



16713/5/2  
January 10, 2022

Gregory B. Mendenhall, Esq.  
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Dear Mr. Mendenhall:

I am writing in response to your letter of October 1, 2021, with its supporting exhibits. You requested a determination pursuant to 46 C.F.R. § 67.97 that, based upon the proposed procurement and build details for the construction by Keppel AMFELS, LLC ("Keppel") at its Brownsville, Texas shipyard of a vessel under a Vessel Construction Agreement with Manson Construction Co., the vessel will be deemed to have been built in the United States and, as such, eligible to be documented in the United States with a coastwise endorsement and to engage in the coastwise trades of the United States.

The vessel at issue is a 15,000 cubic yard diesel-electric trailing suction hopper dredge to be named the FREDERICK PAUP (the "Vessel"). The design and specifications for the Vessel were developed by Hockema Group, Inc., formerly Hockema Whalen Myers Associates, Inc., under a license agreement with Manson Construction Co. for use by Keppel.

The general characteristics of the Vessel have been set forth in your letter and its exhibits. In summary, the Vessel will measure 419.83 feet overall x 81.0 feet breadth x 32.5 feet depth. It will be outfitted with two trailing suction head drag arms and the hopper will be emptied by opening five sets of bottom doors or by an over-the-bow pumping system that can connect to a discharge pipeline. It will be propelled by three aft thrusters and two bow thrusters.

As you know, the standards that must be met in order for a vessel to be deemed built in the United States are set forth at 46 C.F.R. § 67.97, as follows:

"To be considered built in the United States a vessel must meet both of the following criteria:

(a) All major components of its hull and superstructure are fabricated in the United States;

and

(b) The vessel is assembled entirely in the United States.”

In addition, the following definitions at 46 C.F.R. § 67.3 are pertinent to the application of those criteria:

**“Hull”** means the shell, or outer casing, and internal structure below the main deck which provide both the flotation envelope and structural integrity of the vessel in its normal operations...(portions omitted)”

and

**“Superstructure”** means the main deck and any other structural part above the main deck.”

As an aid to our review of your submission, and consistent with our well-established practice, we requested a review and analysis of the materials you submitted by the Coast Guard’s Naval Architecture Division (“NAD”).

Keppel intends to purchase most of the equipment and material necessary to build and fully assemble the Vessel at its Brownsville, Texas shipyard. Of the components which are foreign-fabricated, most will be equipment or outfitting items - that as such - are not included in the weight calculations for the purposes of this determination. However, the modest weight of certain foreign-fabricated items, such as the thruster tunnels, and some weathertight doors and hatches which are considered part of the flotation envelope of the hull, are included.

With regard to the first criterion of the regulatory test set forth above, your submission proposed and the NAD, in its findings, has accepted the discounted steel weight of the Vessel as 4,345 Ltms. This includes an estimated weight of 227.41 Ltms for the superstructure (which, it was observed, might even be a conservative underestimation).

The NAD also found the total weight of the foreign-fabricated components which are part of the Hull or Superstructure to be 25.72 Ltms. This is well within (at 0.59 percent) the 1.5 percent allowable limit for what would be deemed to constitute in the aggregate, a “major component”. That allowable weight limit would permit for this Vessel’s discounted steel weight, foreign-fabricated components of the Hull or superstructure of up to 65.17 Ltms.

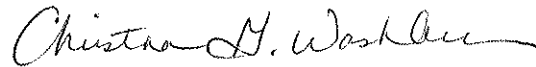
With regard to the second criterion of the regulatory test set forth above, there appears to be no question that the “assembled entirely in the United States” requirement will be met in this case.

In light of the foregoing, and based upon the information you have provided, I confirm that

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Keppel's procurement and build details for the Vessel, as described in your letter of October 1, 2021, and its supporting exhibits will not adversely affect its status as having been built in the United States and, as such, its eligibility to be documented with a coastwise endorsement entitling it to operate in the coastwise trades of the United States.

Sincerely,



Christina G. Washburn  
Director