Offshore Marine Service Association

935 Gravier Street
Suite 1120
New Orleans, LA 70112
(504) 528-9411
www.OffshoreMarine.org

September 12, 2025

Admiral W. R. Arguin
Assistant Commandant for Prevention Policy (CG-5P)
U.S. Coast Guard Headquarters
2703 Martin Luther King Jr. Avenue SE,
Washington, DC 20593-7318

Re: Recommendation to Assist the U.S. Coast Guard in Identifying Regulations to Revoke per the Direction of Executive Order 14192 and Executive Order 14267—Revoking 95 Regulations Creating Type-Approval Based Regulations.

Dear Admiral Arguin:

The Offshore Marine Service Association (OMSA) wholeheartedly supports the Administration's focus on reducing unnecessary regulations. To support this mission, OMSA respectfully urges the USCG to revoke ALL regulations which require the U.S. Coast Guard (USCG) to approve a type of equipment before this equipment can be installed or used on a U.S.-flagged vessel. Adopting this recommendation will eliminate 95 regulations without any adverse impacts to safety, the environment, or property.

Type-approval regulations "create unnecessary barriers to entry for new market participants", "limit competition between competing entities", and "create or facilitate licensure or accreditation requirements that unduly limit competition."[1] Thus, enacting this request will "significantly reduce the private expenditures required to comply with Federal regulations."[2]

More specifically, this system increases industry costs and burdens by causing suppliers to incur unnecessary and duplicative costs associated with securing USCG type approval. Subsequently, these costs are passed along to U.S. vessel operators, causes the USCG to needlessly expend resources approving equipment, attempts to have USCG personnel overrule the expert judgement of subject matter experts, and degrades safety by depriving U.S.-flagged vessels of the best equipment. Further, the type-approval system in some instances has led to out-of-service time for commercial vessels, has disrupted maritime commerce, and has resulted in arbitrary detentions, fines, and penalties without improving safety, functionality, or a reduction of risk.

WHO WE ARE;

OMSA is America's lifeline to offshore energy, representing the segment of the U.S. maritime industry that is engaged in offshore energy. More specifically, we represent approximately 140 companies that own, operate, or provision the vessels that construct, repair, service and supply the production, exploration, and development of offshore energy resources. These companies directly employ some 12,000 mariners operating roughly 1,200 U.S.-flag vessels worldwide. OMSA makes this recommendation after consulting with numerous of its member companies to determine what regulatory revocation could make the greatest impact on the industry. However,

[1] EO 14267: *Reducing Anti-Competitive Regulatory Barriers,* The White House, April 9, 2025
[2] Executive Order 14192, *Unleashing Prosperity Through Deregulation,* The White House, January 31, 2025

OMSA makes this recommendation without prejudice against any comments or recommendations made by any specific OMSA-member company.

GENERAL INFORMATION ABOUT TYPE-APPROVAL REGULATIONS:

Within this section, OMSA provides justification for eliminating the concept of type approval by providing general information about the type-approval system and examples of the absurdities of specific type approval regulations. Importantly, it should be noted that the elimination of type approval requirements does not remove safety considerations; instead, risk is mitigated by ensuring that equipment continues to meet rigorous alternative standards established by internationally recognized organizations or industry bodies.

While OMSA has made a good-faith effort to find and report all examples of USCG type-approval regulations, OMSA recommends that after the below enumerated regulations are revoked, the USCG conduct a thorough review of the *Code of Federal Regulations* to find and revoke any other regulations that include this flawed equipment approval system. In this effort, OMSA proposes that the USCG delegate its Federal Advisory Committees (FACAs) to find and propose for revocation other regulations which require the USCG to approve a type of equipment before that equipment is placed on USCG vessels.

