

APPLICATION FOR CERTIFICATE OF FINANCIAL RESPONSIBILITY FOR OWNERS OR OPERATORS OF TANK VESSEL

WARNING: For security purposes all ZIP files transmitted to DFW/OSPR via-email will be returned undeliverable.

NOTE: A Contingency Plan is also required, pursuant to Government Code Section 8670.29

Submit 10 days prior to entering California waters

Please type or print clearly in English when completing this application. Refer to pages 7 and 8 of application for complete instructions.

SECTION A. GENERAL INFORMATION - APPLICANT

1. Company name of applicant (must be either the operator or owner of vessel) and mailing address. Include English equivalent of legal name if customarily written in a language other than English.

Company Name:

Mailing Address:

Telephone Number:

Email address:

Applicant is either: Owner Operator

2. Company name, mailing address, telephone number, facsimile number, and email address of vessel owner.

Company Name:

Mailing Address:

Telephone number:

Facsimile number:

Email address:

3. Company name, mailing address, telephone number, facsimile number, and email address of vessel operator.

Company Name:

Mailing Address:

Telephone number:

Facsimile number:

Email address:

4. Company name, contact name, mailing address, telephone number, facsimile number, and email address of person to contact if necessary to clarify this application.

Company Name:

Contact Name:

Mailing Address:

Telephone number:

Facsimile number:

Email address:

5. Certificates (including correspondence) will be delivered to the applicant at the following address (no P.O. Boxes). Include telephone number, facsimile number, and email address.

Company Name:

Mailing Address:

Telephone number:

Facsimile number:

Email address:

SECTION B. VESSEL DATA

1. Registered name of vessel, flag, registry number, radio call sign, Lloyd's Register number/IMO number.

a. Vessel Name:
Previous name (if any):

b. Flag:

c. Registry Number:

d. Radio Call Sign:

e. Lloyd's Register Number/IMO Number:

2. Is the vessel "double hull" as described in 46 USC, Section 3703(a)?

Yes: No:

3. Type of tank vessel (Tanker, Crude Oil Tanker, Small Barge, Ore/Bulk/Oil, Vessel Carrying Oil as Secondary Cargo [VCOASC])

Type:

4. Cargo capacity in U.S. barrels:

Fuel capacity bbls:

VCOASC - maximum capacity in US barrels:

5. Gross tonnage:

Tonnage:

6. Agent for Service of Process. Agent must provide California address. No P.O. Boxes.

Name:

Mailing Address:

Telephone number:

SECTION C. EVIDENCE OF FINANCIAL RESPONSIBILITY

Note: For operators or owners of small barges (barges with cargo capacity of less than 150,000 barrels and vessels carrying oil as secondary cargo), do not complete this section. Please skip to Section D. You will be required to provide evidence of financial responsibility after you receive the notice of financial responsibility completed by the Administrator.

1. Owners or operators of tankers and large barges must demonstrate the financial ability to pay at least one billion U.S. dollars (USD \$1,000,000,000) for damages arising from an oil spill.

These amounts are in effect unless amended by Section 8670.37.53(a) of the Government Code.

2. Operators or owners of tankers including large barges must check all method(s) to be used to demonstrate evidence of financial responsibility in item 4 below. For each method used attach copies of the required evidence as indicated below.
3. Method(s) for demonstrating financial responsibility (Indicate the method or methods selected).


Proof of entry **Protection and Indemnity Club.**

Submit the following evidence:

Copy of the **Certificate of Entry**, all addenda pertaining to the amount and applicability of oil pollution cover and amount of deductibles. ***A P&I Club Confirmation letter does not meet this requirement.***

NOTE:

Annually, certificate holders are required to submit written certification of renewal of P & I Club membership within 45 days after expiration of current coverage. Certificate holders must submit complete documentation acceptable to the Administrator showing renewal of P & I Club membership as the method for demonstrating evidence of financial responsibility. Acceptable written documentation includes, but is not limited to, a copy of the renewal Certificate of Entry or addendum, which contains the minimum information required by Title 14, California Code of Regulations, Section 795(f), and any additional terms or limitations which may affect coverage, including the renewal and new expiration dates.

 Insurance. Submit any of the following evidence:

- (A) Insurance policy or other documentation, and a certificate of insurance specifying the nature, type, amount of insurance, language that the policy covers damages as specified in Government Code Section 8670.56.5, and any conditions and limitations in the coverage
- (B) A certificate of insurance that is acceptable to the Administrator and an endorsement executed by the underwriter or insurer which contains the language set forth in the California standard endorsement. Refer to the Endorsement for Vessels Calling Upon California - Oil Spill Liabilities, FG OSPR Form 1929 (2/08);
- (C) Similar or comparable assurance acceptable to the Administrator.

