U.S. DOT HAZMAT Registration Number:	**11. Seal Removed Number:**
Address:	**12. Replacement Seal Number:**
	13. ACEP Number:
	14. CSC ID Number:
	15. Shipment Prepared By: 49 CFR / IMDG Code

16. **Inspection conducted as part of Multi-Agency Strike Force Operation?** Yes / No

17. Nature of Deficiency:

No.	Description	Cite (Convention)	Action Taken or Required

Additional Instructions:

18. Control Action Taken:

☐ Container Detained ☐ Repair Required HAZMAT UN ID #(s) _____ _____ _____ _____

☐ Shipment Detained ☐ Re-Inspection Required HAZMAT Class(es) _____ _____ _____ _____

19. Authorities cited to support actions: 49 CFR 453.1 / 33 CFR 160.109 / 33 CFR 6.04-7

Copy provided to: _____ _____
(Owner/Shipper/Agent/Custodian – Printed Name) (Signature)

USCG Container Inspector: _____ _____
(Duly authorized Container Inspector – Printed Name) (Signature)

This report constitutes written notice of deficiencies discovered, order for detention, and/or corrective action required. Separate notice will be given if penalty action is initiated.

CG-5577 (01/18) Page _____ of _____

Privacy Act Statement

Authority: 33 U.S.C. § 1225; 46 U.S.C. § 80503; 49 U.S.C. § 5101-5128; 33 C.F.R. § 160; 49 C.F.R. § 171-180; and 49 C.F.R. § 453

Purpose: To document the outcome of International Safe Container Act safety examinations, International Maritime Dangerous Goods Code compliance verification examinations, or U.S. Federal Hazardous Materials (HAZMAT) Transportation Law compliance examinations conducted by the U.S. Coast Guard when no deficiencies have been identified.

Routine Uses: This information will be used to assist the Department of Homeland Security in responding to incidents that may occur as a result of hazardous material transportation operations, and may be disclosed externally as a "routine use" pursuant to DHS/USCG-013, Marine Information for Safety and Law Enforcement (MISLE), 74 Federal Register 30305 (June 25, 2009).

Disclosure: Furnishing this information is voluntary. However, failure to provide this information may result in the delay of transportation authorization or other enforcement actions.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB number.

The Coast Guard estimates that the average burden for this report is 6 minutes. You may submit any comments concerning the accuracy of this burden estimate or any suggestion for reducing the burden to: Commandant (CG-FAC), U.S. Coast Guard Stop 7501, 2703 Martin Luther King Jr Ave SE, Washington, DC 20593-7318 or Office of Management and Budget, Paperwork Reduction Project (1625-0042), Washington, DC 20503.

DEPARTMENT OF HOMELAND SECURITY
U.S. Coast Guard
INTERMODAL CONTAINER NON-DEFICIENCY INSPECTION REPORT

1. MISLE Activity Number	2. Date of Inspection
3. Captain of the Port (COTP) Zone	4. Facility/Company

5. Inspection conducted as part of Multi-Agency Strike Force Operation? ☐ Yes ☐ No

6. Container(s) Inspected and Identified as without Deficiency

No.	Container Identification	Seal Removed	Replacement Seal	Declared (Hazard Class / General Cargo / Other)	Freight	Tank	Refer	Country of Origin
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								
13.								
14.								
15.								
16.								
17.								
18.								
19.								
20.								

7. Notes

Involved Party:
_____ Signature:
(Owner/Shipper/Agent/Custodian-Printed Name)

USCG Container Inspector:
_____ Signature:
(Qualified Container Inspector-Printed Name)

CG-5577A (08/18) Reset

Privacy Act Statement

Authority: 46 U.S.C. § 70011; 46 U.S.C. § 80503; 49 U.S.C. § 5101-5128; 33 C.F.R. § 160; 49 C.F.R. § 171-180; and 49 C.F.R. § 453

Purpose: To document the outcome of International Safe Container Act safety examinations, International Maritime Dangerous Goods Code compliance verification examinations, or U.S. Federal Hazardous Materials (HAZMAT) Transportation Law compliance examinations conducted by the U.S. Coast Guard when no deficiencies have been identified.

Routine Uses: This information will be used to assist the Department of Homeland Security in responding to incidents that may occur as a result of hazardous material transportation operations, and may be disclosed externally as a "routine use" pursuant to DHS/USCG-013, Marine Information for Safety and Law Enforcement (MISLE), 74 Federal Register 30305 (June 25, 2009).

