



16712  
9 July 1997

From: Commander, Eighth Coast Guard District  
To: Distribution

Subj: PROFICIENCY IN THE USE OF THE ENGLISH LANGUAGE BY A LICENSED  
DECK OFFICER ON A FOREIGN TANK VESSEL

1. Effective immediately, verification for English proficiency of at least one licensed deck officer on the navigation bridge shall be implemented during Port State Control boardings.
2. 33 U.S.C. 1228 requires a tank vessel to have at least one English speaking licensed deck officer on the bridge while underway on the navigable waters of the United States. 33 CFR 160.113(b)(4) also allows the District Commander and Captain of the Port to prohibit the operation of any tank vessel if, while underway, the vessel does not have at least one licensed deck officer on the navigating bridge who is capable of communicating in the English language. 33 CFR 160.113 applies to any foreign tank vessel operating on U. S. navigable waters.
3. Enclosure (1) contains sample questions typical of those used by pilots when assuming control of a vessel. These questions, as modified to meet the particular boarding scenario, could be used to assess the English proficiency of a licensed deck officer.
4. The International Conventions on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), contains many requirements for English proficiency on all foreign vessels. In keeping with guidance provided in enclosure (2), enforcement of the 1995 STCW Amendments, which include the English proficiency provisions, will be the subject of a future NVIC.
5. COTPs are encouraged to use all available means including newsletters and the advance notice of arrival system to advise mariners of this English proficiency requirement. Questions regarding this matter may be directed to LCDR Doug Blakemore, Chief, Port State Control Section, at (504) 589-6271.

A handwritten signature in cursive script that reads "G. A. Tetreau".  
G. A. TETREAU  
By direction

Encl: (1) English proficiency field examination guide  
(2) COMDT message 010100Z FEB 97

Dist: All Eighth District MSOs, MSU and MSDs

SAMPLE QUESTIONS ASKED BY THE PILOT BEFORE  
ASSUMING CONTROL OF A VESSEL

1. What is the vessel's practice for switching between heavy and light fuels?
2. What fuel is the vessel currently on?
3. How long does it take to switch from heavy to light fuel?
4. How many revolutions for maneuvering speed, full ahead and sea speed?
5. How long does it take to go from full ahead to full astern?
6. Is all your navigational and propulsion gear currently working?
7. Have you experienced any recent failures of navigational or propulsion equipment?
8. What are your draft and air draft?
9. What is your destination?
10. What method of communication is used between the bridge and bow anchor station
11. What method of communication is used between the bridge and the after steering station?
12. What was your last port of call?
13. Have you ever been to this port before? (If yes, how many times?)
14. How much advance notice do you need for a pilot change or taking on tugs?

**Enclosure ( 1 )**

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\* UNCLASSIFIED \*  
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SUBJ: PORT STATE CONTROL(PSC) PROCEDURES RELATING TO THE 1995  
AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF  
TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978  
(STCW)

