



STATE OF ALASKA
 Department of Environmental Conservation
 Division of Spill Prevention & Response
 410 Willoughby Ave., Suite 303
 PO BOX 111800
 Juneau, Alaska 99811-1800



**NON-TANK VESSELS FINANCIAL RESPONSIBILITY
 APPLICATION INSTRUCTIONS (Exceeding 400 GT)**

IS THIS A NEW APPLICATION? OR HAS YOUR COFR EXPIRED? YES, THEN;

- 1) Fill out the entire Non-Tank Financial Responsibility (FR) Application (sections A-D),
 Sections A & B are self explanatory. Note: Please verify name(s) of vessel(s), IMO/LR number(s) and note that oil carrying capacity must be submitted in barrels
 Section C – Note: You must fill in Section C, indicating the amount of financial responsibility you are submitting and acknowledge your understanding of the FR requirements by checking all applicable boxes for your type of FR.
 Section D – Your application must be notarized or it will not be processed.
- 2) Have the last page (Section D) of the Application signed by the responsible party, in (accordance with [18 AAC 75.205\(c\)](#)),
- 3) Have the Application Notarized (legalized). Your application must be notarized or it will not be processed
- 4) Submit Application **AND**,
 Submit Financial Responsibility Information to our office
- 5) Is this application being submitted less than 15 days prior to the start of operation? **YES, THEN;**
 Then you must also submit a cover letter that demonstrates that unanticipated circumstances prevented the applicant from meeting the 15-day deadline (in accordance with [18 AAC 75.205\(b\)\(3\)](#))



STREAMLINED RENEWAL INSTRUCTIONS

THIS A RENEWAL APPLICATION, AND YOUR AK COFR HAS NOT EXPIRED YES, THEN ASK;

HAS ANY OF THE APPLICATION INFORMATION CHANGED FROM THE ORIGINAL (I.E. APPLICANT, VESSEL NAME, VESSEL OWNER OR OPERATOR, P& I INFORMATION OR OTHER FR INFORMATION)? Was the original application on a form published before October 1, 2005?

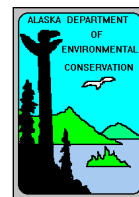
Yes. Then you are not eligible for the renewal process. Please follow the instructions above for a new application

No. Information in the original application has not changed, **then follow instructions below;**

TYPE VESSEL NAME: _____ TYPE VESSEL AK COFR #: _____

- 1) Make a copy of the 1st 3 pages of the original application. If application was made on a form published prior to October 1, 2008 **please ensure your proof meets the updated minimum FR requirements.**
- 2) Print out the last page (Sections D and E) of the Application and have it signed by the responsible party, in (accordance with [18 AAC 75.205\(c\)](#))
- 3) Have the Application Notarized (legalized). Your application must be notarized or it will not be processed
- 4) Submit first Application **AND**

Submit Financial Responsibility Information to our office 30 days prior to the expiration date on you current COFR, but no earlier than 90 days. If evidence of financial responsibility renewal is not available at time of application, **please attach a letter explaining the circumstances.** Final proof of financial responsibility must be provided within 90 days of certificate renewal.



**FINANCIAL RESPONSIBILITY APPLICATION & CHECKLIST
 FOR OPERATORS AND OWNERS OF NON-TANK VESSELS (Exceeding 400 GT)**

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

1.	Legal name of applicant (include English equivalent of legal name if customarily written in a language other than English):	
2.	Trade Name (name generally known to the public) if different from item 1 above:	
3.	Applicant's complete mailing address (street number, post office box, city, state, province or country and Postal (ZIP) Code):	
	Applicant telephone number (include country code):	Applicant facsimile number (include country code):
	Applicant e-mail address:	
	Name and mailing address of the person the Department of Environmental Conservation should contact if necessary to clarify application:	
	Telephone number (include country code):	Facsimile number (include country code):
	E-mail address:	
4.	Type of business entity (i.e. sole proprietor, corporation, partnership):	
	If a corporation, provide the state or foreign country incorporated in:	
	If a partnership, state the name of each general partner:	
	If a subsidiary, provide the following information:	
	a. Name of parent corporation:	b. State or foreign country incorporated:
5.	Has applicant or parent corporation ever been named as a debtor in a voluntary or involuntary bankruptcy proceeding under Title 11 (Bankruptcy), US Code or similar non-US statute?	Yes (if yes explain on separate sheet) No
6.	Name and mailing address of applicant's U.S. representative, if any:	
7.	Name and street address where the certificate(s) should be delivered, if different from item 3 above: If you want the certificate faxed or emailed please include that information here.	
	Telephone number (include country code):	Facsimile number (include country code):

ADEC Use Only	Date Received:	Date Certificate Issued:
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SECTION B. VESSEL INFORMATION

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

1. Vessel Particulars

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

2. 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. 1 barrel = 42 U.S. gallons = 0.1590 m ³	
i.	Persistent Oil (Typical persistent oils include lube oils, heavy fuel oils, IFO180, bunker fuels and NSFO)	Barrels
ii.	Non-persistent Oil (Typical non-persistent oils include: MGO, MDO, diesel oils, aviation gasoline, and hydraulic fluids)	Barrels
iii.	Total Oil Storage Capacity (Persistent Oil + Non-Persistent Oil) 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 \$469.80 per barrel. If the result is greater than \$7,830,000, enter the result; otherwise enter \$7,830,000.	Barrels x \$469.80 = \$ _____ or \$7,830,000
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 \$156.60 per barrel. If the result is greater than \$1,566,000, enter the result; otherwise enter \$1,566,000.	Barrels x \$156.60 = \$ _____ or \$1,566,000
Enter the largest dollar amount in 2.b or 2.c into the box provided in Section C – Box 1		

