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To: *Shipowners / Ship Managers, Operators, Masters and Classification Societies*

Dear Sir/Madam,

Procedure of Port State Control Inspections for Banning of Foreign Vessels by United States Coast Guard

1. This circular letter draws the attention of the concerned parties to the implementation of policy by the United States Coast Guard (USCG) to ban sub-standard foreign ships from entering any U.S. port.
2. The USCG has issued a directive on the "Banning of Foreign Vessels" (CG-543 Policy Letter 10-03 dated on 1 September 2010), which is a new policy outlining U.S. Coast Guard procedures for denying entry of certain foreign flagged commercial vessels into any port or place in the United States due to their history of operating in the U.S. waters in a sub-standard condition.
3. According to this policy, all foreign flagged vessels operating in the U.S. waters are required to be maintained in compliance with the U.S. regulations, international conventions and other required standards. However, when a vessel has been repeatedly detained by the USCG (totaling three detentions within a twelve-month period) and it is determined that failure to effectively implement the SMS onboard may be a contributing factor for the sub-standard ship conditions that led to the detentions, the USCG Headquarters (USCG-HQ) will issue a Letter of Denial prohibiting the ship from further entering any U.S. port until such time as certain actions are made to rectify the situation.
4. However, even if a vessel has less than three detentions in twelve months, a Letter of Denial may be issued to any vessel which, in the opinion of the USCG:
 - a. may possess a significant risk to the safety of the vessel, crew or the marine environment, or
 - b. has a history of accidents, pollution incidents, or serious repair problems

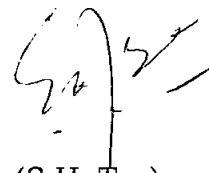
which creates reason to believe that such a vessel may be unsafe or create a threat to the marine environment, or

- c. has discharged oil or other hazardous material in violation of any law of the United States or in a manner or quantities inconsistent with the provisions of any treaty to which the United States is a party.

5. This policy went into effect on 1 September 2010. Consequently, the history of any ship entering the U.S. waters within the previous 12 months already applies, that is, detentions that have occurred within the previous twelve months since 1 September 2009 will be counted.

6. The Policy Letter and a list of vessels banned from operating in the U.S. are available at the U.S. Department of Homeland Security United States Coast Guard website (<https://homeport.uscg.mil/>), Missions > Port State Control > Foreign Vessel Safety > Banning of Foreign Vessels.

Yours faithfully,



(S.H. Tse)

Senior Surveyor/Cargo Ships Safety Section
for Director of Marine