As noted on the USCG website,

> Type Approval is the primary process for equipment and materials to receive Coast Guard approval. For equipment or materials to receive Type Approval, they must be demonstrated to comply with the relevant requirements in the regulations, successfully complete the specified tests, and be enrolled in a quality control or follow up program as required. The Coast Guard establishes technical and testing requirements for approved equipment found in 46 CFR Subchapter Q (Note – For the carriage and arrangement requirements for this equipment, please refer to the applicable Subchapter for the vessel in question). Equipment manufacturers are responsible for having the testing done, often by an independent laboratory.[3]

Said another way:

> The USCG duplicates the work of internationally recognized subject matter experts to craft a bespoke approval process and requirements for pieces of equipment. The USCG also creates unique tests to verify the equipment has met these requirements and verifies the equipment and equipment manufacturers are enrolled in an existing quality management program which is very likely operated by an internationally recognized third party which provides appropriate and targeted rules, approval, and auditing processes. The above work conducted by the USCG may (or may not) be congruent with existing international or industry-based standards and testing regimes and may (or may not) be drafted by USCG officials with sufficient relevant knowledge and experience. Ultimately, the assurance the type-approval system provides that equipment is not substandard or inappropriate is already secured through robust, internationally recognized certification and approval processes that exist independently of the USCG framework.

In practice, this process only causes delays and increased costs without any guarantee that the USCG created process is any better than the industry standard. Further, because manufacturers often cannot make a financial justification for complying with the USCG type-approval process, they will simply skip seeking or securing USCG approval. As a result, U.S. vessel owners are deprived—or at the very least delayed—from being able to purchase the best equipment in the market.

[3] As found at, https://www.dco.uscg.mil/CG-ENG-4/Equipment/ (Accessed on July 22, 2025).

OMSA members have identified the following type approvals which are representative of the problems caused with the type-approval concept, however, OMSA and OMSA members readily admit this is not a complete list.

EXAMPLES OF THE PROBLEMS ASSOCIATED WITH THE TYPE-APPROVAL SYSTEM:

46 C.F.R. 162.060, Ballast Water Treatment Systems:
The above cited regulation should be repealed and replaced with acceptance of a statement from a Recognized Organization (RO) that the vessel meets the IMO Ballast Water Standard.

While the IMO's *International Convention for the Control and Management of Ships' Ballast Water and Sediments* (BWM) provides flag states with the flexibility to approve ballast water treatment systems without mandatory independent testing, the USCG promulgated the above regulations specifically requiring shore-based and ship-based testing completed by accredited testing facilities.[4] When the ballast water regulations were being finalized, one expert consult assumed that under a "best-case scenario" it would take manufacturers two years and four months to secure type approval, with a "most-likely scenario being 32 to 36 months."[5]

This prediction turned out to be accurate as the regulation was published as a Final Rule on March 23, 2012. The first type approval was not granted until December 2, 2016, and only six (6) systems had been approved by the end of October of 2017.[6]

While the USCG was replicating work completed by other bodies in establishing ballast water standards and testing equipment—that had already been tested—against these standards, delays were caused. As a result, there were not USCG type-approved ballast water systems to be installed by the applicable regulatory deadlines.[7] As a result, the USCG had to issue an extension of compliance deadline which allowed vessel operators to apply for an extension to meet the requirement.[8] Said another way, because the USCG had caused delays in the market producing equipment necessary to meet a USCG-created standard, vessel operators had to incur costs and expend resources to apply for—and draft a justification for—an extension. All of these costs could have been avoided by simply adopting the international standard and approval system.

46 C.F.R. 160.156(b)(7)—Rescue Boats and Fast Rescue Boat (Engines):
As listed below, OMSA urges the USCG to revoke all of 46 C.F.R. 160.156, however, the above-listed regulation regarding the engines for rescue boats is particularly instructive of how the type-approval system "increase[es] compliance costs."[9] The USCG should revoke this regulation because it is overly prescriptive and has led to a complete lack of approved engines for rescue boats in certain geographic markets. Instead, the USCG should require vessel owners to source rescue boat engines that meet the requirements and provide evidence of this fact to the USCG.