1. THIS MESSAGE PROVIDES PROVISIONAL GUIDANCE FOR PORT STATE CONTROL PROCEDURES UNDER THE AMENDED STCW CONVENTION FOR FOREIGN FLAGGED SHIPS VISITING U.S. PORTS. IT WILL BE SUPERSEDED BY A NAVIGATION AND VESSEL INSPECTION CIRCULAR (NVIC) WITH MORE COMPREHENSIVE GUIDANCE IN NEAR FUTURE.
2. THE STCW CONVENTION WAS AMENDED IN 1995 BY A COMPREHENSIVE SET OF NEW REQUIREMENTS FOR FLAG ADMINISTRATIONS, OWNERS, OPERATORS AND PERSONNEL SERVING ON SEAGOING SHIPS. ON 26MAR96, THE COAST GUARD PUBLISHED A NOTICE OF PROPOSED RULEMAKING (NPRM) TO IMPLEMENT THE AMENDMENTS FOR ITS DOMESTIC FLEET. A FINAL OR INTERIM FINAL RULE HAS NOT YET BEEN PUBLISHED. IN THE MEANTIME, THE COAST GUARD WILL PUBLISH A NOTICE OF INTENT TO UPDATE THE PUBLIC AND THE AFFECTED U.S. INDUSTRY ON THE STATUS OF THE FINAL RULE.
3. THE COAST GUARD IDENTIFIES, AS PART OF THE NOTICE OF INTENT, ITS RULEMAKING WILL NOT BE PUBLISHED BEFORE THE DATE THAT THE STCW AMENDMENTS COME INTO FORCE AND AS A MATTER OF FAIRNESS AND LEGALITY, WILL NOT ENFORCE THE 1995 AMENDMENTS TO THE STCW CONVENTION UNTIL THE RULE IS IN EFFECT. IN KEEPING WITH THIS NOTICE, THE U.S. WILL NOT DETAIN SHIPS UNDER ITS PORT STATE CONTROL AUTHORITY FOR DEFICIENCIES THAT ONLY RELATE TO THE 1995 STCW AMENDMENTS, WITH THE EXCEPTION OF THOSE RELATED TO FATIGUE, UNTIL IT ENFORCES 1995 STCW AMENDMENTS ON SHIPS OF THE U.S. REGISTER. HOWEVER, FIELD UNITS SHOULD EXAMINE FOREIGN VESSELS FOR COMPLIANCE WITH THE AMENDED STCW CONVENTION IN ACCORDANCE WITH THIS MESSAGE UNTIL FURTHER NOTICE.
4. THE 1995 AMENDMENTS COME INTO FORCE ON 1FEB97, AND SHALL BE IMPLEMENTED BY ALL PARTIES TO THE CONVENTION DURING A FIVE YEAR TRANSITION PERIOD. FIELD UNITS CONDUCTING PORT STATE CONTROL EXAMINATIONS SHOULD HAVE PREVIOUSLY RECEIVED A COPY OF THE NEW STCW CONVENTION, AS AMENDED IN 1995.
5. THE MOST NOTABLE AMENDMENT IS THE ADDITION OF A TWO PART STCW CODE, DETAILING THE SPECIFIC STANDARDS OF COMPETENCY TO BE ACHIEVED BY TRAINING INSTITUTIONS, THE METHODS FOR DEMONSTRATING COMPETENCY, AND THE CRITERIA FOR EVALUATING COMPETENCY. THE CODE

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\* UNCLASSIFIED \*  
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**Enclosure ( 2 )**

IS DIVIDED INTO TWO SECTIONS, PART A OF THE CODE INCORPORATES MANDATORY REQUIREMENTS AND PART B PROVIDES RECOMMENDED GUIDELINES. BOTH PARTS A AND B MIRROR THE STCW CONVENTION (I.E., REG II/1 OF THE ANNEX TO THE STCW CONVENTION IS EXPANDED IN PART A-II/1 AND PART B-II/1 OF THE STCW CODE). IT IS NECESSARY TO UNDERSTAND ALL RELEVANT SECTIONS OF THE STCW CONVENTION AND THE NEW STCW CODE THAT PERTAIN TO EACH STCW REGULATION.

6. ANOTHER SIGNIFICANT AMENDMENT TO THE STCW CONVENTION IS THE EXPANSION OF THE PORT STATE CONTROL PROVISIONS IN REG I/4. UNDER THE 1978 CONVENTION, THE CONTROL PROCEDURES WERE LIMITED TO CONFIRMING THE MASTER AND OFFICERS IN CHARGE OF NAVIGATIONAL AND ENGINEERING WATCHES HELD CERTIFICATES CORRESPONDING TO THEIR POSITIONS. THE AMENDED CONVENTION PROVIDES FOR A BROADER RANGE OF ACTION TO VERIFY THAT CREWMEMBERS ARE NOT ONLY PROPERLY CERTIFICATED, BUT ARE ALSO COMPETENT TO PERFORM THEIR WATCHKEEPING RESPONSIBILITIES. UNDER THE 95 AMENDMENTS WHEN CLEAR GROUNDS EXIST (AS NOTED IN PARA 7) THE PORT STATE CONTROL OFFICER (PSCO) MAY ASSESS THE COMPETENCY OF SHIPBOARD PERSONNEL IN RESPECT TO OPERATIONAL WATCHKEEPING SKILLS, USING THE CRITERIA PROVIDED IN PART A OF THE STCW CODE.

