



Alaska Department of Environmental Conservation  
Division of Spill Prevention and Response/Nontank Vessels  
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## NONTANK VESSEL AND RAILROAD FINANCIAL RESPONSIBILITY APPLICATION INSTRUCTIONS

If this is a new application, or if the previous proof of financial responsibility certificate has expired, continue to **PART I.**  
**\*The first application submitted after October 1, 2023 must follow Part I, even if this is a renewal application.**

If the vessel qualifies for the renewal process, go to **PART II.**

### **PART I.- NEW APPLICATION**

**STEP 1.** Fill out the application completely.

**STEP 2.** Skip **PART II.** and proceed to **PART III.** of this page.

### **PART II. – RENEWAL PROCESS**

**STEP 1.** Has any of the application information changed from the original? ☐ Yes ☐ No  
(i.e.: applicant, railroad name, vessel name, vessel owner or operator, P&I information, or other FR information.)

If **YES** complete entire application form.

If **NO** - see below (step 2)

**STEP 2: UPDATE PAGE 2 & 3** (Section B & C) Make copy of form pages 1 and 4 from prior year

\*There were 2023 changes to the required FR amounts, so all applications need an updated page 2 & 3 of form.

**STEP 3.** Proceed to **PART III** below.

### **PART III. – SIGNATURE**

**STEP 1.** Section E Sign Certification Statement

**STEP 2.** If applicable, complete Section F Delegation of Authority by the Applicant.

**STEP 3.** If a nontank vessel application, is this application being submitted less than 15 days prior to the start of operation? ☐ Yes ☐ No

**IF YES, THEN;** a cover letter must be submitted that demonstrates unanticipated circumstances prevented the applicant from meeting the deadline in accordance with 18 AAC 75.205(b)(2) or (3) as applicable.

### **October 1, 2023 – September 30, 2026 Dollar Amounts**

Nontank Vessel: Predominantly Persistent Product	\$668.70 \$11,145,000	per incident, per barrel multiplier per incident minimum
Nontank Vessel: Predominantly Nonpersistent Product	\$222.90 \$2,229,000	per incident, per barrel multiplier per incident minimum
Railroad Tank Car: Persistent Product	\$668.70	per incident, per barrel multiplier
Railroad Tank Car: Nonpersistent Product	\$222.90 \$2,229,000	per incident, per barrel multiplier per incident minimum



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

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, OWNER, AND OPERATOR**

For Nontank Vessel, date due in state waters:		Nontank Vessel(s) names:	
<b>Applicant Information</b>			
Applicant: (Include English equivalent of legal name if customarily written in a language other than English):			
Mailing address – street number/post office box:		City:	
State:	Country:	Postal code:	
Contact name:		Email address:	
Telephone number (include country code):		Fax number (include country code):	
If a corporation, provide the state or foreign country incorporated in:			
<b>Vessel or Railroad Owner Information</b>			
Owner Name:			
Mailing address – street number/post office box:		City:	
State:	Country:	Postal Code:	
<b>Vessel or Railroad Operator Information</b>			
Operator Name:			
Mailing address – street number/post office box:		City:	
State:	Country:	Postal Code:	
<b>Agency or Company Information (if applicable)</b>			
Name of marine agency or US company office completing application:			
Mailing address – street number/post office box:		City:	
State:	Country:	Postal Code:	
Contact name:		Email address:	
Telephone number (include country code):		Fax number (include country code):	
<b>Certificate(s) Sent To (if applicable)</b>			
Email to send certificate(s) to if different from information listed above:			

**SECTION B. VESSEL OR RAILROAD INFORMATION**

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

Vessel or Railroad Particulars as applicable to facility type		
Vessel or Railroad Name:		
Vessel flag (Nationality of Registry):		
IMO Number:	Official Number:	
Type of facility: (check one) <input type="checkbox"/> Cargo <input type="checkbox"/> Fishing <input type="checkbox"/> Fish Processor <input type="checkbox"/> Passenger <input type="checkbox"/> Pleasure Craft <input type="checkbox"/> Railroad <input type="checkbox"/> Other: _____		
Gross registered tonnage (GRT). As determined by the U.S. Coast Guard under 33 CFR 138.30.		GRT
<b>For Vessel:</b> Vessel length over all (LOA) – The measured overall length of the vessel. 1 meter = 3.28 feet		<input type="checkbox"/> Meters <input type="checkbox"/> Feet
<b>For Railroad:</b> Maximum number of railroad tank cars by oil type:	Persistent Oil	Nonpersistent Oil

