



STATE OF ALASKA
 Department of Environmental Conservation
 Division of Spill Prevention & Response
 410 Willoughby Ave., Suite 303
 PO BOX 111800
 Juneau, Alaska 99811-1800
 Email: dec.nontankvessel.cofr@alaska.gov



**NONTANK VESSEL AND RAILROAD FINANCIAL RESPONSIBILITY
 APPLICATION INSTRUCTIONS**

**If this is a new application, or if the previous COFR has expired, continue to PART I.
 If the vessel qualifies for the renewal process, go to PART II.**

PART I.- NEW APPLICATION

- STEP 1.** Fill out the Nontank Financial Responsibility (FR) Application completely. (sections A-C)
Section A: General Information – Applicant page.
Section B: Vessel Information page. (Oil capacity **must** be submitted in barrels.)
Section C: Financial Responsibility Information. (Boxes 1-3b **must** be completed.)
- STEP 2.** Skip **PART II.** and proceed to **PART III.** of this page.

PART II. – RENEWAL PROCESS

- STEP 1.** Is there at least 30 days before the current certificate expires? (Y/N)
- STEP 2.** Has any of the application information changed from the original? (Y/N)
 (I.E. applicant, vessel name, vessel owner or operator, P&I information or other FR information.)
- STEP 3.** Was the original application on a form published before October 1, 2011? (Y/N)
 If **Yes** to any questions, then the vessel is not eligible for the renewal process. Go Back to **PART I.**
 If **No** to all, then continue.
- STEP 4.** Make a copy of pages 1-3 (Sections A, B and C) of the original application.
- STEP 5.** Proceed to **PART III** below.

PART III. - SIGNATURE

STEP 1. Section D. Sign and notarize. 18_AAC_75.205(c))

Applications not NOTARIZED will not be processed.

- STEP 2.** If applicable, complete **Section E:** Delegation of Authority by the Applicant.
STEP 3. Is this application being submitted less than 15 days prior to the start of operation? (Y/N)

IF YES, THEN; a cover letter must be submitted that demonstrates unanticipated circumstances prevented the applicant from meeting the 15-day deadline(in accordance with 18_AAC_75.205(b)(3)

STEP 4. Submit Original Application **AND** Financial Responsibility Information to the department no earlier than 90 days prior to operations.



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NONTANK VESSEL AND RAILROAD FINANCIAL RESPONSIBILITY
APPLICATION & CHECKLIST FOR OPERATORS AND OWNERS OF NONTANK VESSELS

Application is hereby made for demonstration of financial responsibility in accordance with:
AS 46.04.040, AS 46.04.055 and 18 AAC 75 Article 2.

SECTION A. GENERAL INFORMATION - APPLICANT

Form with 7 main sections: 1. Legal name of applicant, 2. Trade Name, 3. Applicant's complete mailing address, 4. Type of business entity, 5. Bankruptcy status, 6. U.S. representative, 7. Delivery address. Includes sub-sections for contact information and business details.

SECTION B. VESSEL INFORMATION

(If this application applies to multiple vessels, copy this form and list information for each vessel on separate sheets)

Vessel Particulars

a.	Vessel name:	
b.	Vessel flag (Nationality of Registry):	Date of Arrival in Alaska
c.	Official Number IMO Number	
d.	Type of vessel: ___ Cable Layer ___ Cargo-Bulk Carrier ___ Cargo-Chemical ___ Cargo-Container (check one) ___ Cargo-LNG/LPG ___ Cargo-Reefer ___ Passenger ___ Fishing-Trawler ___ Fish Processor ___ Fishing Fleet (other) ___ Railroad Other (specify): _____	
e.	Gross registered tonnage (GRT). As determined by the U.S. Coast Guard under 33 CFR 138.30.	GRT
f.	Vessel length over all (LOA) – The measured overall length of the vessel. 1 meter = 3.28 feet	___ Feet ___ Meters

Vessel Oil Capacity Information

a.	Total oil storage capacity of the vessel by oil types (Refer to 33 CFR 155.1020 for definition of oil types). "Oil storage capacity" is the full physical volume of all fuel tanks, lube oil tanks, hydraulic oil tanks, day tanks, slop/sludge tanks, waste oil tanks, and bilge tanks on the vessel. Note: <u>use barrel</u> units only. 1 barrel = 42 U.S. gallons = 0.1590 m ³	
	i. Persistent Oil in barrels (Typical persistent oils include lube oils, heavy fuel oils, IFO180, bunker fuels and NSFO)	Barrels
	ii. Non-persistent Oil in barrels (Typical non-persistent oils include: MGO, MDO, diesel oils, aviation gasoline, and hydraulic fluids)	Barrels
	iii. Total of both Persistent Oil + Non-persistent Oil in barrels Now follow instruction for 2.b or 2.c, whichever is applicable below	Barrels
b.	If the number of barrels of persistent oil at B.2.a.i (above) is greater than the barrels of non-persistent oil at B.2.a.ii, then multiply the total number of barrels at B.2.a.iii by \$501.60 per barrel. If the result is greater than \$8,360,000, enter the result; otherwise enter \$8,360,000.	Barrels x \$501.60 = \$ _____ or \$8,360,000
c.	If the number of barrels of non-persistent oil at B.2.a.ii (above) is greater than the barrels of persistent oil at B.2.a.i, then multiply the total number of barrels at B.2.a.iii by \$167.20 per barrel. If the result is greater than \$1,672,000, enter the result; otherwise enter \$1,672,000.	Barrels x \$167.20 = \$ _____ or \$1,672,000
	Enter the largest dollar amount in 2.b or 2.c into the box provided in Section C – Box 1	

Vessel Owner Information

a.	Owner name:	
b.	Owner mailing address:	Owner country:

Vessel Operator Information

a.	Operator name:	
b.	Operator mailing address:	Operator country:

SECTION C. FINANCIAL RESPONSIBILITY INFORMATION – Complete Boxes 1 – 3b

Box 1: Indicate the largest dollar amount calculated under Section B, Item 2.b or Item 2.c for the vessel or all vessels included in this application:	Box 1: \$
Box 2: The total dollar amount of all financial responsibility documents listed below in Section C, Items 1 through 6 (below) is:	Box 2: \$
Box 3a: The total dollar amount of all financial responsibility as listed in Box 2 above is greater than, or equal to the largest dollar amount calculated as listed in Box 1 above. (Check yes or no)	Box 3b: <input type="checkbox"/> Yes <input type="checkbox"/> No (If no, please attach an explanation of how Alaska financial responsibility requirements will be met.)

