

§ 101.125

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that they are in full compliance therewith. A copy of this letter shall be retained on board the vessel or kept at the facility to which it pertains along with a copy of the Alternative Security Program and a vessel, facility, or Outer Continental Shelf facility specific security assessment report generated under the Alternative Security Program.

(4) Owners or operators shall make available to the Coast Guard, upon request, any information related to implementation of an approved Alternative Security Program.

(c) *Approval of Alternative Security Programs.* You must submit to the Commandant (CG-5P) for review and approval the Alternative Security Program and the following information to assess the adequacy of the proposed Alternative Security Program:

(1) A list of the vessel and facility type that the Alternative Security Program is intended to apply;

(2) A security assessment for the vessel or facility type;

(3) Explanation of how the Alternative Security Program addresses the requirements of parts 104, 105, or 106, as applicable; and

(4) Explanation of how owners and operators must implement the Alternative Security Program in its entirety, including performing an operational and vessel or facility specific assessment and verification of implementation.

(d) *Amendment of Approved Alternative Security Programs.* (1) Amendments to an Alternative Security Program approved under this section may be initiated by—

(i) The submitter of an Alternative Security Program under paragraph (c) of this section; or

(ii) The Coast Guard upon a determination that an amendment is needed to maintain the security of a vessel or facility. The Coast Guard will give the submitter of an Alternative Security Program written notice and request that the submitter propose amendments addressing any matters specified in the notice. The submitter will have at least 60 days to submit its proposed amendments.

(2) Proposed amendments must be sent to the Commandant (CG-5P). If initiated by the submitter, the pro-

posed amendment must be submitted at least 30 days before the amendment is to take effect unless the Commandant (CG-5P) allows a shorter period. The Commandant (CG-5P) will approve or disapprove the proposed amendment in accordance with paragraph (f) of this section.

(e) *Validity of Alternative Security Program.* An Alternative Security Program approved under this section is valid for 5 years from the date of its approval.

(f) The Commandant (CG-5P) will examine each submission for compliance with this part, and either:

(1) Approve it and specify any conditions of approval, returning to the submitter a letter stating its acceptance and any conditions;

(2) Return it for revision, returning a copy to the submitter with brief descriptions of the required revisions; or

(3) Disapprove it, returning a copy to the submitter with a brief statement of the reasons for disapproval.

[USCG-2003-14792, 68 FR 39278, July 1, 2003, as amended at 68 FR 60471, Oct. 22, 2003; USCG-2013-0397, 78 FR 39173, July 1, 2013]

§ 101.125 [Reserved]

§ 101.130 Equivalent security measures.

(a) For any measure required by part 104, 105, or 106 of this subchapter, the owner or operator may substitute an equivalent security measure that has been approved by the Commandant (CG-5P) as meeting or exceeding the effectiveness of the required measure. The Commandant (CG-5P) may require that the owner or operator provide data for use in assessing the effectiveness of the proposed equivalent security measure.

(b) Requests for approval of equivalent security measures should be made to the appropriate plan approval authority under parts 104, 105 or 106 of this subchapter.

[USCG-2003-14792, 68 FR 39278, July 1, 2003, as amended by USCG-2013-0397, 78 FR 39173, July 1, 2013]