

Coast Guard, DHS

§ 453.7

has been brought into compliance. Upon giving such notice, the owner, or his agent, may return the container to service.

[45 FR 37217, June 2, 1980]

§ 453.7 Appeal provisions.

(a) The owner, his agent, or the custodian of a container subject to a detention order or other order, may petition the Chief, Office of Operating and Environmental Standards (G-MSO), U.S. Coast Guard to review that order.

(b) The Chief, Office of Operating and Environmental Standards (G-MSO), U.S. Coast Guard requires independent surveys to determine the extent of deficiencies, if necessary. Upon completion of his review, including review of the results of any required independent surveys, the Chief, Office of Operating and Environmental Standards (G-

MSO), U.S. Coast Guard affirms, sets aside, or modifies the order.

(c) The owner of a container is liable for any costs incident to a petition for review including any independent surveys, and for any other costs incident to or resulting from detention or other control of a container.

(d) Unless otherwise determined by the Chief, Office of Operating and Environmental Standards (G-MSO), U.S. Coast Guard, a detention order or other order remains in effect pending the outcome of any petition or appeal of that order.

(e) The Chief, Office of Operating and Environmental Standards (G-MSO), U.S. Coast Guard acts on all appeals within ten days of receipt.

[45 FR 37217, June 2, 1980, as amended at 47 FR 50496, Nov. 8, 1982; 69 FR 58353, Sept. 30, 2004]