3. Vessel Owner Information

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

4. Vessel Operator Information

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

SECTION C. FINANCIAL RESPONSIBILITY INFORMATION

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: \$			
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)	<table border="1"> <tr> <td>Yes</td> <td rowspan="2">(If no, please attach an explanation of how Alaska financial responsibility requirements will be met.)</td> </tr> <tr> <td>No</td> </tr> </table>	Yes	(If no, please attach an explanation of how Alaska financial responsibility requirements will be met.)	No
Yes	(If no, please attach an explanation of how Alaska financial responsibility requirements will be met.)			
No				

Financial responsibility may be demonstrated by self-insurance, insurance, surety bond, guaranty, letter of credit or other proof of financial responsibility approved by the Department. The options are listed with a regulatory reference where further information may be found. **Please check all appropriate boxes to indicate what evidence of financial responsibility you are enclosing along with this application and of your understanding of the various requirements.**

1. OTHER PROOF OF FINANCIAL RESPONSIBILITY FOR NON-TANK VESSELS Reference – 18 AAC 75.271

- Contract of indemnity or insurance that meets requirements of AS 46.04.055 is enclosed. This does not require insurer to be subject to direct court action or does not agree to appoint an agent for service of process.
- A certificate of enrollment for each non-tank vessel in an acceptable **P&I club** is enclosed including all addenda pertaining to the amount and applicability of oil pollution cover and amount of deductibles.
- Certificate of Deposit for deductible, or other financial information is enclosed. Describe here:
- Insurance, surety bond, self-insurance, financial guaranty, or other evidence of financial responsibility that meets federal financial responsibility requirements in 33 C.F.R. Part 138 if the coverage includes the oil pollution risks specified in AS 46.04.040(l).

2. 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 (as defined in 18 AAC 75.245) is enclosed.
- The most recent United States Security and Exchange Commission Form 10 K is enclosed.
- The most recent United States Security and Exchange Commission Form 10 Q is enclosed.
- The most recent Federal Energy Regulatory Commission Form 6 is enclosed.

3. INSURANCE Reference – 18 AAC 75.250

- Insurer must be authorized to sell insurance in the State or not disapproved to sell insurance by the State.
- Binder or insurance certificate enclosed, to be followed in 90 days by the underlying insurance policy.
- Copy of the current insurance policy is enclosed.
- Deductible clause in the policy will be met by another form of proof. (These other forms must be indicated on this checklist.)
- Policy, binder or certificate includes the endorsement required under 18 AAC 75.250(b).
- Direct action and an agent for service of process are provided

4. SURETY BOND Reference – 18 AAC 75.255

- DEC Surety Bond Form A is enclosed. Find Form A on the Financial Responsibility Internet Web Page at <http://www.state.ak.us/dec/spar/ipp/fr&pi.htm#forms>.
- Surety Bond is in the full amount required under AS 46.04.040, AS 46.04.055 or 18 AAC 75.235.
- Surety Bond is in an amount less than required under AS 46.04.040, AS 46.04.055 or 18 AAC 75.235, but is supplemented with other proof of financial responsibility to equal the full amount required. (These other forms must be indicated on this checklist.)
- Direct action and an agent for service of process are provided.
- Surety issuer is registered in the State and possesses a certificate of authority to do business in the United States.
- Surety issuer posse's sufficient underwriting limitation.

5. GUARANTY Reference – 18 AAC 75.260

- DEC Guaranty Form B is enclosed. Find Form B on the Financial Responsibility Internet Web Page at <http://www.state.ak.us/dec/spar/ipp/fr&pi.htm#forms>.
- Guaranty is in the full amount required under AS 46.04.040, AS 46.04.055 or 18 AAC 75.235.
- Guaranty is in an amount less than required under AS 46.04.040, AS 46.04.055 or 18 AAC 75.235, but is supplemented with other proof of financial responsibility to equal the full amount required. (These other forms must be indicated on this checklist.)
- Direct action and an agent for service of process are provided.
- The requirement under 18 AAC 75.245 are met and individually indicated by checking the applicable spaces in the self-insurance checklist at Item 2 on this page (above).

6. LETTER OF CREDIT Reference – 18 AAC 75.265

- A Letter of credit is enclosed.
- The Letter of Credit is in the full amount required under AS 46.04.040, AS 46.04.055 or 18 AAC 75.235.
- The Letter of Credit is in an amount less than required under AS 46.04.040, AS 46.04.055 or 18 AAC 75.235, but is supplemented with another form of proof to equal the full amount. (These other forms must be indicated on this checklist.)
- An agent for service of process is required.
- The Letter of Credit is issued by a financial institution that has authority to do so and is regulated and examined by state and federal banking agencies.

SECTION D. SIGNATURE (MUST BE COMPLETED BY ALL APPLICANTS)

Vessel
Name(s) _____

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 _____, 200_____.

Notary Public in and for the Country of _____

in the State of _____

in the County of _____

My commission expires _____

Notary Signature: _____

(Notary Seal here)

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