Disclosure: Furnishing this information is voluntary. However, failure to provide this information may result in the delay of transportation authorization or other enforcement actions.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB number.

The Coast Guard estimates that the average burden for this report is 2 minutes. You may submit any comments concerning the accuracy of this burden estimate or any suggestion for reducing the burden to: Commandant (CG-FAC), U.S. Coast Guard Stop 7501, 2703 Martin Luther King Jr Ave SE, Washington, DC 20593-7318 or Office of Management and Budget, Paperwork Reduction Project (1625-0042), Washington, DC 20503.

DEPARTMENT OF HOMELAND SECURITY
U.S. Coast Guard
INTERMODAL CONTAINER TARGETED INSPECTION LIST

1. Date of Targeting	2. Scheduled Inspection Date
3. Captain of the Port (COTP) Zone	4. Facility/Company

5. Container(s) Identified for Inspection

No.	Container Identification	Hazard Class	Location
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

6. Notes

All container(s) identified on this form are hereby selected to be inspected by the U.S. Coast Guard at the location identified in Block 4 of this form. Upon conclusion of Container Inspection activities on the scheduled date in Block 2, a Form CG-5577 Intermodal Container Inspection Report or CG-5577A Intermodal Container Non-Deficiency Inspection Report will be issued, conveying further U.S. Coast Guard guidance. At the conclusion of U.S. Coast Guard Container Inspection activities, any container(s) identified on this form that do not receive a disposition in an associated CG-5577 or CG-5577A form, are hereby released and can reenter the transportation stream. In no circumstances will any container, identified on this form, be held for inspection beyond the date indicated in Block 2, without additional U.S. Coast Guard documentation.

Involved Party: _____ Signature:
(Owner/Shipper/Agent/Custodian-Printed Name)

USCG Container Inspector: _____ Signature:
(Qualified Container Inspector-Printed Name)

PENALTIES FOR VIOLATING THIS DETENTION ORDER

Civil or criminal penalties for violation of this Detention Order may be issued in accordance with 46 U.S.C. 70036(a) and 46 U.S.C. 70036(b).

CG-5577B (09/18)

PRIVACY NOTICE
Authority: 46 U.S.C. § 70011; 46 U.S.C. § 80503; 49 U.S.C. § 5101-5128; 33 C.F.R. § 160; 49 C.F.R. § 171-180; and 49 C.F.R. § 453. **Purpose:** To document and notify all involved parties of intent to inspect identified intermodal container(s). Identified intermodal containers on this list will be subject to International Safe Container Act safety examinations, International Maritime Dangerous Goods Code compliance verification examinations, and/or U.S. Federal Hazardous Materials (HAZMAT) Transportation Law compliance examinations by U. S. Coast Guard Container Inspectors. **Routine Uses:** The information will be used to assist the Department of Homeland Security in responding to incidents that may occur as a result of hazardous material transportation operations, and may be disclosed externally as a "routine use" pursuant to DHS/USCG-013, Marine Information for Safety and Law Enforcement (MISLE), 74 Federal Register 30305 (June 25, 2009). **Disclosure:** Furnishing this information is voluntary. However, failure to provide this information may result in the delay of transportation authorization or other enforcement actions.
An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB number. The Coast Guard estimates that the average burden for this report is 3 minutes. You may submit any comments concerning the accuracy of this burden estimate or any suggestion for reducing the burden to: Commandant (CG-FAC), U.S. Coast Guard Stop 7318, 2703 Martin Luther King Jr Ave SE, Washington, DC 20593-7318 or Office of Management and Budget, Paperwork Reduction Project (1625-0042), Washington, DC 20503.

APPENDIX E. Detention Sticker for Containers

BY ORDER OF THE U.S. COAST GUARD
CAPTAIN OF THE PORT (COTP)
ZONE PHONE( )

DO NOT SHIP, MOVE, OR RELOAD THIS CONTAINER

EXCEPT AS INSTRUCTED BY A
USCG COTP REPRESENTATIVE

INSTRUCTIONS FOR CONTAINER #
LOCATED AT

THIS DETENTION ORDER IS ISSUED UNDER 49 CFR 453.1 & 33 CFR 160.109

PENALTIES FOR VIOLATION OF THIS DETENTION ORDER:
Civil or criminal penalties for violation of this Detention Order may be issued in accordance with 46 U.S.C. 80509, 46 U.S.C. 70036(a), and 46 U.S.C. 70036(b).