

APPLICATION FOR VESSEL CERTIFICATE OF FINANCIAL RESPONSIBILITY (WATER POLLUTION)

PART I: GENERAL

INSTRUCTIONS

Please type or print and submit this application, together with all evidence of financial responsibility required under 33 CFR § 138.80 and all fees required under 33 CFR § 138.130, to the CG National Pollution Funds Center, US Coast Guard STOP 7605, 2703 Martin Luther King Jr. Ave SE, Washington DC 20593-760 (Telephone: (202) 795-6130, Fax: (202) 795-6123). Applicants must answer all applicable questions. If a question does not apply, answer "not applicable." Incomplete applications will be returned. If additional space is required, supplemental sheets may be attached. The completed application and all supporting information must be provided in the English language, and must express all monetary terms in United States Dollars. As an alternative to using this form, you may use the E-COFR system, available through the NPFC's Web site at <https://npfc.uscg.mil/cofr>.

1. (a) Legal Name of Applicant (*Name of Responsible Operator of all Vessels Listed in Part II*):

THIS SPACE FOR USE BY USCG ONLY

(b) English Equivalent of Legal Name (*if customarily written in language other than English*):

(c) Trade Name (*if any*):

2. Is this the first time the above-named applicant is submitting application Form CG-5585?

Yes

No

If no, what Coast Guard Control Number was assigned to the first application Form CG-5585?

3. State applicant's legal form of organization (*i.e., operating as an individual, corporation, partnership, association, joint stock company, business trust, or other organized group of persons [whether incorporated or not], or as a receiver, trustee, or other liquidating agent*) and briefly describe applicant's current business activities and length of time engaged therein:

(a) Indicate if a corporation, association, or other organization:

U.S. or Foreign State in which incorporated or organized:

Date of incorporation or organization:

(b) If a partnership, provide name and address of each partner:

4. Name and address of applicant's U.S. agent or other person authorized by applicant to accept service of process and receipt of notices of designations and presentations of claims in the U.S. (collectively referred to as "service of process") (**NOTES: See Part IV; U.S. applicants may appoint themselves as agent, eliminating the need to complete Part IV**):

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The Coast Guard estimates that the average burden for completing this form is 30 minutes. You may submit any comments concerning the accuracy of this burden estimate or any suggestion for reducing the burden to the: Commandant (NPFC), U.S. Coast Guard, 2703 Martin Luther King Jr. Ave., SE, Washington, D.C. 20593-7605 or Office of Management and Budget, Paperwork Reduction Project (1625-0046), Washington, DC 20503.

6. Items 7 through 11 are methods of establishing and maintaining evidence of financial responsibility. Answer only the item(s) which are applicable to this application:

- Insurance (Answer item 7) Surety Bond (Answer item 8) Financial Guaranty (Answer item 9) Self-Insurance (Answer item 10) Other Services (Answer item 11)

7. Name and address of applicant's insurance guarantor (*Insurance Guaranty Form CG-5586 or Master Insurance Guaranty Form CG-5586-1 must be filed before a Certificate will be issued*):

8. Name and address of applicant's surety bond guarantor (*Surety Bond Guaranty Form CG-5586-2 must be filed before a Certificate will be issued*):

Total amount of surety bond guaranty:

\$

9. Name and address of applicant's financial guarantor (*Financial Guaranty Form CG-5585-3, or Master Financial Guaranty Form CG-5586-4 and all financial data and other information required by 33 CFR 138.80(b)(4) must be filed before a Certificate will be issued*):

Financial Guarantor's fiscal year:

_____ to _____
(Month) (Day) (Month) (Day)

10. If applicant intends to qualify as a self-insurer, attach all financial data and other information required by 33 CFR 138.80(b)(3) and indicate fiscal year. (*All required information must be filed before a Certificate will be issued*):

_____ to _____
(Month) (Day) (Month) (Day)

11. If applicant intends to qualify through other evidence, supply all information required by 33 CFR 138.80(b)(5):

PART III: DECLARATION

12. Applicant's mailing address (*street number, post office box, city, state or country. Indicate zip code if in the U.S.*):

13. Telefax number:

14. Name and title of the official signing this application:

15. Address of principal office in the U.S. (*if any*):

16. Telephone no. (*include area code*):

17. E-mail address:

I declare that I have examined this application, including any accompanying schedules and statements, and, to the best of my knowledge and belief, it is true, correct, and complete. Furthermore, the applicant named in item 1(a) of Part I above is the responsible operator of all vessels now listed in or later added to this application. I agree that in the event the agent designated in item 4 of Part I above, or that agent's replacement as may be designated later with the approval of the Director, U.S. Coast Guard National Pollution Funds Center, cannot be served due to death, disability, unavailability, or similar event, the Director, U.S. Coast Guard National Pollution Funds Center, is considered the agent for service of process. I have signed this application in my capacity as an authorized official of the applicant, or, if acting under a power of attorney, pursuant to the power vested in me by the applicant as evidenced by the attached power of attorney.



