

# Frequently Asked Questions

***Motor Yachts between 300 and 400 Gross Tons***

***Oil Spill Contingency Plan and Financial Responsibility***

***Summary of California Requirements until 1/1/2014***

***(AB 2005 Implementation; Gov. C. §8670.5.1)***

*NOTE: Please review all statutes and regulations for full requirements in advance.*

*California Government Code section 8670.1, et seq.*

*California Code of Regulations, Title 14, section 790, et seq.*

## Need and Timing

- ***Vessels 300 gross tons or greater, but less than 400 gross tons, that carry fuel or oil but not as cargo, and are not operated for commercial purposes, are “nontank” vessels.***
- ***While operating in California marine waters, you must have the following:***
  - ***Certificate of Financial Responsibility (COFR).***
  - ***Payment of a nontank vessel fee.***
  - ***An oil spill contingency plan (C-Plan) submitted within 14 days after entry.***
- ***96 hours prior to entry: You must submit***
  - ***An application for a COFR.***
  - ***The nontank vessel fee.***
  - ***Vessel particulars. (e.g. Certificate of Registry)***
  - ***Information regarding storage capacity for gray water. (e.g. vessel arrangements)***
  - ***Information regarding storage capacity for sewage. (e.g. vessel arrangements)***
- ***Within 14 days after entry: You must submit a C-Plan for review and approval.***
- ***Review time: Often reviewable in 7 days or less, depending on the situation.***

## Oil Spill Contingency Plan Requirements

- *How do I develop a Large Motor Yacht Contingency Plan or where do I get one?*
  - *It must be written. An acceptable contingency plan is available at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=46857&inline=true> . Alternatively, you can develop your own plan based on the regulatory requirements. Several consulting companies have experience creating contingency plans; a list of these companies is found on the Department of Fish and Game, Office of Spill Prevention and Response (OSPR) website.*
  - *You probably already have a Federal vessel response plan (VRP) and or an international shipboard oil pollution emergency response plan (SOPEP). These will have some of the needed information.*
- *What do I do with it?*
  - *Law requires you need to maintain a level of readiness to effectively implement the plan in case there is a spill from your vessel. This means you must know how to contact your Qualified Individual (QI) to help make all the necessary calls to initiate spill response actions. This includes getting a pre-designated Oil Spill Response Organization (OSRO) responding quickly after a spill.*
- *When?*
  - *Submit the Contingency Plan for review and approval within 14 days after entry into California marine waters.*
- *I need help doing this?*
  - *You can call the OSPR Preparedness Branch at (916) 322-1195 for further assistance. For additional information and requirements: see California Government Code section 8670.28, et seq.; and California Code of Regulations, Title 14, section 815, et seq.*

## Certificate of Financial Responsibility (COFR) Requirements

- *What is this about?*
  - *You must demonstrate the ability to pay for cleanup and potential damages resulting from an oil spill. The financial requirement depends upon your oil carrying capacity.*
- *I think I have this?*
  - *Presumably you already have insurance or other type of coverage for your vessel; you might already have sufficient pollution coverage. Financial responsibility may be shown by insurance, self-insurance, surety bond, guarantee, and other methods.*
- *When?*
  - *Submit the application for a COFR at least 10 days before entry into California marine waters. You must include the nontank vessel fee.*
  - *I might need assistance?*
    - *You can call the OSPR Financial Responsibility Unit at (916) 322-1683 for further assistance. For additional information and requirements: see [http://www.dfg.ca.gov/ospr/financial\\_responsibility/](http://www.dfg.ca.gov/ospr/financial_responsibility/) California Government Code section 8670.37.51, et seq.; and California Code of Regulations, Title 14, section 791, et seq.*

## Entry Fee

- *Nontank vessels 300 gross tons or greater carrying oil or fuel must pay a fee prior to entry. The fee is collected when you submit your COFR application. Fees are either USD \$650, or \$1,950, or \$3,250, depending on size/risk, and are good for 2 years.*

## I Need Fuel While I Am Here

- *Are there special fueling requirements for my ship? Yes if you have an oil carrying capacity of over 250 barrels (10,500 gallons).*
  - *The company providing the fuel/bunkers can probably help you meet the requirements.*
- *Certain things you must have:*
  - *Marine Oil Spill Contingency Plan – spill notification procedures available.*
  - *Seven Barrel Spill Kit – you can purchase or some companies rent them.*
  - *Emergency shutdown capabilities – know how to do this.*
  - *Two-way voice communication – radios.*
  - *Equipment, personnel, and procedures sufficient to contain a 50 barrel spill must be present on-site or deployable during all oil transfer operations.*
  - *Your OSRO or the fuel provider may be able to assist you with some of these during fueling.*

## What if I have an oil spill?

- *If you do have an oil spill, begin response actions:*
  - *Be safe.*
  - *Secure the source if you can.*
  - *Contain the oil if you can.*
  - *Immediately make all required notifications (within 30 minutes): National Response Center (USCG), California Emergency Management Agency (CalEMA), your QI, and your OSRO.*
- *This is what your oil spill contingency plan is for!*