Check all appropriate lines below to indicate what evidence of financial responsibility the applicant is providing.

1. P&I CLUB **Reference – 18 AAC 75.271**

- P&I club Certificate of Entry** for each nontank vessel is enclosed including all addenda pertaining to the amount and applicability of oil pollution coverage and amount of deductibles.
 - Certificate is in the full amount required under 18 AAC 75.235.
 - Deductible exists but supplemented per 18 AAC 75.271. Documents are enclosed (describe) _____

2. INSURANCE: **Reference – 18 AAC 75.250**

- Binder or insurance certificate enclosed**, to be followed in 90 days by the underlying insurance policy.
 - Alaska Endorsement is enclosed per 18AAC 75.271(b)(1)(A).
 - Insurance is in the full amount required under 18 AAC 75.235.
 - Deductible exists but supplemented per 18 AAC 75.271. Documents are enclosed (describe) _____

OR

- Full Insurance Policy enclosed**
 - Alaska Endorsement is enclosed per 18AAC 75.271(b)(1)(A).
 - Insurance is in the full amount required under 18 AAC 75.235.
 - Deductible exists but supplemented per 18 AAC 75.271. Documents are enclosed (describe) _____

3. SELF-INSURANCE **Reference – 18 AAC 75.245**

- Annual audited financial statement** certified by an independent certified public accountant is enclosed.
- Quarterly affidavit** attesting to net worth and working capital, or liquid assets and cash flow is enclosed per 18 AAC 75.245.

OR

- Most **recent Form 10 K** form of United States Security and Exchange Commission.
- Most **recent Form 10 Q** form of United States Security and Exchange Commission.

OR

- Most **recent Form 6** of Federal Energy Regulatory Commission is enclosed.

4. SURETY BOND **Reference – 18 AAC 75.255**

- DEC Surety Bond Form A** is enclosed.
 - Surety Bond is in the full amount required under 18 AAC 75.235.
 - Deductible exists but supplemented per 18 AAC 75.271. Documents are supplied (describe) _____
 - Surety issuer is registered in the State and possesses a certificate of authority to do business in the United States.
 - Surety issuer possesses sufficient underwriting limitation.

5. GUARANTY **Reference – 18 AAC 75.260**

- DEC Guaranty Form B** is enclosed.
 - Guaranty is in the full amount required under 18 AAC 75.235.
 - Deductible exists but supplemented per 18 AAC 75.271. Documents are enclosed (describe) _____

6. LETTER OF CREDIT **Reference – 18 AAC 75.265**

- A **Letter of credit** is enclosed.
 - Letter of Credit is in the full amount required under 18 AAC 75.235.
 - Deductible exists but supplemented per 18 AAC 75.271. Documents are enclosed (describe) _____

7. OTHER **Reference – 18 AAC 75.271**

- Certificate of Deposit** for deductible or other financial information is enclosed. Describe: _____

OR

- Other coverage** evidence meeting 33 C.F.R. Part 138 (coverage must include oil pollution risks per AS 46.04.040(l)) Describe: _____

OR

- Contract of indemnity** that meets the requirements of AS 46.04.055 is enclosed.

Vessel Name(s) _____

SECTION D. SIGNATURE PAGE

I hereby swear or affirm that I am the applicant; a principal of the applicant; an authorized agent for the applicant (Section E, below, must be completed); or an official of the applicant. As required by 18 AAC 75.205(a) and (c), I 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 evidence of financial responsibility, schedules and statements, and to the best of my knowledge, information and belief, find it to be true, correct and complete.

Signature (as required by 18 AAC 75.205(c))

Typed name and title

Country of _____ State of _____ County of _____

Before me, the undersigned authority, a Notary Public in and for said Country, State, and County, on this day personally appeared

_____, known to me to be the person and officer whose
(Name of applicant/principal of the applicant/authorized agent or official of the applicant)

name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of said business

(Name of business/entity of applicant)

and that said person executed the same as the act of such business for the purposes and consideration therein expressed and in the capacity therein stated.

Notary Signatory Area

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this _____ day of _____, 201_____.

Notary Public in and for the Country of _____
in the State of _____

(Notary Seal here)

in the County of _____

My commission expires _____

Notary Signature: _____

If your country's Notary Public system is not signed in the above format, please use the area below, or the back side of the application. Additionally, you may also attach your countries legalization documentation in order to have your application notarized.

If your application is not notarized it will not be processed.

SECTION E. DELEGATION OF AUTHORITY BY THE APPLICANT

(Must be completed by the applicant named in Section A, Item 1 if the above declaration has been executed by an agent acting on behalf of the applicant.)

I, _____ hereby declare that _____
(Name of the applicant from Section A, item 1) (Name of authorized agent whose signature appears in section D)

is authorized to submit this application for Approval of Proof of Financial Responsibility under AS 46.04.055 on the applicant's behalf.

Date: _____

Signature

Title or Official Capacity