7. THE AMENDED CONVENTION DEFINES CLEAR GROUNDS THAT MAY TRIGGER AN ASSESSMENT OF WATCHKEEPING SKILLS AS FOLLOWS: COLLISIONS, GROUNDINGS OR STRANDINGS; DISCHARGE OF SUBSTANCES WHICH ARE ILLEGAL UNDER ANY INTERNATIONAL CONVENTION; ERRATIC OR UNSAFE SHIP MOVEMENTS; OR A SHIP OTHERWISE BEING OPERATED IN SUCH A MANNER AS TO POSE A DANGER TO PERSONS, PROPERTY OR THE ENVIRONMENT. THIS INCLUDES AN ABSENCE IN THE WATCH OF A PERSON QUALIFIED TO OPERATE ESSENTIAL EQUIPMENT, AND VESSELS UNABLE TO PROVIDE PERSONNEL WHO ARE SUFFICIENTLY RESTED OR FIT FOR DUTY AT THE COMMENCEMENT OF A VOYAGE AND FOR SUBSEQUENT WATCHES.

8. SECTION B-I/4 OF THE STCW CODE, PROVIDES GUIDANCE ON COMPETENCY ASSESSMENT PROCEDURES AND IDENTIFIES THE INCIDENT EVOKING THE CLEAR GROUNDS AS GUIDING THE PSCO'S ATTENTION TO THE SPECIFIC AREAS OF COMPETENCY, WHICH THEN SHOULD BE FOLLOWED UP BY SEEKING EVIDENCE OF TRAINING FOR THE SKILLS IN QUESTION. WHEN THIS EVIDENCE IS INADEQUATE OR UNCONVINCING, THE INSPECTOR MAY ASK TO OBSERVE A DEMONSTRATION OF THE RELEVANT SKILL. DEMONSTRATIONS ARE LIMITED TO WATCHKEEPING SKILLS ONLY.

9. UNTIL THE STCW RULEMAKING IS IMPLEMENTED, PRACTICAL DEMONSTRATIONS OF WATCHKEEPING SKILLS SHALL NOT BE CONDUCTED. COTPS SHOULD REPORT TO G-MOC-2 ALL INSTANCES WHEN A PRACTICAL EXAMINATION OF WATCHKEEPING SKILLS IS NECESSARY. THIS INFORMATION WILL BE USED TO DEVELOP EVALUATION CRITERIA FOR FUTURE PRACTICAL DEMONSTRATIONS OF WATCHKEEPING SKILLS CONDUCTED BY THE PSCO. REPORTS SHOULD IDENTIFY THE CLEAR GROUNDS, THE INDIVIDUAL(S)

SHIPBOARD POSITION(S) AND THE SPECIFIC STANDARD(S) OF COMPETENCY IN QUESTION AS IDENTIFIED IN PART A OF THE STCW CODE. RPTS SHOULD BE FWD VIA THE PSC EMAIL DIRECTORY (FLDR-PSC@COMDT.USCG.MIL/MAILGATEHQ)

10. WHILE MOST OF THE NEW REQUIREMENTS AFFECTING THE CERTIFICATION OF PERSONNEL MAY BE PHASED IN OVER THE FIVE YEAR TRANSITIONAL PERIOD, SOME NEW REQUIREMENTS COME INTO EFFECT IMMEDIATELY(1FEB97). VESSELS WITH DEFICIENCIES IN THE FOLLOWING AREAS SHOULD BE NOTIFIED OF SUCH DEFICIENCIES BUT NOT DETAINED (WITH THE EXCEPTION FOR THOSE DEFICIENCIES RELATED TO REST PERIODS/FATIGUE) UNTIL THE STCW RULEMAKING IS IMPLEMENTED.

