



To our valued customers:

Effective July 1, 2016, the International Maritime Organization (IMO) has amended the Safety of Life at Sea (SOLAS) standard conditions for loading packed containers onto a vessel for export. This regulation is a key safety measure of maritime interests and requires a verified gross mass (VGM) of each container be provided prior to loading a vessel. These changes bring new challenges to shipper's, carrier's and terminal operator's US export supply chain. Ports America is actively working with the shipping community to create real-time data communications and structure for SOLAS compliance, as well as exploring approaches to these new challenges and exception handling.

Port America's objective on the SOLAS approach is to comply with this major regulation and minimize disruption to our export operations cargo flow. We want to provide a solution to handle VGM information flow while simultaneously using the resources of our terminals across North America to maintain efficient terminal operations for all our customers.

Therefore, for loaded containers received by the terminal for SAILING on or after July 1, 2016, Ports America New Orleans' approach will be as follows. Please note that these procedures are subject to change and any change to procedures will be communicated accordingly.

Ports America New Orleans will allow container without VGM into our terminal. Containers that do not have a VGM will use the weight from our scale. In the event Terminal is not able to provide a container weight to Carrier from Terminal's own equipment, Shipper confirms that the loaded container weight furnished by Shipper with this delivery appointment has been obtained by Shipper using a method compliant with the SOLAS Verified Gross Mass regulation, and Shipper authorizes Terminal, acting on Shipper's behalf, to provide such weight to Carrier, subject to the foregoing terms and conditions. The terminal will publish the VGM back to the lines via edi 322 message and will publish this weight to the vessels via baplie version 2.2.

