



## OFFICE OF SPILL PREVENTION AND RESPONSE CALIFORNIA VESSEL CONTINGENCY PLAN

### FREQUENTLY ASKED QUESTIONS

#### **What is the California Vessel Contingency Plan Program?**

The California vessel contingency plan program is a state-mandated program that requires tank and non-tank vessels entering and operating in California waters to develop and maintain a contingency plan approved by The Office of Spill Prevention and Response (OSPR) in case of an oil spill. [Ref. CA Gov. C. § 8670.1 *et seq.*] All plans must be written in English, and for tank vessel plans, if applicable, the response manual portion shall also be in a language that is understood by the crew members responsible for carrying out the plan.

#### **What vessels are required to have a contingency plan?**

The requirement pertains to tank vessels, tank barges, ATBs, nontank vessels over 300 gross tonnage, and those vessels carrying oil as secondary cargo. The complete contingency plan and response manual must be kept on board the vessel, and the owner or operator must also maintain a complete copy.

#### **What happens if I do not have an approved contingency plan?**

Failure to comply with the program requirements can result in penalties, fines, and other enforcement actions.

#### **Can a vessel enter California waters without a contingency plan due to an emergency?**

In the event of a medical emergency, OSPR will exempt a vessel from needing a Contingency Plan and a Certificate of Financial Responsibility when entering California waters solely to disembark a sick or injured person who is in imminent danger and promptly departs when it is safe to do so. However, if the vessel engages in activities such as loading/offloading cargo, refueling, or other commercial operations, it must adhere to California contingency plan regulations. It is advised that the plan holder promptly informs OSPR of such emergencies to facilitate proper procedures (§ 827.01. and § 818.01. Applicability). Notify OSPR via email at [cplanrevisions@wildlife.ca.gov](mailto:cplanrevisions@wildlife.ca.gov) before entering waters of the state.



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#### **How do I submit my contingency plan?**

All file submittals will be made via OSPR's FTP large file transfer site. To gain access to the FTP site, please contact OSPR at [cplanrevisions@wildlife.ca.gov](mailto:cplanrevisions@wildlife.ca.gov). All plans should be submitted in pdf format.

#### **Are electronic copies of California Contingency Plans accepted on board regulated vessels?**

Yes, electronic versions of the vessel contingency plan are permissible, provided they are easily accessible upon request.

#### **What is the vessel contingency plan submittal timeline?**

- Tank and nontank vessels shall submit a contingency plan or be added to an existing plan that is received by OSPR at least five working or seven calendar days prior to entering marine waters.
- Additionally, an application for a Certificate of Financial Responsibility, evidence of financial responsibility, and any applicable fees, must be received by OSPR at least 10 calendar days prior to operations where a spill may impact the waters of the state.

#### **How often do I need to update my contingency plan?**

The plan holder must ensure all plans are up-to-date and complete, submitting revisions as they occur. The entire plan must be resubmitted for review and new approval once every five years from the date of the most recent approval letter. In addition, all vessel contingency plan holders shall ensure at least one vessel in the plan has a valid Certificate of Financial Responsibility (COFR) maintained on file for the entire 5-year duration. To learn more about the requirements and application process, please visit OSPR's [Financial Responsibility](#) web page.



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#### **How can I get help with developing a contingency plan?**

Consultants can provide guidance on regulatory requirements, risk assessment, response strategies, and training, ensuring that the plan meets all necessary criteria and is ready for implementation in the event of an oil spill. Plan holders can retain industry consultants to assist with generating a vessel plan. Please note OSPR does not recommend or endorse any specific consultants. The following is a list of [oil spill contingency plan preparers](#).

#### **Submitting a new vessel contingency plan without a Document of Compliance (DOC) or Safety Management Certificate (SMC)**

A new plan can be submitted without a DOC or SMC. However, the DOC or SMC shall be forwarded to the Response Certification and Planning Unit as soon as it becomes available without delay.