A. RESTPERIODS: UNDER REG VIII/1 AND SECTION A-VIII/1 OF THE CODE, ALL PERSONS ASSIGNED DUTY AS OFFICER IN CHARGE OF A WATCH OR AS A RATING FORMING PART OF A WATCH ARE TO BE PROVIDED A MINIMUM OF 10 HOURS OF REST IN ANY 24-HOUR PERIOD. THE 10 HOURS MAY BE DIVIDED INTO TWO PERIODS, SO LONG AS ONE PERIOD IS AT LEAST 6 HOURS IN LENGTH. THIS PERIOD OF REST MAY BE DEVIATED FROM FOR EMERGENCIES, DRILLS OR FOR OTHER OVERRIDING OPERATIONAL CONDITIONS (I.E., THOSE CONDITIONS WHICH REQUIRE ESSENTIAL SHIPBOARD WORK WHICH COULD NOT REASONABLY BE ANTICIPATED AT THE COMMENCEMENT OF A VOYAGE AND CANNOT BE DELAYED FOR SAFETY OR ENVIRONMENTAL REASONS). THE MINIMUM PERIOD OF 10 HOURS MAY ALSO BE REDUCED TO NOT LESS THAN 6 HOURS OF REST PER DAY, FOR A TWO DAY PERIOD, AS LONG AS 70 HOURS OF REST IS PROVIDED IN A 7 DAY PERIOD.

(1) IN ORDER TO ASCERTAIN IF ADEQUATE REST PERIODS ARE PROVIDED THE PSCO SHOULD REVIEW THE WATCH SCHEDULES. IF THE WATCHKEEPING PERSONNEL ARE WORKING ON A SCHEDULE WHICH DOES NOT NORMALLY PROVIDE THE REQUIRED 10 HOURS OF REST, THE PSCO SHOULD QUESTION WHETHER THE WATCHKEEPING PERSONNEL HAVE BEEN ALLOWED SUFFICIENT REST UNDER A-VIII/1 TO ASSUME WATCHKEEPING DUTIES FOR DEPARTURE. IF NOT, THE VESSEL SHOULD BE DETAINED UNDER STCW REG I/4 UNTIL THE DEFICIENCY IS CORRECTED.

B. BASIC SAFETY TRAINING: REG VI/1 AND SECTION A-VI/1 OF THE CODE REQUIRES ALL SEAFARERS WHO ARE PART OF THE SHIP'S COMPLEMENT AND HAVE DESIGNATED SAFETY OR POLLUTION PREVENTION DUTIES TO RECEIVE BASIC SAFETY TRAINING OR INSTRUCTION IN FOUR AREAS: PERSONAL SURVIVAL TECHNIQUES; FIRE FIGHTING; ELEMENTARY FIRST AID, AND; PERSONAL SAFETY AND SOCIAL RESPONSIBILITIES. THIS REG APPLIES TO ALL MEMBERS ASSIGNED DUTIES ON THE MUSTER LIST. IT IS INTERPRETED TO INCLUDE ALL PERSONNEL ON PASSENGER SHIPS WHO ARE DESIGNATED TO ASSIST PASSENGERS IN EMERGENCIES. ADMINISTRATIONS HAVE SOME DISCRETION IN THE EXTENT OF THE TRAINING WHICH SHOULD APPLY TO THE ACTUAL DUTIES THAT ARE ASSIGNED (I.E., IF A CREWMEMBER'S DUTY ON THE MUSTER LIST ONLY INVOLVES ASSISTING PASSENGERS TO THE EMBARKATION DECK THE EXTENT OF FIRE FIGHTING

TRAINING WOULD BE LESS RIGOROUS THAN FOR A MEMBER OF A FIRE PARTY).

(1) WHERE BASIC SAFETY TRAINING IS MANDATORY, THE SEAFARER IS REQUIRED TO PROVIDE EVIDENCE OF HAVING ACHIEVED COMPETENCY IN THE FOUR CATEGORIES OF BASIC SAFETY BEFORE BEING ASSIGNED SHIPBOARD DUTIES. THIS EVIDENCE DOES NOT HAVE TO BE IN THE FORM OF A CERTIFICATE.

