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United States Coast Guard

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COMDTINST 16715.5A  
01 NOV 2021

COMMANDANT INSTRUCTION 16715.5A

Subj: MARINE SAFETY CENTER REGULATION INTERPRETATION RESPONSIBILITY

1. PURPOSE. This Instruction is promulgated to notify Coast Guard personnel involved in the Prevention Program of the Marine Safety Center's (MSC) authority to make interpretations of regulations related to vessel plan review. Consistent with MSC's role as the maritime community "window" to technical issues related to commercial vessel plan review, it is within their purview to interpret existing regulations and technical requirements without forwarding to Commandant for action.
2. ACTION. All Coast Guard unit commanders, commanding officers, officers-in-charge, deputy/assistant commandants, and chiefs of headquarters staff elements shall comply with the provisions of this Instruction. .
3. AUTHORIZED RELEASE. Internet release is authorized.
4. DIRECTIVE AFFECTED. Marine Safety Center Regulation Interpretation Responsibility, COMDTINST 16715.5 is cancelled.
5. BACKGROUND. Upon commissioning in 1986, the MSC concentrated its resources on detailed review of drawings and calculations submitted to demonstrate compliance with the Code of Federal Regulations. Frequently, the plan review process involves designs for which regulatory interpretations are essential prior to system approval. The authority for these technical determinations originally rested with the Office of Design and Engineering Standards (CG-ENG). Through day to day involvement in the plan review process, MSC personnel gain an excellent working knowledge of the regulations, which positions them well to provide consistent and uniform application of regulations. In 1994, when this Directive was first published, it was acknowledged that we needed a more responsive process to better support vessel designers pushing the design envelope to maintain pace with an innovative and dynamic market. That need has not changed. Since this Directive was first published, the MSC has been successfully making technical

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and regulatory determinations as part of the plan review process and continues to provide the added benefit of “one stop shopping” for the industry, placing it in a better position to serve its customers.

6. DISCLAIMER. This guidance 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.
7. MAJOR CHANGES. This Instruction revision includes updates to the program.
8. SCOPE AND AUTHORITIES. Pursuant to 46 CFR § 1.01-10(e)(5), the Commanding Officer, Marine Safety Center, under the direction of the Assistant Commandant for Prevention Policy (CG-5P) and the Director of Commercial Regulations and Standards (CG-5PS), conducts reviews and approvals of plans, calculations, and other materials concerning the design, construction, alterations, and repair of commercial vessels to determine conformance with the marine inspection laws, regulations, and implementing directions, and administers the U.S. Tonnage Measurement program.
9. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS.
  - a. The Office of Environmental Management (CG-47) reviewed the development of this Instruction, and the general policies contained within it, and determined that this policy falls under the Department of Homeland Security (DHS) categorical exclusion A3. No further environmental analysis is necessary in accordance with the U.S. Coast Guard Environmental Planning Policy, COMDTINST 5090.1 (series).
  - b. This Instruction will not result in any substantial change to existing environmental conditions or violation of any applicable federal, state, or local laws relating to the protection of the environment. It is the responsibility of the action proponent to evaluate all future specific actions resulting from this policy for compliance with the National Environmental Policy Act (NEPA), other applicable environmental mandates, and the U.S. Coast Guard Environmental Planning Policy, COMDTINST 5090.1 (series).
10. DISTRIBUTION. No paper distribution will be made of this Instruction. An electronic version will be located on the following Commandant (CG-612) web sites.  
Internet: <http://www.uscg.mil/directives/>, and  
CGPortal: <https://cg.portal.uscg.mil/library/directives/SitePages/Home.aspx>.
11. RECORDS MANAGEMENT CONSIDERATIONS. Records created as a result of this Instruction, regardless of format or media, shall be maintained and dispositioned in accordance with the records retention schedules located on the Records Resource Center CGPortal site: <https://cg.portal.uscg.mil/units/cg61/CG611/SitePages/Home.aspx>.
12. POLICY. Determinations concerning regulatory implementation of a technical nature will continue to be performed by the MSC. A consequence of providing technical determinations of existing regulations is frequently the creation of policy and it is recognized that the MSC will often be establishing policy in the plan review area. However, program policy will remain the responsibility of the Office of Prevention Policy (CG-5P). It may be difficult to

clearly define for the maritime community and Coast Guard field units the boundary between these two categories. In this regard, the MSC will continue to be the first point of contact for all interpretations of technical requirements involving commercial vessel design and plan review approval. The MSC will determine if the request falls under their authority and if so, will handle accordingly. If the request requires a determination affecting program policy, MSC will forward to the appropriate office within Commandant (CG-5P). Likewise, any waivers or exemptions from the regulations will remain the responsibility of Commandant (CG-5P). The MSC and Commandant (CG-5P) will maintain effective communications to ensure that technical decisions and interpretations made by the MSC are fed back into continued improvement of the regulations.

13. FORMS/REPORTS. None.
14. SECTION 508. This Instruction was created to adhere to Accessibility guidelines and standards as promulgated by the U.S. Access Board. If changes are needed, please communicate with the Coast Guard Section 508 Program Management Office at [Section.508@uscg.mil](mailto:Section.508@uscg.mil).
15. REQUEST FOR CHANGES. Recommendations for changes or improvements to this Instruction are welcome and may be submitted in memo format via the chain of command to COMDT (CG-ENG).

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