

Subject :

Guidance regarding U.S. Coast
Guard Enforcement Policies with
respect to Annex I of MARPOL 73/78

NK TECHNICAL INFORMATION

No. 11

Date: 21 November 1983

To Shipowners and Shipyards concerned

Annex I of MARPOL 73/78 (so called "the Convention" hereafter) was effective internationally on 2 October 1983. In respect of the Convention, the U.S. Coast Guard will ensure that all foreign ships, that enter the navigable waters of the United States, or call at offshore terminals under U.S. jurisdiction, comply with the applicable provisions of the Convention. To this end --

1. New ships of Party states are to have on board valid IOPP Certificates and non-Party new ships are to have IOPP Certificate equivalency as of 2 October 1983. "IOPP Certificate Equivalency" means valid documentation showing that a non-Party ship has been surveyed in accordance with and complies with the requirements of MARPOL 73/78. Evidence of compliance may be issued by either the ship's flag-state government or a member Society of the IACS.
2. Existing ships of Party states are to have on board valid IOPP Certificates by 2 October 1984 and non-Party existing ships are to have IOPP Certificate equivalency by the same date.

If the ships do not have a valid IOPP Certificate or IOPP Certificate equivalency against the above USCG's requirements, the Coast Guard may take one or more of the following actions: issue a Letter of Warning, initiate civil penalty proceedings, restrict ship operations and/or detain the ship until the discrepancies are corrected.

On the other hand, some countries other than the U.S.A. may require ships calling at their ports to have a valid IOPP Certificate or certificate of compliance with the Convention.

Accordingly, would you please be suggested that:

irrespective of ships of Party states or non-Party states of the Convention,

1. new ships under the Convention are to have a valid IOPP Certificate or certificate of compliance with the Convention as soon as possible.
2. existing ships under the Convention are to have a valid IOPP Certificate or certificate of compliance by 2 October 1984.

Particularly, would you please pay attention to the foregoing U.S. Coast Guard's requirements in respect of the Convention.