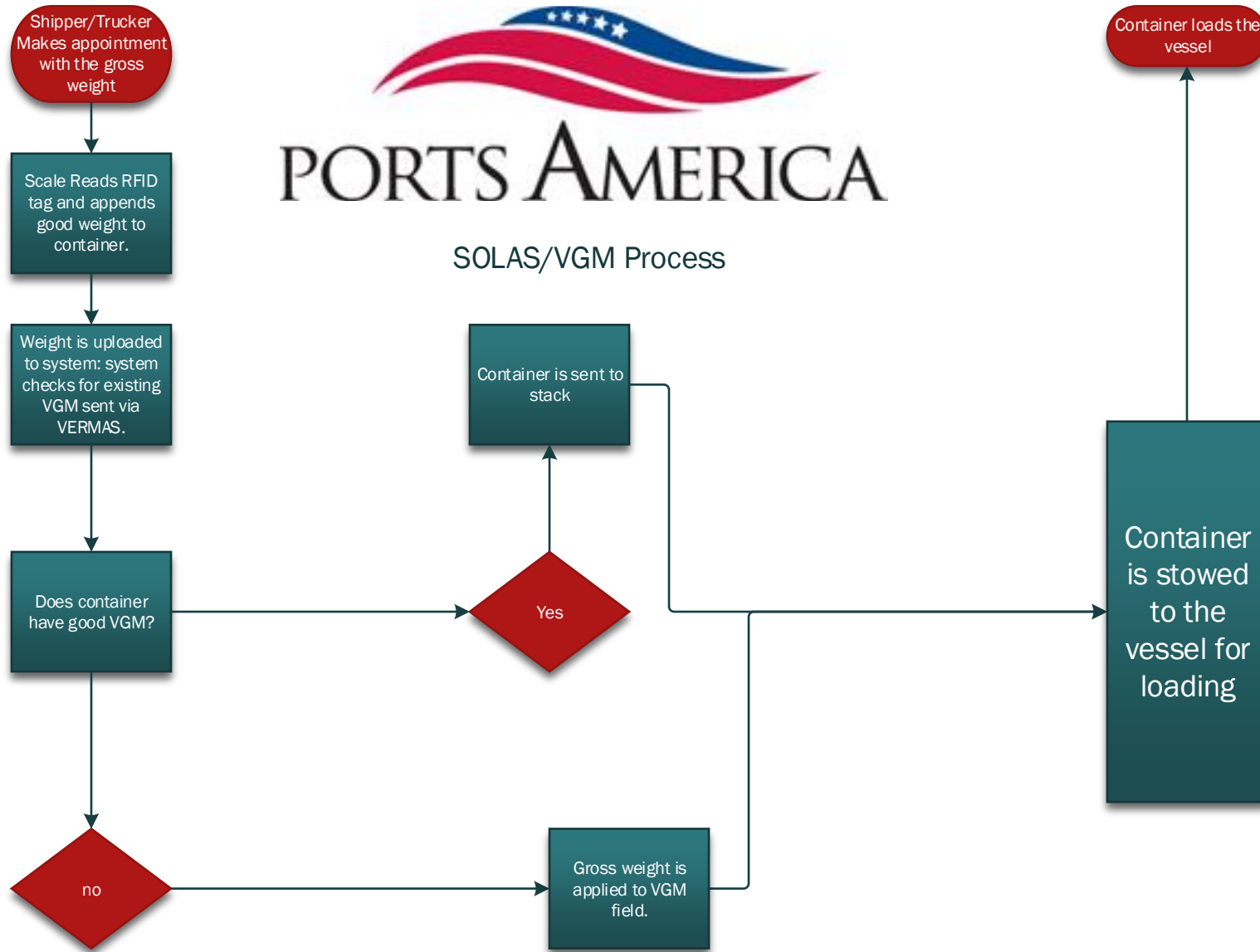
Sincerely,

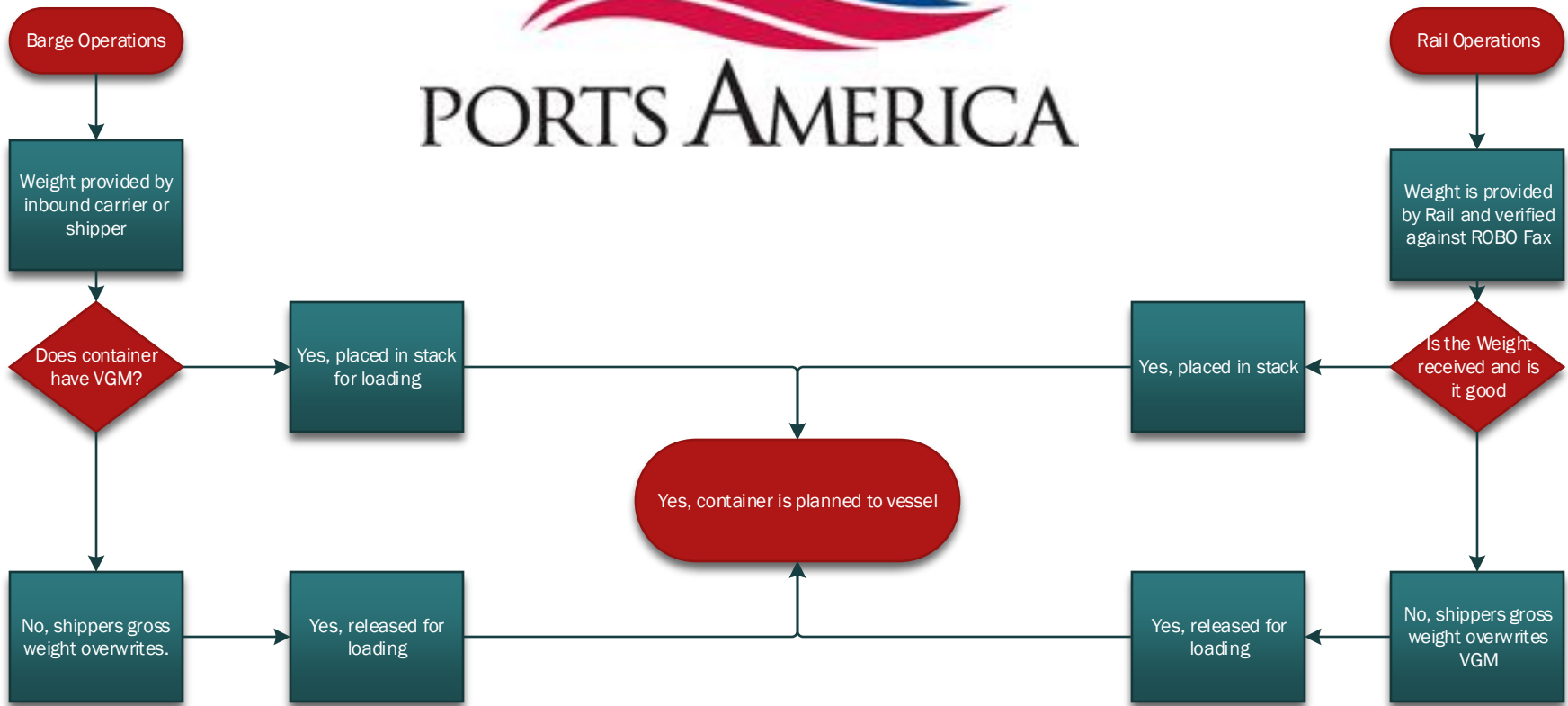
*Keith Palmisano
General Manager
Ports America New Orleans*

