

No. 6 - California/Oil Spill Response Planning for Non Tank Vessels

July 1999

Dear Sirs

California/Oil Spill Response Planning for Non Tank Vessels

As from the 1st September 1999, non tank vessels in excess of 299 gt will be required to comply with new oil spill response planning regulations applicable in the marine waters of the State of California. Because the final draft of these regulations is still awaiting formal approval at the time of writing this circular, Members should be aware that there may be one or two detailed changes in the requirements over the next couple of weeks. However, no substantial amendments are anticipated at this late stage.

In order to comply with the new regulations the owner or operator must have the following in place:-

1. An approved oil spill contingency plan. Plans may be submitted either on an individual vessel or fleet basis and must be capable of dealing with the worst case scenario, defined as a spill of the total volume of the largest fuel tank on the non tank vessel.
2. A contract with an approved oil spill response organisation (OSRO).
3. A Qualified Individual (QI).
4. A Certificate of Financial Responsibility in the amount of US\$300 million. This can be obtained by application to the California Office of Oil Spill Response

Address:

California Dept. of Fish and Game Office of
Oil Spill Prevention and Response,
P O Box 944209,
1700 K Street,
Sacramento, California 94244.
Tel: 916/323 4731
Fax: 916/327 0907

together with a copy of the vessel's current West of England entry certificate and a fee of US\$100 per vessel.

5. A nominated agent for the service of legal process.
6. Notification procedures to be followed in the event of an oil spill.

There are various additional requirements under the regulations including an obligation to carry out emergency procedures and notification drills quarterly or at least 72 hours prior to entering California waters. Also, vessels intending to bunker in California waters must carry a specified seven barrel spill kit to deal with on deck spills.

As a service to Members, the Managers are finalising arrangements with at least two organisations providing spill management services who will be able to help Members with the preparation and approval of an oil spill contingency plan in addition to providing QI services and an address for the service of process. They will also be able to offer advice on training, drills and compliance with other aspects of the regulations.

The Managers are also making arrangements with OSROs in order to satisfy the contractual requirement referred to under item 2.

By making en bloc arrangements of this type on behalf of the membership, the Managers expect that it will be possible to enable non tank vessel Members to comply with items 1,2,3,5 and 6 at a low cost which will be met by the Club.

An additional benefit of these arrangements will be that the services of the selected OSRO and spill manager will be available to Members not only in California but in all other US maritime states.

Members wishing to take advantage of this service should contact the Club's general commercial representative in the US, TBS Adjusting Inc, who will assist with the preparation of the response plan and relevant documentation, and be able to advise both on the arrangements outlined in this circular and on the various alternative options which are, or may become, available.

Address:

TBS Adjusting Inc,
3400 Energy Centre,
1100 Poydras Street,
New Orleans, LA 70163-3400.
Tel: 504/524 2301
Fax: 504/524 2203
E-mail: host@tbs-adjusting.com

Yours faithfully

**The West of England Ship Owners
Insurance Services Limited**
(As Managers)

C.A.G. Havers
Director