

**INTERNATIONAL MARITIME ORGANIZATION**  
4 ALBERT EMBANKMENT  
LONDON SE1 7SR

Telephone: 020 7587 3152  
Fax: 020 7587 3210



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MEPC/Circ.430  
3 March 2005

**IMPLEMENTATION PLAN TO PREPARE UNITED STATES FLAGGED  
OIL TANKERS FOR THE ENTRY INTO FORCE OF THE REVISED  
REGULATION 13G AND REGULATION 13H OF MARPOL ANNEX I**

**Communication received from the Administration of the United States**

1 A communication has been received from the Administration of the United States concerning the implementation plan to prepare United States flagged oil tankers for the entry into force of the revised regulation 13G and regulation 13H of MARPOL Annex I. The said regulations will enter into force on 5 April 2005.

2 At the request of the United States, the above-mentioned communication, annexed hereto, is circulated to Member States for their information.

U.S. Department of  
Homeland Security

United States  
Coast Guard



Commandant  
United States Coast Guard

2100 Second Street, S.W.  
Washington, DC 20593-0001  
Staff Symbol: G-MS  
Phone: (202) 267-2970  
Fax: (202) 267-4570

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Mr. K. Sekimizu  
Director, Marine Environment Division  
International Maritime Organization  
4 Albert Embankment  
London, SE1 7SR, United Kingdom

Dear Mr. Sekimizu:

This letter is to advise the Secretary-General of the U.S. implementation plan to prepare U.S. flagged tank vessels for the pending implementation of MARPOL 73/78, Annex I regulations 13G and 13H (as amended). Although the U.S. has not adopted the amended regulations, U.S. flagged tank vessels on international voyages and sailing in the waters of countries that have adopted regulations 13G and 13H may be impacted. In some cases, the disparity between U.S. law and the amended MARPOL regulations requires phase-out of single hull tank vessels before their Oil Pollution Act of 1990 (OPA 90) phase-out dates. Additionally, U.S. law does not require tank vessels to meet the requirements of the Condition Assessment Scheme (CAS).

Since the U.S. is not a party to the aforementioned amended regulations, the U.S. Coast Guard cannot enforce its provisions or compel U.S. vessel owners to comply. Further, because of our official reservation status, our national law does not recognize the amended MARPOL regulations, and the U.S. is not obligated to record MARPOL phase-out dates on the Form B Supplement of International Oil Pollution Prevention (IOPP) Certificates. In some cases, particularly for vessels sailing from one U.S. port to another via the Panama Canal, the United States desires to maintain valid IOPP Certification using OPA 90 phase-out information. In those rare cases of domestic operations of U.S. vessels, the Coast Guard will record OPA 90 phase-out dates on the IOPP Form B Supplement in accordance with U.S. law. In the spirit of international cooperation, the Coast Guard will continue to record MARPOL single hull phase-out dates on the Form B Supplement of IOPP Certificates for all other vessels sailing internationally. Moreover, while no CAS provisions exist in U.S. law, we encourage U.S. vessel operators to voluntarily comply with CAS as needed. We have established a voluntary program to meet this need and will issue a Statement of Voluntary Compliance to vessels that fully comply with Resolution MEPC.94(46). We are developing a directive which will outline this policy, which I will furnish to you when we complete the directive.

Thank you in advance for bringing this implementation plan to the attention of IMO Member States.

Sincerely,

A handwritten signature in cursive script that reads "Howard L. Hime".

**HOWARD L. HIME**  
Acting Chief of Standards  
Marine Safety, Security & Environmental  
Protection