IMPORTANT
SIGNATURE REQUIRED

Signature of Authorizing Official:

Date:

NOTES

- **Please be sure that Parts I, II, and III have been completed in full, and that Part III has been dated and signed. Then proceed to Part IV (on Page 5).**
- **NO CERTIFICATE WILL BE ISSUED UNLESS A COMPLETED APPLICATION FORM HAS BEEN RECEIVED, PROCESSED, AND APPROVED.**

Comments:

Any person who knowingly and willfully makes a false statement in this application is subject to the sanctions prescribed in 18 U.S.C. 1001.

PART IV: CONCURRENCE OF AGENT

INSTRUCTIONS

- Part IV(A) must be completed by the person designated in item 4 of Part I to serve as applicant's United States agent for service of process.
- Part IV(B) must be completed by the applicant. After Parts IV(A) and IV(B) are completed, Part IV should be submitted to the Director, Coast Guard National Pollution Funds Center, by the applicant or by the agent, either separately or together with Parts I, II, and III. *(Part IV need not be completed if the agent designated in item 4 of Part I already has submitted to the U.S. Coast Guard an acceptable blanket Concurrence of Agent, agreeing to serve on behalf of certain applicants who designate that agent. Part IV also need not be completed if the applicant is a United States entity and has appointed itself as agent in item 4 of Part I.)*

PART IV(A) (TO BE COMPLETED BY PERSON DESIGNATED AS U.S. AGENT)

It is hereby agreed that _____
(Name of person designated as applicant's U.S. agent)

shall serve as the applicant's United States agent for service of process for purposes of 33 CFR part 138. This designation and agreement shall cease immediately in the event the applicant designates a new agent acceptable to the Director, Coast Guard National Pollution Funds Center.

Date: _____

Signature of designated agent: _____

Title of designated agent: _____

Business address: _____

PART IV(B) (TO BE COMPLETED BY APPLICANT)

Name of applicant: _____
(Should be the same name given on item 1(a))

Date: _____

Signature of authorized official: _____
(Should be signed by the same person who signed Part III)

Name and title of authorized official: _____

PRIVACY ACT STATEMENT

AUTHORITY: OPA'90; 33 U.S.C. 2702(a); 33 U.S.C. 2704; 33 U.S.C. 2716(b); 42 U.S.C. 9607; and 42 U.S.C. 9608(a)

PURPOSE: The Coast Guard will use this information as evidence that the owners and operators, including demise charterers, of certain vessels have established and are maintaining evidence of financial responsibility (i.e., ability to pay) sufficient to meet the maximum amount of liability to which they could be subjected under the Oil Pollution Act of 1990 (33 U.S.C. 2702(a); 33 U.S.C. 2704) (OPA'90), and the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. 9607) (CERCLA), in the event of a discharge, or substantial threat of discharge, of oil or a release, or threatened release, of hazardous substances, into the navigable waters, adjoining shorelines or the exclusive economic zone of the United States.

ROUTINE USES: This information will be used by and disclosed to Coast Guard personnel and contractors or other agents who need the information to assist in activities related to the OPA'90 and CERCLA evidence of financial responsibility requirements, including personnel responsible for the storage and ultimate disposal of the information. Any external disclosures of data within this record will be made in accordance with DHS/USCG-013, Marine Information for Safety and Law Enforcement, 74 Federal Register 30305, June 25, 2009.

DISCLOSURE: Furnishing this information is voluntary; however, if the requested information is not furnished, the Coast Guard will be unable to certify compliance by vessel owners and operators, including demise charterers, with the applicable OPA'90 and CERCLA evidence of financial responsibility requirements. This may result in the withholding or revocation of vessel clearance and other sanctions as specified within OPA'90, 33 U.S.C. 2716(b) and 42 U.S.C. 9608(a).