§ 450.15 Termination of delegation.

(a) An Approval Authority may voluntarily terminate its delegation by giving written notice of its intent to the Chief, Office of Operating and Environmental Standards (CG-OES), U.S. Coast Guard. This notice must contain the date on which the termination is to be effective.

(b) An Approval Authority fails to comply with a condition of delegation.

(c) An Approval Authority is incompetent.

(b) When a delegation is withdrawn, the Chief, Office of Operating and Environmental Standards (CG-OES), U.S. Coast Guard gives the Approval Authority:

(1) Written notice of the facts or conduct believed to warrant the withdrawal.

(2) Opportunity to submit oral or written evidence.

(3) Opportunity to demonstrate or achieve compliance with the applicable requirement.

§ 451.1 Application for approval.

(a) Any owner of an existing container may apply for approval to the Commandant (CG-OES), Attn: Office of Operating and Environmental Standards, U.S. Coast Guard Stop 7509, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593–7509 or to any Approval Authority.

(b) Each application must include the following for each container:

(1) Application for approval.

(2) Action by Approval Authority.

(3) Alternative approval of existing containers.

(4) Application for individual approval.

(5) Action by approval authority-individual approval.

(6) Review of denials of approval.
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(1) Date and place of manufacture.
(2) Manufacturer’s identification number, if available.
(3) Maximum operating gross weight capacity.
(4) Allowable stacking weight for 1.8G (1.8 × Gross weight in kilograms or pounds).

NOTE: This value is the total load the container is designed to support when subjected to a vertical acceleration of 1.8G.

(5) A statement that the owner possesses documentary evidence that:
   (i) Container of this type has been safely used in marine or inland transport for a period of at least two years;
   or
   (ii) The container was manufactured to a design type which had been tested and found to comply with the technical conditions set out in Annex II to the convention with the exception of those technical conditions relating to the end-wall and side-wall strength tests;
   or
   (iii) The container was constructed to standards that were equivalent to the technical conditions set out in Annex II to the convention with the exception of those technical conditions relating to end-wall and side-wall strength tests.

(6) A certification by the owner, or, if the owner is a corporation, partnership or unincorporated association, by a person authorized to make such statements for the organization, that the information provided in the application is true and correct.


§ 451.5 Resubmission or appeal.

(a) Upon receipt of a denial of approval for certain containers, an owner may correct the noted deficiencies and resubmit the application without prejudice.

(b) An applicant aggrieved by a decision of an approval authority may obtain review of the decision by the Chief, Office of Operating and Environmental Standards (CG–OES), U.S. Coast Guard. The decision of the Chief, Office of Operating and Environmental Standards (CG–OES), U.S. Coast Guard is a final agency action.


§ 451.7 Alternative approval of existing containers.

(a) Existing containers that do not qualify for approval under this subpart may be presented for approval under the provisions of subpart B of this part. For such containers, the requirements of subpart B of this part, relating to the end and sidewall strength tests, do not apply. Upon showing that the containers have performed satisfactorily in service, the applicant may omit the presentation of drawings and testing, other than the lifting and floor strength test, if permitted by the approval authority.


Subpart B—Approval of New Containers

§ 451.11 Application for approval-general.

(a) An owner of a new container, or a manufacturer acting on behalf of an