If an insurance policy or broker's cover note is being submitted as evidence for excess coverage over and above a P&I Club policy, then one of the following is required:

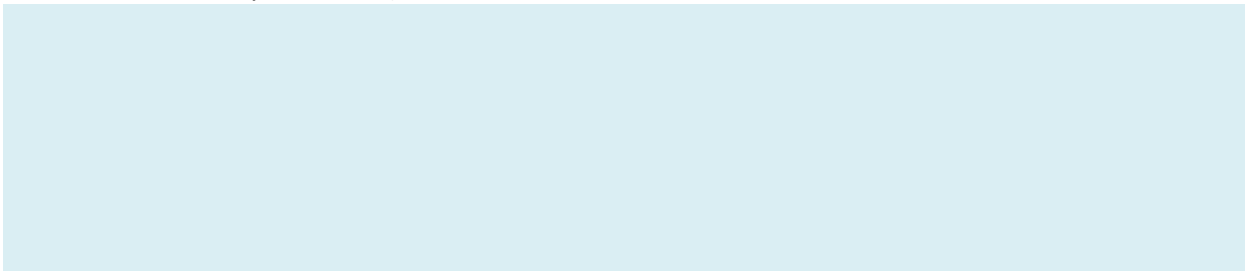
1. Language that the policy covers damages as specified in Government Code Section 8670.56.5; or
2. The insurance policy shall be signed by the underwriter and shall state that the insurance policy covers the assured's legal liability for oil pollution claims, and is issued under the same terms and conditions as the underlying P&I Club policy; or
3. The underwriter shall acknowledge in writing that the broker has the authority to include language in the broker's cover note that the insurance policy covers the assured's legal liability for oil pollution claims, and is issued under the same terms and conditions as the underlying P&I Club policy.

When multiple underwriters are providing coverage, the underwriter who sets rates and conditions shall execute the appropriate documents.

[Refer to Title 14, California Code of Regulations, Section 795(a)-(g) for complete information regarding this method for demonstrating financial responsibility.]

Certificate holders using insurance must submit proof of insurance annually within 30 days of expiration.

Other (e.g. self-insurance, surety bond, etc.):



SECTION D. DECLARATION
(Must be completed by all applicants)

I, _____ (print name) am the applicant, or I am a principal of the applicant, an authorized agent*, or an official of the applicant, and have the authority to sign this application on behalf of the applicant. I DECLARE under penalty of perjury that I have examined this application, including all accompanying schedules and statements, and to the best of my knowledge, information and belief, find it to be true, correct, and complete. Furthermore, it is agreed that the applicant named in Section A of this application is the responsible party in the event of an oil spill. I execute this declaration in my capacity as applicant, principal of the applicant, official of the applicant or as the authorized agent as evidenced by the delegation of such authority provided below.

DATE

Signature

Title or Official Capacity

NOTE: If the Declaration is signed by an authorized agent of the applicant, the applicant or a principal of the applicant must sign the following Section E. Delegation of Authority

SECTION E. DELEGATION OF AUTHORITY BY THE APPLICANT

(Must be completed by the applicant or principal of the applicant if the above declaration has been executed by an agent acting on behalf of the applicant)

I, _____ (name of the applicant)
hereby declare that _____ (name of authorized agent
whose signature appears in Section D) is authorized to submit an application for a California Certificate of Financial Responsibility on behalf of the applicant.

DATE

Signature

Title or Official Capacity

INSTRUCTIONS

1. (a) Owner or operator means, in the case of a tank vessel, any person who owns, has ownership interest in, operates, charters by demise, or leases the tank vessel or barge.
- (b) Applications for operators or owners of small barges (barges with cargo capacity of less than 150,000 barrels) will be reviewed and applicants will be notified of the amount of financial responsibility required within 21 calendar days of receipt of the application. Certificates will be issued for operators or owners of small barges and vessels carrying oil as secondary cargo upon receipt of acceptable evidence of financial responsibility.

2. Submit completed application by selecting one of the following methods:

U.S. Mail or Courier Service:

Department of Fish and Wildlife
Office of Spill Prevention and Response (OSPR)
1700 K Street, Suite 250
Sacramento, CA 95811

Fax: (916) 323-4727

Email: cacofr-tank@wildlife.ca.gov

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3. The application is comprised of five sections:

Section A - General Information
Section B - Tank Vessel Data;
Section C - Evidence of Financial Responsibility;
Section D - Declaration;
Section E - Delegation of Authority

Sections A, B, C and D must all be completed by the applicant or delegated authority. Section E, Delegation of Authority, must be executed by the applicant or a principal of the applicant when an application is signed by an agent of the applicant.

4. Application Process:

- a. Operators or owners of tank vessels:

- (1) Applications will be reviewed within 21 calendar days of receipt for operators or owners of tank vessels.
- (2) Certificates will be issued within that period provided that adequate information was furnished in the application and acceptable evidence of financial responsibility has been received.

- (3) If a question does not apply, answer "not applicable."
- (4) Applications which are incomplete will not be processed until receipt of additional information needed to complete processing.
- (5) If additional space is required, supplemental sheets may be attached.

5. Certificate Renewal Process:

Certificate renewal applications are sent to the applicant approximately sixty (60) days prior to the expiration of the existing certificate. In order to renew a certificate, renewal applications must be submitted prior to the expiration date.

6. Please contact the Financial Responsibility Unit at (916) 324-0003 if you have any questions.