

which no regulations have been provided, the Commandant will act regarding the approval or disapproval thereof.

(b) If, in the development of industrial arts, improved materials or methods of construction are developed, their use in lieu of those specified will be given consideration upon formal application to the Commandant, with full information as to their characteristics, together with such scientific data and evidence as may be necessary to establish the suitability of such materials or methods of construction for the purpose intended.

**§ 50.20-33 Correspondence regarding approved plans.**

(a) The Coast Guard maintains records concerning plans, calculations, etc., of equipment approved in accordance with the regulations in this subchapter for 5 years. After 5 years from the date of original approval of a drawing, plan or calculation and related correspondence, any submittal or correspondence which refers to such documents shall be accompanied by copies of the documents, including pertinent correspondence.

**§ 50.20-35 Marine inspector's decisions.**

(a) When it becomes necessary for a marine inspector to make decisions on matters covered by the regulations in this subchapter or by requirements in referenced specifications, standards or codes, the inspector shall inform the owner or his representative of the requirement, which will be identified by source, section and paragraph number, on which the decisions are based. Whenever it is necessary to make decisions in matters not specifically covered by the regulations in this subchapter or by referenced requirements, the marine inspector shall clearly state the reasons which caused him to arrive at such decisions.

(b) If the owner or his representative disagrees with a decision made by the marine inspector, he shall take up the matter with the local Officer in Charge, Marine Inspection. The owner or his representative may appeal the decision of the Officer in Charge, Ma-

rine Inspection, in accordance with § 50.20-40.

**§ 50.20-40 Right of appeal.**

Any person directly affected by a decision or action taken under this subchapter, by or on behalf of the Coast Guard, may appeal therefrom in accordance with subpart 1.03 of this chapter.

[CGD 88-033, 54 FR 50380, Dec. 6, 1989]

**Subpart 50.25—Acceptance of Material and Piping Components**

**§ 50.25-1 General.**

(a) Materials and piping components used in the construction of boilers, pressure vessels, pressure piping systems, and related components are accepted by review of manufacturer or mill certificates under § 50.25-3 of this part, product marking in accordance with an adopted industry standard, or technical information indicating their compliance with the requirements of this subchapter.

(b) Plate, bar stock, pipe, tube, pipe joining fittings (tees, elbows, reducers, etc.), bolting, castings, forgings, and flanges, are accepted by review of manufacturer or mill certificates under §§ 50.25-3, 50.25-5, and 50.25-7 of this part.

(c) Valves, fluid conditioner fittings, and special purpose fittings complying with an adopted industry standard and marked in accordance with the standard are accepted through review of the marking indicating compliance with the adopted industry standard.

(d) Valves, fluid conditioner fittings, special purpose fittings, and pipe joining fittings not complying with an adopted industry standard are accepted for use on a case-by-case basis. Acceptance is granted by the Marine Safety Center or the Officer in Charge, Marine Inspection, having cognizance over the installation of the product. To obtain acceptance of a product, the manufacturer must submit, via the vessel owner or representative, the information described in § 50.25-10 of this part to the Marine Safety Center or the cognizant Officer in Charge, Marine Inspection.

**§ 50.25-3**

**46 CFR Ch. I (10-1-04 Edition)**

(e) Components designed for hydraulic service which require shock testing under § 58.30-15(f) of this chapter and nonmetallic flexible hose assemblies must be accepted by the Commandant (G-MSE). Manufacturers desiring acceptance of these products must submit information necessary to show compliance with §§ 56.60-25(c) or 58.30-15 of this chapter, as applicable. Acceptance of specific installations of acceptable nonmetallic flexible hose assemblies and shock tested hydraulic components is granted by the Marine Safety Center or the cognizant Officer in Charge, Marine Inspection, as described in paragraph (d) of this section.

(f) The vessel owner or representative shall make available to the Officer in Charge, Marine Inspection, the manufacturer or mill certificates, specific letters of acceptance, or approved plans necessary to verify that piping components comply with the requirements of this subchapter.

[CGD 77-140, 54 FR 40598, Oct. 2, 1989, as amended by CGD 95-072, 60 FR 50462, Sept. 29, 1995; CGD 96-041, 61 FR 50727, Sept. 27, 1996; USCG-2004-18884, 69 FR 58345, Sept. 30, 2004]

**§ 50.25-3 Manufacturer or mill certification.**

(a) A manufacturer or mill producing materials used in certain products for installation on inspected vessels, shall issue a certificate or mill test report which shall report the results of chemical analysis and mechanical properties required by the ASTM specification.

(b) This certificate shall be made available to the marine inspector and Officer in Charge, Marine Inspection, upon request to the fabricator. (For exception refer to § 50.25-5(d).)

[CGFR 68-82, 33 FR 18808, Dec. 18, 1968, as amended by CGD 77-140, 54 FR 40598, Oct. 2, 1989]

**§ 50.25-5 Products requiring manufacturer or mill certification.**

(a) Products required to be certified by a manufacturer or by mill certificate shall be fabricated and tested in accordance with the applicable specifications. Such products will not normally be subject to mill inspection by the Coast Guard except as required by § 50.25-7.

(b) The Officer in Charge, Marine Inspection, having cognizance over the installation of the products required to be certified shall ensure that adequate control has been exercised to identify the product with its manufacturer or mill certificate.

(c) In the event that the Officer in Charge, Marine Inspection, determines that handling of a product has been such that proper identification is not possible, he may:

(1) Require testing in his presence based on the applicable material or fabrication specification; or

(2) Reject the product on the basis that it cannot be properly identified.

(d) A product conforming to an acceptable material specification may, at the discretion of the Officer in Charge, Marine Inspection, be accepted without referring to its manufacturer or mill certification, if:

(1) The product is marked in accordance with the identification marking requirements of the specification;

(2) The marking alone is sufficient to identify that specification; and

(3) In the opinion of the Officer in Charge, Marine Inspection, the application of the product does not require knowledge of the exact chemical analysis or mechanical properties enumerated on the manufacturer or mill certificate.

[CGFR 68-82, 33 FR 18808, Dec. 18, 1968, as amended by CGD 77-140, 54 FR 40598, Oct. 2, 1989]

**§ 50.25-7 Testing of products required to be certified in presence of marine inspector.**

(a) Certified products are not normally tested in the presence of a marine inspector. The Commandant may, however, assign a marine inspector to witness tests required by the applicable specifications to satisfy himself that the requirements are met.

(b) Marine inspectors shall have free entry at all times to those parts of the plant where material subject to the regulations in this subchapter is being manufactured. The manufacturer shall provide marine inspectors all reasonable facilities to satisfy them that the material is being manufactured in accordance with the requirements of the Commandant.