



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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This form and applicable fees must be received by the Office of Spill Prevention and Response (OSPR) at least 10 calendar days prior to operating in California waters. An oil spill 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 for complete instructions. **WARNING: For security purposes all Zip files are NOT accepted.**

SECTION A. GENERAL INFORMATION

APPLICANT INFORMATION

Applicant must be either the owner or operator of the nontank vessel. 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

VESSEL OWNER

Include English equivalent of legal name if customarily written in a language other than English.

Company Name:

Mailing Address:

Telephone Number:

Facsimile Number:

Email address:

VESSEL OPERATOR

Include English equivalent of legal name if customarily written in a language other than English.

Company Name:

Mailing Address:

Telephone Number:

Facsimile Number:

Email address:



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CONTACT PERSON (Applicant or Designee)

Person to contact if necessary, to clarify this application. Include English equivalent of legal name if customarily written in a language other than English.

Company Name:

Contact Name:

Mailing Address:

Telephone number:

Facsimile number:

Email address:

CERTIFICATE DELIVERY

Certificates (including correspondence) will be delivered to the applicant or designee at the following address (no P.O. Boxes). Include English equivalent of legal name if customarily written in a language other than English.

Company Name:

Mailing Address:

Telephone number:

Facsimile number:

Email address:

AGENT FOR SERVICE OF PROCESS

Agent must provide California address. No P.O. Boxes.

Name:

Mailing Address:

Telephone number:

Email address:

Please indicate fee submitted with application. Refer to instructions on page 7, items 2. (A), (B), (C).

\$750:

\$2,250:

\$3,750:



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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. Gross Tonnage:

Regulatory
(U.S. Only):

International
Convention:

Tonnage:

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):

Financial Responsibility Calculation (for use only with total carrying capacities greater than 1,000 barrels to 6,500 barrels, or 7,500 if owned and operated by a California or Federal agency).

_____ (total carrying capacity) minus (-) 1,000 (bbls) = _____ times (x) \$5,670 =

\$ _____ plus (+) \$18,900,000 = \$ _____

For financial responsibility amounts for carrying capacities other than the above, see Section C.

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

Yes

No



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SECTION C. FINANCIAL RESPONSIBILITY AMOUNTS

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 (\$300,000,000) for damages caused by a spill. Certificates of financial responsibility are not required for non-self propelled nontank vessels that do not carry oil.
2. Owners or operators of nontank vessels that have a carrying capacity of 6,500 barrels of fuel or less, or 7,500 barrels of fuel 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:
 - For vessels with a carrying capacity of less than 1 barrel of fuel but not more than 10 barrels of fuel: \$2 million (\$2,000,000).
 - For vessels with a carrying capacity greater than 10 barrels of fuel but not more than 50 barrels of fuel: \$5 million (\$5,000,000).
 - For vessels with a carrying capacity greater than 50 barrels of fuel but not more than 500 barrels of fuel: \$10 million (\$10,000,000).
 - For vessels with a carrying capacity greater than 500 barrels of fuel but not more than 1,000 barrels of fuel: \$18.9 million (\$18,900,000).
 - For vessels with a carrying capacity greater than 1,000 barrels of fuel but not more than 6,500 barrels of fuel, or 7,500 barrels of fuel for nontank vessels owned and operated by California or a federal agency, demonstration of financial ability to pay shall be based on the following calculation: subtract 1,000 barrels from the total carrying capacity of fuel of the nontank vessel; multiply this amount by \$5,670 (which represents 30% of the per barrel clean-up and damage cost of spilled fuel of \$18,900); then add \$18.9 million (\$18,900,000).

SECTION D. EVIDENCE OF FINANCIAL RESPONSIBILITY

Financial responsibility must be demonstrated using one or more of the following methods. For each method used, attach copies of the required evidence. For complete information regarding demonstration of financial responsibility, refer to Title 14, California Code of Regulations, subsections 795(a) through (i).

1. 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 for marine pollution liability; or
- (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 Oil Spill Liabilities, form DFW 1962 (06/21/17); or
- (C) Similar or comparable assurance acceptable to the Administrator.

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



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2. 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 coverage and deductible amounts. A P&I Club Confirmation letter does not meet this requirement.

NOTE: Annually, certificate holders are required to submit written certification of renewal of their 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.

3. OTHER

- A. SELF-INSURANCE - For complete requirements see Title 14, CCR, subsection 795(b).
 - B. SURETY BOND - For complete requirements see Title 14, CCR, subsection 795(c).
 - C. LETTER OF CREDIT - For complete requirements see Title 14, CCR, subsection 795(d).
 - D. GUARANTY - For complete requirements see Title 14, CCR, subsection 795(e).
 - E. OTHER EVIDENCE OF FINANCIAL RESPONSIBILITY - Applicants may provide other evidence of financial responsibility that is not specifically mentioned in this section and which is acceptable to the Administrator.
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SECTION E. DECLARATION

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 F. Delegation of Authority

SECTION F. DELEGATION OF AUTHORITY BY THE APPLICANT

(Must be completed by the applicant or principal of the applicant if the Declaration in Section E 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 E)

is authorized to submit an application for a California Certificate of Financial Responsibility on behalf of the applicant.

Date

Signature

Title or Official Capacity



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INSTRUCTIONS

Owner or operator of a nontank vessel is defined in Government Code section 8670.3.

1. This application is comprised of six sections:

- Section A - General Information
- Section B - Vessel Data
- Section C - Financial Responsibility Amounts
- Section D - Evidence of Financial Responsibility
- Section E - Declaration
- Section F - Delegation of Authority by the Applicant

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

2. Pursuant to Government Code section 8670.37.58, a nontank vessel fee shall be submitted along with the application for a certificate of financial responsibility required pursuant to Government Code section 8670.41. The nonrefundable fee amounts are as follows:

- (A) Owners or operators of nontank vessels with a carrying capacity of over 6,500 barrels of fuel, or over 7,500 barrels of fuel for nontank vessels owned and operated by California or a federal agency, shall submit a nonrefundable fee of \$3,750 per vessel, or;
- (B) Owners or operators of nontank vessels that have a carrying capacity greater than 500 barrels of fuel but less than or equal to 6,500 barrels of fuel, or a carrying capacity greater than 500 barrels of fuel but less than or equal to 7,500 barrels of fuel for nontank vessels owned and operated by California or a federal agency, shall submit a nonrefundable fee of \$2,250 per vessel, or;
- (C) Owners or operators of nontank vessels that have a carrying capacity of 500 barrels of fuel or less shall submit a nonrefundable fee of \$750 per vessel.

3. Submit this completed application with a copy of the wire transfer receipt (see item 6. below for wiring instructions) or a check for the per vessel fee and the remittance information by one of the following methods:

Courier Service:

Department of Fish and Wildlife
Office of Spill Prevention and Response
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
P.O. Box 944209
Sacramento, CA 94244-2090

WARNING: For security purposes all Zip files transmitted to CDFW/OSPR via email will be rejected.



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4. Application Process:

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

5. Certificate Renewal Process:

Certificate renewal applications are sent to the applicant approximately forty-five (45) 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. Wiring Instructions:

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.

California Department of Fish and Wildlife
Bank of America Wire Transfer Instructions

Wire to: Bank of America Sacramento Main #1489

For Credit to the State of California
Account #: 14161-00452

ABA #: 0260-0959-3 (Domestic wires only)
Swift Code: BOFAUS3N (International wires only)

Beneficiary: CDFW

Reference: **Vessel name (required)**

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