Louisiana represents one of the nation's primary centers for vessel operations and is a significant hub for vessels requiring a rescue boat. Logically, vessel owners in Louisiana should have ready access to approved rescue boat

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[4] Convention can be found here, https://www.imo.org/en/about/conventions/pages/international-convention-for-the-control-and-management-of-ships%27-ballast-water-and-sediments-%28bwm%29.aspx (Accessed July 22, 2025).
[5] "Report to St. Lawrence Seaway Development Corporation Regarding Ballast Water Type Approval Process and Obstacles Associated with Installation of Non-Coast Guard Type Approved Ballast Water Management Systems," International Environmental and Safety Associates, January 9, 2012.
[6] *77 FR 17254,* "Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters" 2012-6579
Report from the Marin Safety Center on BWMS Type Approval Status, Available here: https://www.dco.uscg.mil/Portals/9/DCO%20Documents/Marine%20Safety%20Center/BWMS%20Approval%20Status.pdf, Accessed August 27, 2025.
[7] Per the Table at 33 C.F.R. 151.2035(b) these deadlines started upon delivery for any new vessel built on or after December 1, 2013 and continued through first scheduled dry docking after January 1, 2016.
[8] 33 C.F.R. 151.2036
[9] Executive Order 14192, *Unleashing Prosperity Through Deregulation,* The White House, January 31, 2025

engines within the state. However, this is not the case. According to the USCG's official registry of accepted engine suppliers and models, there are currently no USCG type-approved rescue boat engines available in Louisiana.[10]

At issue, is the fact that there WAS only one type-approved rescue boat engine for purchase in the state of Louisiana, the Evinrude E-TEC.[11] However, in 2020, Evinrude discontinued the E-TEC line of engines, leaving one of the largest markets for USCG type-approved rescue boat engines without a source of these engines.[12] Thereby causing Louisiana vessel owners to expend resources to source, purchase, and transport rescue boat engines from more distant locations.

Rather than creating this artificial market shortage, it would be more effective for the USCG to focus its limited resources on ensuring that rescue crafts are operated safely and in an environmentally responsible manner aboard vessels.

46 C.F.R. 160.151—Inflatable Liferafts (SOLAS):
The regulations for inflatable liferafts on a SOLAS vessel are ripe for revocation because, despite their extraordinary length and complexity—spanning over 11,000 words—the core requirement simply reiterates the need to follow existing IMO and International Standards Organization (ISO) standards, which are already globally recognized and incorporated by reference. As such, the layered on USCG regulations almost exclusively increase costs for all parties and "create unnecessary barriers to entry for new market participants."[13] As such, this regulation should be repealed and replaced with a simple requirement that vessel operators are required to secure inflatable liferafts meeting IMO standards.

The bulk of the voluminous 46 C.F.R. 160.151 is mostly devoted to the procedures for how manufacturers of liferafts—liferafts that in all likelihood have been audited and approved by third parties to meet the international standards—should seek and secure type approval from the USCG. Per the regulations, the application manufacturers submit to seek such approval must include:

- The preapproval review information that is required under 46 C.F.R. 159.005-5
- General-arrangement drawing including principal dimensions;
- Seating-arrangement plan;
- Plans for subassemblies;
- Plans for carriage and, in detail, stowage of equipment;
- Plans for the inflation system;
- Plans for the outer container;
- Plans for any lifting shackle or ring, including diameter in cross-section, used for connecting the suspension tackle of a davit-launched inflatable liferaft to the automatic disengaging device used for its hoisting and lowering;
- Other drawing(s) necessary to show that the inflatable liferaft complies with the requirements of this subpart;
- Description of methods of seam and joint construction;
- Samples and identification of each material used in the buoyancy chambers, floor, and canopy, including the identity of their manufacturers, and segments of each type of seam made from such materials; and
- Complete data pertinent to the installation and use of the proposed inflatable liferaft, including the maximum proposed height of its installation above the water, and the maximum length of the sea painter installed in the inflatable liferaft.[14]

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[10] "USC Accepted Lifeboat/Rescue Boat Engines," United States Coast Guard "May 8, 2019, available at https://www.dco.uscg.mil/Portals/9/Engine%20List_20190508.pdf, (Accessed on July 23, 2025).
[11] *Id. (*See page 6 and 7).
[12]"BRP Advances Marine Strategy by Focusing on Boats and New Technologies," May 27, 2020, Available at https://news.brp.com/node/11576/pdf), (Accessed July 28, 2025).
[13] EO 14267: *Reducing Anti-Competitive Regulatory Barriers,* The White House, April 9, 2025
[14] As quoted from 46 C.F.R. 160.151-11(b)

