

Dear Sirs,

**Californian Oil Spill Contingency Planning Regulations  
for Non-Tank Vessels.**

There have been important changes in the state of California's oil pollution legislation recently. New regulations, which take effect from 1 September 1999, will impose specific obligations upon non-tanker vessels which enter Californian state waters. All such vessels of 300 gross tons or more will then have to have:

1. A certificate of financial responsibility, issued by the administrator of the California Office of Spill Prevention and Response (OSPR), confirming that the vessel has demonstrated financial ability to pay for damage resulting from an oil spill, with a limit of up to U.S.\$300 million. OSPR is likely to accept, as evidence of such financial responsibility, entry in the Club for P&I cover including pollution risks, provided that the deductible in respect of pollution liability is no greater than U.S.\$25,000.
2. An oil spill contingency plan, approved by OSPR, consistent with state, area and national contingency plans and, where appropriate, with the vessel's safety management system. This is similar to Federal pollution response planning requirements for tankers, and will require an English-speaking qualified individual (QI), available 24 hours a day, with authority to implement the response. The plan will need to identify the spill management team and contracted oil spill response resources capable of dealing with a worst case discharge.

Although the final version of these regulations has not yet been published, the essential requirements, for non-tank vessels entering Californian state waters, are thus likely to mirror those required of tankers under the Federal Oil Pollution Act (OPA 90).

In order to enable Members to respond to these requirements, and to secure the availability of clean up resources not only in California but elsewhere in the United States, the Association has been in discussion with various organisations which offer pollution management and clean up services. The purpose of these discussions is to ensure that Members have as wide a choice as possible in terms of oil spill response resources, qualified individuals, and consultants, who will be able to assist at all stages, from drawing up of vessel plans, to active intervention in the event of a spill. None of the other U.S. states currently appears to be introducing mandatory requirements, but it is clearly desirable that effective arrangements for oil spill response should be established not only in California but also in other coastal American states.

The Association is in the process of finalising these arrangements at the most reasonable cost to non-tanker Members. When completed, which is expected to be within the next few weeks, a further circular will be issued.