Vessel or Railroad Oil Capacity Information	
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: use barrel units only. 1 barrel = 42 U.S. gallons = 0.1590 m <sup>3</sup>	
<b>i. Persistent Oil in barrels</b> (Typical persistent oils include lube oils, heavy fuel oils, IFO180, bunker fuels and NSFO)	<b>Barrels</b> *Round to the nearest whole number
<b>ii. Nonpersistent Oil in barrels</b> (Typical nonpersistent oils include: MGO, MDO, diesel oils, aviation gasoline, and hydraulic fluids)	<b>Barrels</b> *Round to the nearest whole number
<b>iii. For Nontank vessels:</b> Total of both Persistent Oil + Nonpersistent Oil in barrels	<b>Total Barrels</b>
<b>iii(A)</b> If the total barrels (iii above) are predominately <b>persistent oil</b> : Enter dollar value that is the greater of: 1) the persistent minimum (\$11,145,000) <b>OR</b> 2) total barrels x persistent multiplier (\$668.70)	\$ _____
<b>iii(B)</b> If the total barrels (iii above) are predominately <b>nonpersistent oil</b> : Enter dollar value that is the greater of: 1) the nonpersistent minimum (\$2,229,000) <b>OR</b> 2) total barrels x nonpersistent multiplier (\$222.90)	\$ _____
<b>iv. For Railroad</b>	
<b>iv.(A) Persistent oil:</b> Enter the dollar amount for barrels(i above) x persistent multiplier (\$668.70)	\$ _____
<b>iv.(B) Nonpersistent oil:</b> Enter dollar value that is the greater of: 1) the nonpersistent minimum (\$2,229,000) <b>OR</b> 2) total barrels (ii above) x nonpersistent multiplier (\$222.90)	\$ _____
<b>iv.(C) Total Value:</b> Add values from lines iv(A) and iv(B) above	\$ _____ <b>Total Value</b>

**SECTION C. FINANCIAL RESPONSIBILITY INFORMATION**

<b>Box 1: For Vessels:</b> Indicate the largest dollar amount calculated under Section B, Item iii(A) or Item iii(B) above for the vessel or all vessels included in this application: <b>(This is the required amount of FR needed for the vessel(s))</b>		Box 1: \$ _____
<b>Box 2: For Railroads:</b> Indicate the dollar amount calculated under Section B, Item iv(C) above for the railroad included in this application: <b>(This is the required amount of FR needed for the railroad)</b>		Box 2: \$ _____
<b>Box 3:</b> The total dollar amount of all financial responsibility documents listed in Section D (page 4, below), Items 1 through 7 is: <b>(This is the amount of coverage carried)</b>		Box 3: \$ _____
<b>Box 3a:</b> The total dollar amount of all financial responsibility as listed in Box 3 above is greater than, or equal to the largest dollar amount calculated as listed in Box 1 or Box 2 above. <b>(Check yes or no)</b>	<b>Box 3b:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	(If no, please attach an explanation of how Alaska financial responsibility requirements will be met.)
<b>4a.</b> Indicate the per accident or occurrence <u>pollution</u> deductible (if using a P&I club or insurance as coverage)		<b>4b.</b> \$ _____
<b>5a.</b> The total per accident or occurrence deductible as listed in <b>box 4b</b> above is less than, or equal to \$50,000 USD per 18 AAC 75.271(d)	<b>5b.</b> <input type="checkbox"/> Yes <input type="checkbox"/> No * If no please attach supplemental documents per 18 AAC 75.271	

Application continues on the following pages.

## SECTION D. FINANCIAL RESPONSIBILITY CHECKLIST

Check all appropriate lines below to indicate what evidence of financial responsibility is being provided.

### 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. Find Form A: <http://dec.alaska.gov/spar/ppr/contingency-plans/financial-responsibility>

☐ Surety Bond is in the full amount required under 18 AAC 75.235.

☐ Surety issuer is registered in Alaska 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**. Find Form B: <http://dec.alaska.gov/spar/ppr/contingency-plans/financial-responsibility>

☐ Guaranty is in the full amount required under 18 AAC 75.235.

### 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.

### 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.

I certify 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.

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**SECTION F. DELEGATION OF AUTHORITY BY THE APPLICANT**

(Must be completed by the applicant named in Section A, 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) (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.

\_\_\_\_\_  
Title or Official Capacity

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date