Again, this extensive list of requirements must be submitted by lifeboat manufacturers for lifeboats that are already approved as meeting the IMO requirements. Once the lifeboat manufacturer has completed the above-stated process, it must then produce a prototype for approval. Again, the *Code of Federal Regulations* is very prescriptive in how this prototype is to be produced. Under 46 C.F.R. 160.151-13 this process is even more prescriptive and includes (as examples):

- How the manufacturer should arrange for an independent laboratory to inspect the liferaft during its fabrication;
- How the independent laboratory's report should be submitted to the USCG;
- When the manufacturer can schedule approval tests after being told by the USCG that the USCG accepts the independent laboratory's report (if this report is in fact accepted by the USCG);
- How the manufacturer is to notify the cognizant Officer in Charge of Marine Inspections (OCMI) of when and where the approval tests will be occurring, ensuring this notification time is compatible with the OCMI's schedule so that he or she may attend;
- What spaces within the manufacturer's facility that the USCG must be allowed access to during the approval test to ensure the manufacturer is following is quality assurance program;
- What affidavits and invoices from suppliers must be made available to the USCG inspector so that this inspector can ensure that the manufacturer's quality management system is followed; and
- What information should be included from the final report that results from these tests.

This entire process is not only an immense drain on the manufacturer's resources but it also wastes valuable USCG resources tying up USCG inspector's time conducting work—such as verifying compliance with a quality management program—that is duplicative of what other competent internationally recognized bodies have done and is far outside the competency of a marine inspector.

46 C.F.R. 162.027—Combination Fire Hose Nozzles:
Similar to the regulations for SOLAS inflatable liferafts, the regulations on combination fire hose nozzles are another example of a type-approval regulation that must be revoked. This regulation is almost directly repetitive of internationally recognized standards, yet adds additional administrative burdens on manufacturers which "create or facilitate licensure or accreditation requirements that unduly limit competition."[15] As such, this regulation should be revoked and replaced with a simple requirement that vessel operators comply with the below-described industry standard. Adopting this approach is risk neutral, as it relies on robust, widely accepted standards that already ensure product quality and safety.

According to its website, ASTM (formerly the American Society for Testing and Materials) "is a globally recognized leader in the development and delivery of voluntary consensus standards. Today, 13,000 ASTM standards are used around the world to improve product quality, enhance health and safety, strengthen market access and trade, and build consumer confidence.[16]

Considering this pedigree, the ASTM standard for combination fire hose nozzles (ASTM F1546-96 "Standard Specification for Fire Hose Nozzles") is the accepted international standard.[17] For that reason, the above-referenced section of the *Code of Federal Regulations* incorporates this standard by reference.[18] The regulation should simply stop there. Instead, the regulation continues to describe detailed processes for how

[15] EO 14267: *Reducing Anti-Competitive Regulatory Barriers,* The White House, April 9, 2025
[16] ASTM Website "Detailed Overview," Available at: https://www.astm.org/about/detailed-overview (Accessed July 24, 2025).
[17] ASTM F1546-96(2018) Standard Specification for Fire Hose Nozzles," Available at: https://store.astm.org/f1546-96r18.html, (Accessed July 24, 2025).
[18] 46 C.F.R. 162.027-2.

manufacturers of fire hose nozzles—again, manufacturers that are already certified as meeting the ASTM standard—can seek and secure USCG type approval. As described in the above section of inflatable liferafts, the fire hose nozzle type approval process laid out in 46 C.F.R. 162.027-4 is excessively detailed and serves as a barrier preventing manufacturers from securing USCG type approval, which, in turn, limits the market that U.S. vessel operators can purchase from. As such, this regulation should be revoked and replaced with a simple requirement that the owners of vessels employing combination fire hose nozzles submit proof that their nozzles meet the above-referenced international standard.