(2) IF DURING A PSC BOARDING WHEN CONDUCTING OPERATIONAL DRILLS UNDER THE AUTHORITY OF SOLAS CHAPTER XI REG 4, IT BECOMES CLEAR THAT MEMBERS OF THE CREW WHO ARE ASSIGNED SAFETY RESPONSIBILITIES UNDER THE MUSTER LIST ARE UNABLE TO PROPERLY PERFORM THEIR EMERGENCY DUTIES, THE PSCO SHOULD IDENTIFY THE EVIDENCE OF BASIC SAFETY TRAINING WHICH THE MASTER RELIED ON BEFORE THE CREWMEMBER WAS ASSIGNED DUTIES. IF THE EVIDENCE IS INSUFFICIENT OR NOT CREDIBLE THE PSCO MAY CONSIDER THE SHIP AS BEING OPERATED IN SUCH A MANNER AS TO POSE A DANGER TO PERSONS, PROPERTY OR THE ENVIRONMENT AND SUBJECT TO PSC UNDER REG I/4. UNTIL THE STCW RULEMAKING IS EFFECTIVE, THE PSCO SHOULD INTERVENE, BUT NOT DETAIN THE VESSEL AND WRITE A REQUIREMENT TO PROVIDE SUFFICIENT EVIDENCE OF TRAINING WITHIN A 30-60 DAY PERIOD OR AT THE NEXT U.S. ARRIVAL, IF LONGER. THE PSCO MAY CONTINUE TO USE THE EXISTING POLICY AND CONTROL AUTHORITY OF SOLAS TO DETAIN A VESSEL UNTIL THE CREW IS ABLE TO PROPERLY DEMONSTRATE EMERGENCY DUTIES.

C. VESSEL FAMILIARIZATION: REG VI/1 AND SECTION A-VI/1 FURTHER REQUIRES ALL PERSONS EMPLOYED OR ENGAGED ON A SEAGOING SHIP, OTHER THAN PASSENGERS, TO RECEIVE APPROVED FAMILIARIZATION TRAINING IN PERSONAL SURVIVAL TECHNIQUES OR RECEIVE SUFFICIENT INFORMATION AND INSTRUCTION. THIS SHOULD INCLUDE: AN ABILITY TO COMMUNICATE AND UNDERSTAND ELEMENTARY SAFETY MATTERS, SYMBOLS AND ALARMS; KNOWLEDGE OF BASIC EMERGENCY PROCEDURES; ABILITY TO RAISE THE ALARM AND USE PORTABLE FIRE EXTINGUISHERS; OPEN AND CLOSE WATERTIGHT DOORS; AND, TAKE IMMEDIATE ACTION UPON ENCOUNTERING AN ACCIDENT OR MEDICAL EMERGENCY. THE PSCO SHOULD DURING THE COURSE OF AN EXAMINATION DETERMINE THAT SOME FORM OF VESSEL FAMILIARIZATION TRAINING OR INSTRUCTION IS BEING UTILIZED AND MAY QUESTION CREWMEMBERS DURING OPERATIONAL SOLAS DRILLS.

(1) THIS REQUIREMENT HAS A FAR REACHING IMPACT ON PASSENGER VESSELS DUE TO THE LARGE NUMBER OF PERSONNEL EMPLOYED ON THESE VESSELS. FOR THE PURPOSES OF PASSENGER VESSELS, A PERSON SHOULD BE CONSIDERED TO BE EMPLOYED ON A SEAGOING SHIP IF THEY ARE LISTED ON THE CREWLIST OR ASSIGNED BERTHING IN CREW QUARTERS. IF THE PSCO FINDS THAT MEMBERS OF THE CREW ARE UNFAMILIAR WITH THE TOPICS LISTED IN A-VI/1, THE MASTER SHOULD BE INFORMED OF THE STCW VIOLATION BUT THE VESSEL SHOULD NOT BE DETAINED.

