SAVE AS PRINT

State of California - Department of Fish and Wildlife

APPLICATION FOR CERTIFICATE OF FINANCIAL RESPONSIBILITY FOR OWNERS OR OPERATORS OF

NONTANK VESSELS (300 GT OR GREATER)

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Certificates of financial responsibility are not required for non-self propelled nontank vessels that do not carry oil of any kind.

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:

Please indicate fee paid:

$650: ☐ $1,950: ☐ $3,250: ☐

(NOTE: please see instuctions on pages 7 and 8)

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 applicable):_____

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 nontank vessel (dry cargo, bulk carrier, containership, reefer, roll on-roll off, passenger, fishing, deck barge, LPG/LNG carrier, etc.)

Type:

4. Total fuel tank capacity in U.S. barrels:

Fuel capacity bbls:

5. Owned and Operated by California or a Federal Agency?

Yes: ☐ No: ☐

6. Gross tonnage:

Tonnage:

7. 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

1. Except as provided in (2) below, owners or operators of nontank vessels (300 GT or greater) must demonstrate the financial ability to pay at least $300 million U.S. dollars (USD $300,000,000) for damages arising from an oil spill. Certificates of financial responsibility are not required for non-self propelled nontank vessels that do not carry oil of any kind.

2. Operator(s) or owner(s) of nontank vessels that have a carrying capacity of 6,500 barrels of oil or less, or a carrying capacity of 7,500 barrels of oil or less for nontank vessels owned and operated by California or a federal agency, shall demonstrate their current financial ability to pay the following appropriate amount of financial responsibility:

   $2,000,000 for those that have a carrying capacity from less than 1 to not more than 10 barrels;

   $5,000,000 for those that have a carrying capacity greater than 10 to not more than 50 barrels;

   $10,000,000 for those that have a carrying capacity greater than 50 to not more than 500 barrels;

   $18,900,000 for those that have a carrying capacity greater than 500 to not more than 1,000 barrels.

   Those nontank vessels that have a carrying capacity greater than 1,000 to not more than 6,500 barrels, or 7,500 barrels for nontank vessels owned and operated by California or a federal agency, shall determine the amount of financial responsibility as follows:

   Subtract 1,000 barrels from the total carrying capacity of oil of the nontank vessel;

   Multiply this amount by $5,670 (which represents 30% of the cargo multiplied by the maximum per barrel clean-up and damage cost of spilled oil of $18,900); then add $18,900,000.

3. Operators or owners of nontank vessels 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.

4. Method(s) for demonstrating financial responsibility (Indicate the method or methods selected). See next page for options.

☐ **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 expieration 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 California Endorsement for Tanker, Barges, and Nontank Vessels, FG OSPR Form 1929 (2/08); or

(C) Similar or comparable assurance acceptable to the Administrator.

[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. Owner or operator means, in the case of a nontank vessel, any person who owns, has ownership interest in, operates, charters by demise, or leases the nontank vessel.

2. Operator(s) or owner(s) of nontank vessels with a carrying capacity of over 6,500 barrels, or over 7,500 barrels for nontank vessels owned and operated by California or a federal agency, shall submit a nonrefundable USD **$3,250** fee per vessel, or;

   Operator(s) or owner(s) of nontank vessels that have a carrying capacity greater than 500 barrels of oil and less than or equal to 6,500 barrels of oil, or a carrying capacity greater than 500 barrels of oil and less than or equal to 7,500 barrels of oil for nontank vessels owned and operated by California or a federal agency, shall submit a nonrefundable USD **$1,950** fee per vessel, or;

   Operator(s) or owner(s) of nontank vessels that have a carrying capacity of 500 barrels of oil or less shall submit a nonrefundable USD **$650** fee per vessel.

3. Submit completed application with a copy of the wire transfer receipt (see item 9. for wiring instructions) for the per vessel fee and the remittance information by selecting one of the following methods:

   Courier Service:

   Department of Fish and Wildlife
   Office of Spill Prevention and Response (OSPR)
   1010 Riverside Parkway
   West Sacramento, CA 95605

   Fax: (916) 371-8941

   Email: cacofr-nontank@wildlife.ca.gov

   U.S. Mail

   Department of Fish and Wildlife
   Office of Spill Prevention and Response
   (OSPR) P.O. Box 944209
   Sacramento, CA 92444-2090

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

4. The application is comprised of five sections:

   Section A - General Information

   Section B - Nontank 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.

5. Application Process:

a. Operators or owners of nontank vessels:

(1) Applications will be reviewed within 30 calendar days of receipt for operators or owners of nontank 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.

6. 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.

7. Please contact the Financial Responsibility Unit at (916) 375-5964 if you have any questions.

8. Please follow the wiring instructions provided below.

NOTE: DO NOT DEDUCT ANY PROCESSING FEES FROM THE PER VESSEL FEE.
You are responsible for all bank fees upfront. Discuss with your banking representative.
Failure to ensure submission of full fee amount may delay issuance of certificate!

Bank of America Wire Instructions
Department of Fish & Wildlife

Wire to: Bank of America Sacramento Main #1489

For Credit to State of California
Account #14161-00452

ABA # 0260-0959-3
Swift Code: BOFAUS3N
Beneficiary: State of Calif., Dept. of Fish & Wildlife
Account #14161-00452

Reference: Beneficiary Information - OSPR Account 0320
Include vessel name