OTHER USCG TYPE APPROVAL REGULATIONS THAT SHOULD BE REVOKED:

The four examples above illustrate key problems with the USCG type-approval system, but many other regulations share similar issues. Due to space, this letter does not detail how each type-approval rule "creates unnecessary barriers to entry," "limits competition," or "facilitates restrictive licensure requirements."[19] Instead, we provide a bulleted list of additional problematic USCG type-approval regulations below. OMSA recommends revoking these regulations and replacing them with a requirement for vessel operators to use equipment independently verified to meet the industry or international standards cited in the regulation. Each of these regulations should be revoked and replaced with a simple requirement that vessel operators use equipment that has been independently verified as meeting the industry or international standard which is incorporated by the regulation:

- 46 C.F.R. 160.010—Buoyant Apparatus for Merchant Vessels;
- 46 C.F.R. 160.016—Lamps, Safety, Flame, for Merchant Vessels;
- 46 C.F.R. 160.017—Chain Ladder;
- 46 C.F.R. 160.021—Hand Red Flare Distress Signals;
- 46 C.F.R. 160.022—Floating Orange Smoke Distress Signals (5 Minutes);
- 46 C.F.R. 160.023—Hand Combination Flare and Smoke Distress Signals;
- 46 C.F.R. 160.024—Pistol-Projected Parachute Red Flare Distress Signals;
- 46 C.F.R. 160.027—Life Floats for Merchant Vessels;
- 46 C.F.R. 160.028—Signal Pistols for Red Flare Distress Signals;
- 46 C.F.R. 160.031—Line-Throwing Appliance, Shoulder Gun Type (and Equipment);
- 46 C.F.R. 160.036—Hand-Held Rocket-Propelled Parachute Red Flare Distress Signals;
- 46 C.F.R. 160.037—Hand Orange Smoke Distress Signals;
- 46 C.F.R. 160.038—Magazine Chests, Portable, for Merchant Vessels;
- 46 C.F.R. 160.040—Line-Throwing Appliance, Impulse-Projected Rocket Type (and Equipment);
- 46 C.F.R. 160.042—Skids, Liferaft, for Merchant Vessels;
- 46 C.F.R. 160.045—Recreational Throwable PFDs;
- 46 C.F.R. 160.046—Emergency Provisions;
- 46 C.F.R. 160.049—Specification for a Buoyant Cushion Plastic Foam;
- 46 C.F.R. 160.050—Specification for a Buoy, Life Ring, Unicellular Plastic;
- 46 C.F.R. 160.051—Inflatable Liferafts for Domestic Service;
- 46 C.F.R. 160.053—Work Vests, Unicellular Plastic Foam;
- 46 C.F.R. 160.055—Life Preservers, Unicellular Plastic Foam, Adult and Child, for Merchant Vessels;
- 46 C.F.R. 160.056—Rescue Boat;
- 46 C.F.R. 160.057—Floating Orange Smoke Distress Signals (15 Minutes);
- 46 C.F.R. 160.058—Desalter Kits, Sea Water, for Merchant Vessels;
- 46 C.F.R. 160.060—Specification for a Buoyant Vest, Unicellular Polyethylene Foam, Adult and Child;
- 46 C.F.R. 160.062—Releases. Lifesaving Equipment, Hydraulic and Manual;
- 46 C.F.R. 160.064—Marine Buoyant Devices;
- 46 C.F.R. 160.066—Distress Signal for Boats, Red Aerial Pyrotechnic Flare;
- 46 C.F.R. 160.072—Distress Signals for Boats, Orange Flag;
- 46 C.F.R. 160.073—Float-Free Link or Life Floats and Buoyant Apparatus;
- 46 C.F.R. 160.076—Inflatable Recreational Personal Flotation Devices;

[19] EO 14267: *Reducing Anti-Competitive Regulatory Barriers,* The White House, April 9, 2025