D. COMPANY RESPONSIBILITY: UNDER STCW REG I/14 AND SECTION

A-I/14 OF THE STCW CODE, SHIP OWNERS AND OPERATORS ARE REQUIRED TO ENSURE THAT:

(1) ALL NEWLY ASSIGNED SEAFARERS ARE FAMILIAR WITH THEIR SPECIFIC DUTIES AND WITH ALL SHIP ARRANGEMENTS, INSTALLATIONS, EQUIPMENT, PROCEDURES AND SHIP CHARACTERISTICS RELEVANT TO THEIR ROUTINE OR EMERGENCY DUTIES; AND,

(2) THAT THE SHIP'S COMPLEMENT CAN EFFECTIVELY COORDINATE THEIR ACTIVITIES IN AN EMERGENCY SITUATION AND ARE ABLE TO PERFORM THE VITAL FUNCTIONS NECESSARY FOR SAFE OPERATION AND PREVENTION OR MITIGATION OF POLLUTION.

(1) UNDER SECTION A-I/14 OF THE CODE, COMPANIES ARE TO PROVIDE WRITTEN INSTRUCTIONS TO THE MASTER OF EACH SHIP WITH POLICIES AND PROCEDURES TO BE FOLLOWED REGARDING VESSEL FAMILIARIZATION. IF THE VESSEL IS MISSING THE INSTRUCTIONS, THE PSCO SHOULD INTERVENE AND NOTE THE DEFICIENCY BUT NOT DETAIN THE VESSEL. HOWEVER, IF THE VESSEL'S CREW HAS DEMONSTRATED AN INABILITY TO COORDINATE ACTIVITIES REQUIRED IN AN EMERGENCY, AND THERE IS NO EVIDENCE OF WRITTEN INSTRUCTIONS, THE PSCO MAY DETERMINE THAT AN ASSESSMENT OF WATCHKEEPING SKILLS WOULD BE APPROPRIATE. UNTIL THE STCW RULEMAKING IS EFFECTIVE, G-MOC-2 SHOULD BE NOTIFIED BUT NO PRACTICAL ASSESSMENTS SHOULD BE MADE.

11. FLAG STATE RECOGNITION OF CERTIFICATES: THERE HAS BEEN CONFUSION OVER THE REQUIREMENT FOR VESSEL FLAG STATE ENDORSEMENTS DURING CURRENT PSC EXAMINATIONS. PRIOR TO THE 1995 STCW AMENDMENTS, THE CONVENTION REQUIRED ALL CERTIFICATES ISSUED BY PARTIES TO THE CONVENTION BE ISSUED OR ENDORSED AS MEETING THE REQUIREMENTS OF THE CONVENTION. IT DID NOT EXPLICITLY REQUIRE INDIVIDUAL ENDORSEMENTS FROM VESSEL FLAG ADMINISTRATIONS. THE CONVENTION WAS AMENDED IN THIS RESPECT WITH A NEW REG I/10 AND SECTION A-I/10 OF THE CODE.

12. REG I/10 REQUIRES THE ADMINISTRATION WHOSE FLAG THE SHIP FLIES TO CONFIRM THE REQUIREMENTS FOR DETERMINING COMPETENCY AND ISSUING CERTIFICATES ARE CONDUCTED IN FULL COMPLIANCE WITH THE STCW CONVENTION. ONLY AFTER THIS DETERMINATION IS MADE, MAY THE VESSEL'S FLAG ADMINISTRATION RECOGNIZE A CERTIFICATE ISSUED BY ANOTHER PARTY FOR SERVICE ON SHIPS OF ITS REGISTRY. THE VESSEL'S FLAG ADMINISTRATION IS THEN REQUIRED TO INDIVIDUALLY ENDORSE EACH CERTIFICATE TO ATTEST ITS RECOGNITION IN ACCORDANCE WITH REG I/2. CERTIFICATES ARE REQUIRED TO BE RECOGNIZED IN ACCORDANCE WITH THE TRANSITIONAL PROVISIONS FOR THOSE SEAFARERS COMMENCING APPROVED SEA SERVICE OR TRAINING AFTER 1AUG98, AND NOT UNTIL 1FEB02 FOR EXISTING STCW 78 CERTIFICATES.

13. ADDITIONAL PSC GUIDANCE WILL BE PROVIDED WHEN THE STCW FINAL OR INTERIM FINAL RULEMAKING BECOMES EFFECTIVE. QUESTIONS SHOULD BE REFERRED TO G-MOC-2, LT C STOWE AT (202)267-2008.