#### **Tug and Barge Combination, does it require a plan?**

- If the vessel is an articulated tug and barge with bulk oil as cargo, then a tank vessel contingency plan is required.
- If the vessel is an articulated tug and barge where the barge has oil on board but not in bulk (for example a tank truck, or portable tanks) then the vessel is considered a vessel carrying oil as a secondary cargo and requires a tank vessel contingency plan in accordance with section 818.03 is required.
- If the vessel is an articulated tug and barge that is not carrying oil in bulk or oil as a secondary cargo, then a non-tank vessel contingency plan is required if the tug is over 300 gross tons.
- If the vessel is not an articulated tug and barge combination, then all tugs over 300 gross tons require a non-tank vessel contingency plan and all barges carrying oil in bulk or oil as a secondary cargo require a separate tank vessel contingency plan.



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#### **Does a non-self-propelled barge over 300 GT need a plan if it is not transporting fuel?**

If the non-self-propelled barge that does not carry any fuel or oil cargo, is not required to have a contingency plan or Certificate of Financial Responsibility (COFR). If the non-self-propelled barge has a weight of over 300 GT and carries fuel or oil cargo, then a plan and COFR is required. All tank barges (barges carrying oil in bulk) are required to have a tank vessel contingency plan and COFR.

#### **Vessel Regulatory Requirements for Gross Tonnage.**

Tank vessels carrying oil as cargo, and non-tank vessels over 300 gross tonnage are required to have a valid State of California Contingency Plan on file. US-flagged vessels on domestic voyages will only have Regulatory tonnage (GRT). Vessels traveling internationally will have Convention tonnage (ITC). But may also have regulatory tonnage. The following will apply:

- If a vessel came from outside US waters, OSPR uses Convention tonnage (ITC).
- If vessel has dual tonnage...
  - If a vessel came from outside US waters, OSPR uses Convention tonnage (ITC).
  - If vessel only operates in US (or CA) waters, OSPR uses Regulatory tonnage (GRT).

#### **Can a vessel be added to an existing plan without a Certificate of Financial Responsibility (COFR)?**

Vessels without a valid COFR can request a revision to add their vessel to an existing plan to RCPU for review and inclusion in the plan. However, the plan must be valid and approved, and it must already have at least one vessel with a valid COFR. RCPU will issue a revision completion letter acknowledging that the vessel is non-compliant with COFR requirements. Once the certificate has been issued from the COFR Unit, the plan holder can submit the certificate to RCPU to receive a compliant letter for their records.



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#### **Can a New Plan be submitted without a Certificate of Financial Responsibility (COFR)?**

New Plans that have not obtained a Certificate of Financial Responsibility (COFR) can be submitted in full. However, RCPU will not proceed with processing and approving the plan until a valid California COFR is submitted to OSPR. A hold of 30 days will be granted to the plan holder to submit their certificate to RCPU. If the Response Certification and Planning Unit does not receive the certificate within this time, it will be returned to the plan holder for resubmission once the COFR has been issued. Reminder, minimum of one vessel in the plan must have a valid California COFR on file.

#### **Vessel name change and Certificate of Financial Responsibility (COFR) requirements.**

The plan holder must ensure that all plans are up-to-date and complete, including when a vessel is renamed. Vessel name changes must be reported to the Response Certification and Planning Unit and COFR Unit as soon as possible for a vessel to be compliant prior to vessel entering California waters.

#### **Plan Holder Name Change Updates**

In the event that a plan holder, owner or operator makes a legal update or modification to their company name, it is essential for either the plan holder or their consultant to promptly inform OSPR's Response Certification and Planning Unit of the change. Such changes to the plan holder's name are considered as a new plan submission, and thus, all necessary documents, including the California COFR, must be submitted under the new plan holder's name.



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REFERENCE

**Tank Vessel: Subchapter 3** ([Sections 815.01 - 818.03](#)) - [Oil Spill Contingency Plans, Marine Facilities, Small Marine Fueling Facilities, Tank Vessels & Vessels Carrying Oil as Secondary Cargo \(PDF\)](#)

**Non-Tank Vessel: Subchapter 4** ([Sections 825.01 - 827.02](#)) - [Oil Spill Contingency Plans, Nontank Vessels \(PDF\)](#)