# APPLICATION FOR CERTIFICATE OF FINANCIAL RESPONSIBILITY FOR OPERATORS OR OWNERS OF NONTANK VESSELS (300 GT OR GREATER)

(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 DFG/OSPR via e-mail will be returned undeliverable\*\*\*)

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

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

# **SECTION A.** General Information – Applicant

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:					
Applicant is either:   Owner   Operator					
Company name, mailing address, telephone number, facsimile number and e-mail address of vessel owner.					
Company name:					
Mailing address:					
Telephone number:					
Facsimile number:					
E-mail address:					

3. Company name, mailing address, telephone number, facsimile number and e-mail address of the vessel operator.				
Company name:				
Mailing address:				
Telephone number:				
Facsimile number:				
E-mail address:				
4. Company name, contact name, mailing address, telephone number facsimile number and e-mail address of person to contact if necessary to clarify this application:				
Company name:				
Contact name:				
Mailing address:				
Telephone number:				
Facsimile number:				
E-mail address:				
5. Certificates (including correspondence) will be delivered to the applicant at the following address (no P.O. Boxes). Include telephone, facsimile number, and e-mail address.				
Company name:				
Address:				
Telephone number:				
Facsimile number:				
E-mail address:				
PLEASE INDICATE FEE PAID:				
\$650: \$1,950: \$3,250 <u>:</u>				
(NOTE: PLEASE SEE INSTRUCTIONS ON PAGES 7 AND 8)				

### **SECTION B.** Vessel Data

(If this application applies to more than one vessel, list the information for each vessel on separate sheets if necessary.)

1.	Registered name of vessel, flag, registry number, radio call sign, Lloyd's Register number/IMO number.					
	a.	Vessel name:				
	b.	Flag:				
	c.	Registry Number:				
	d.	Radio call sign:				
	e.	Lloyd's Register Number/IMO Number:				
2.	ls t	he 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.):						
4. Total fuel tank capacity in U.S. barrels:						
5. Owned and Operated by California or a Federal Agency?						
		☐ Yes ☐ No				
6.	Gro	ss tonnage:				

#### 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 1000 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)

	_ Proof	of entry in(provide	Protection and Indemnity Club. e name)		
Submit the following evidence:					
	Copy of the <b>Certificate of Entry</b> , all addenda pertaining to the amount and applicability of oil pollution cover and amount of deductibles. <i>A P&amp;I Club Confirmation letter does not meet this requirement.</i> Note: Annually, certificate holders are required to submit written certification of renewa of P & I Club membership within 30 days after renewal of coverage. Within 90 days after renewal, 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)	specifying the nature, t covers damages as sp	er documentation, and a certificate of insurance type, amount of insurance, language that the policy ecified in Government Code Section 8670.56.5, and tations in the coverage for marine pollution liability; or		
	(B)	endorsement executed language set forth in the	be that is acceptable to the Administrator and an by the underwriter or insurer which contains the e California standard endorsement. Refer to the t for Tanker, Barges, and Nontank Vessels, FG B); or		
	(C)	Similar or comparable	assurance acceptable to the Administrator.		
			of Regulations, Section 795(a)-(g) for complete for demonstrating financial responsibility.]		
Other		winetick bond at 1			
[E.g., self-insurance, surety bond, etc.]					

## SECTION D. DECLARATION

(Must be completed by all applicants)

I,							
Date		Signature					
		Title or Official Capacity					
* Note:		authorized agent of the applicant, the plicant must sign the following Section E.					
SECT	ION E. DELEGATION OF AUTHO	RITY 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)							
Ι,		(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:

U.S. Mail or Courier Service:
Department of Fish and Game
Office of Spill Prevention
and Response (OSPR)
1700 K Street, Suite 250
Sacramento, California 95811

Fax: (916) 323-4727

E-Mail:

cacofr-nontank@ospr.dfg.ca.gov

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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 21 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.
- Certificate Renewal Process:

Certificate renewal applications are sent to the applicant approximately seventy-five (75) 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.

- Please contact the Financial Responsibility Unit at (916) 324-3413 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.**

# Bank of America Wire Instructions Department of Fish & Game

Wire to: Bank of America Sacramento Main #1489

For Credit to State of California Account #01482-80005

ABA # 0260-0959-3 Swift Code: BOFAUS3N

Beneficiary: State of Calif., Dept. of Fish & Game

Account #01482-80005

Reference: Beneficiary Information - OSPR Nontank Fund 0320

Please include vessel name