For questions regarding VGM EDI standards and messaging: Please contact our IT support at SOLASVGM@portsamerica.com.



SOLAS/VGM Process







Tariff Schedule Rule – Weighing Containers for SOLAS VGM Compliance

Effective with July 1, 2016, SOLAS Ch VI/2 verified gross mass (“VGM”) regulations require that Shippers must provide a SOLAS-compliant Shipper-signed paper or EDI VGM document (a “VGM Document”) to the master and terminal before an export container may be loaded to the vessel.

Terminal assumes Carriers and Shippers have made arrangements for the Shipper to provide a VGM Document for each container delivered to the Terminal’s facilities for loading. In order to minimize delay and handling costs in the event any container for loading to Carrier’s vessel arrives at any Terminal facilities without a VGM Document, Terminal may offer service to weigh the container and provide such weight to Carrier and Shipper to be used by either for VGM compliance purposes. The following terms and conditions apply with respect to any such service provided by Terminal:

In consideration of Terminal providing weighing service for Carrier and Shipper in instances where an export container arrives at the Terminal’s facilities without a VGM Document, or where Terminal is otherwise required or requested to weigh a container after its arrival, Carrier agrees that (a) Terminal provides such weighing service for convenience of Carrier and Shipper in accordance with IMO *Guidelines Regarding the Verified Gross Mass of a Container Carrying Cargo*, MSC 1/Circ. 1475, 9 June 2014, Paragraphs 8, 11 and 13.1, (b) the weight obtained on Terminal’s equipment may be subject to variance, and Terminal makes no express or implied representation or warranty as to the accuracy of any weight provided, (c) in obtaining and transmitting such container weight, Terminal is hereby authorized by and acts as the agent for Shipper, and not for Terminal’s own account, (d) neither Carrier nor Shipper will assert any claim against Terminal for any liability, compensation, damages, contribution, indemnification or defense with respect to any delay or inaccuracy of weight or information provided, (e) Carrier’s giving of a loading instruction or loading of such container for which Terminal has provided weight information is deemed to be confirmation by Carrier to Terminal that Carrier has received the container VGM in compliance with SOLAS VGM requirements, and (f) Carrier and Shipper will each will defend, indemnify and hold harmless Terminal, its officers, directors, employees, agents, contractors and affiliates with respect to any claim against or liability of Terminal by or to any third party, including any Carrier subcontractor or cargo interest, with respect to any suits, causes of action, arbitral demands or claims, judgments, assessments, damages, awards, costs of defense, fines or penalties of any nature

imposed or arising directly or indirectly in connection with the weight provided, Terminal's weighing service, any delay or Terminal's refusal to load any container lacking a VGM Document.

In the event Terminal is not able to provide a container weight to Carrier from Terminal's own equipment, Shipper confirms that the loaded container weight furnished by Shipper with this delivery appointment has been obtained by Shipper using a method compliant with the SOLAS Verified Gross Mass regulation, and Shipper authorizes Terminal, acting on Shipper's behalf, to provide such weight to Carrier, subject to the foregoing terms and conditions.

For reference, The Coast Guard has determined that existing U.S. laws and regulations for providing verified container weights are equivalent to the requirements in SOLAS Regulation VI/2. The Coast Guard sent to the International Maritime Organization (IMO) a letter outlining its determination that its current regulatory regime, already in place and enforced, provides for other entities within the container export chain to work in combination with the shipper to determine and verify container weights, and it provides ships' masters with container weights in order to ensure ships are loaded and operated safely.