- 46 C.F.R. 160.115—Launching Appliances—Winches;
- 46 C.F.R. 160.132—Launching Appliances—Davits;
- 46 C.F.R. 160.133—Release Mechanisms for Lifeboats and Rescue Boats;
- 46 C.F.R. 160.135—Lifeboats;
- 46 C.F.R. 160.156—Rescue Boats and Fast Rescue Boats (SOLAS);
- 46 C.F.R. 160.170—Davit-Launched Liferaft Automatic Release Hooks (SOLAS);
- 46 C.F.R. 160.171—Immersion Suits;
- 46 C.F.R. 160.174—Thermal Protective Aids;
- 46 C.F.R. 160.176—Inflatable Lifejackets;
- 46 C.F.R. 160.255—Commercial Lifejackets;
- 46 C.F.R. 160.264—Wearable Recreational Personal Flotation Devices (PFDs);
- 46 C.F.R. 160.276—Wearable Recreational Inflatable Personal Flotation Devices;
- 46 C.F.R. 161.002—Fire Detection Systems;
- 46 C.F.R. 161.006—Searchlights, Motor Lifeboat, for Merchant Vessels;
- 46 C.F.R. 161.010—Floating Electric Waterlight;
- 46 C.F.R. 161.011—Emergency Position Indicating Radiobeacons;
- 46 C.F.R. 161.012—Personal Flotation Device Lights;
- 46 C.F.R. 161.013—Electric Distress Light for Boats;
- 46 C.F.R. 162.017—General Provisions; Valves, Pressure-Vacuum Relief, for Tank Vessels;
- 46 C.F.R. 162.018—Safety Relief Valves, Liquefied Compressed Gas;
- 46 C.F.R. 162.028—Extinguishers, Fire, Portable, Marine Type;
- 46 C.F.R. 162.039—Extinguishers, Fire, Semi-portable, Marine Type;
- 46 C.F.R. 162.050—Pollution Prevention Equipment;
- 46 C.F.R. 162.060—Ballast Water Management Systems;
- 46 C.F.R. 162.161—Fixed Clean Agent Fire Extinguishing Systems;
- 46 C.F.R. 162.163—Portable Foam Applicators;
- 46 C.F.R. 163.003—Pilot Ladder;
- 46 C.F.R. 164.003—Kapok, Processed;
- 46 C.F.R. 164.006—Deck Coverings for Merchant Vessels;
- 46 C.F.R. 164.007—Structural Insulations;
- 46 C.F.R. 164.008—Bulkhead Panels;
- 46 C.F.R. 164.009—Noncombustible Materials for Merchant Vessels;
- 46 C.F.R. 164.012—Interior Finishes for Merchant Vessels;
- 46 C.F.R. 164.013—Foam, Unicellular Polyethylene (Buoyant, Slab, Slitted Trigonal Pattern);
- 46 C.F.R. 164.015—Plastic Foam, Unicellular, Buoyant, Sheet and Molded Shape;
- 46 C.F.R. 164.018—Retroreflective Material for Lifesaving Equipment;
- 46 C.F.R. 164.019—Personal Flotation Device Components;
- 46 C.F.R. 164.023—Thread for Personal Flotation Devices;
- 46 C.F.R. 164.105—Deck Assemblies (A-60) For SOLAS Vessels;
- 46 C.F.R. 164.106—Primary Deck Coverings for SOLAS Vessels;
- 46 C.F.R. 164.107—Structural Insulation (A-60) for SOLAS Vessels;
- 46 C.F.R. 164.108—Bulkheads (B-0 and B-15) for SOLAS Vessels;
- 46 C.F.R. 164.109—Non-combustible Materials (SOLAS);
- 46 C.F.R. 164.110—Continuous Ceilings (B-0 and B-15) (SOLAS);
- 46 C.F.R. 164.111—Draperies, Curtains, and Other Suspended Textiles;
- 46 C.F.R. 164.112—Interior Finish (Bulkheads and Ceiling Finishes) (SOLAS);
- 46 C.F.R. 164.117—Floor Finish (SOLAS);
- 46 C.F.R. 164.136—Fire Doors;
- 46 C.F.R. 164.137—Windows;
- 46 C.F.R. 164.138—Fire Stops (Penetration Seals);
- 46 C.F.R. 164.139—Dampers;
- 46 C.F.R. 164.141—Plastic Pipes;
- 46 C.F.R. 164.142—Bedding Components;

- 46 C.F.R. 164.144—Upholstered Furniture;
- 46 C.F.R. 164.146—Fire Door Control System (SOLAS);
- 46 C.F.R. 164.201—Fire-resisting Materials for High-speed Craft; and
- 46 C.F.R. 164.207—Fire-resisting Divisions for High-speed Craft.

We thank you for your thoughtful consideration of this request and look forward to working with you toward our shared goal of reducing the regulatory burden that U.S. companies face while enhancing the safety of our industry. OMSA stands ready to answer any questions you may have about this recommendation.

Sincerely,

Aaron C. Smith
President and CEO