



COLONIAL COMPLIANCE SYSTEMS, INC.
MARITIME REGULATORY CONSULTANTS

November 8, 2021

CSI Client Advisory 10-2021

SUBJECT: California – Looking After You

Many of our clients have been experiencing inspection observations when calling California so we bring you this Client Advisory to highlight a few items:

- ✓ For vessels calling California, the vessel must submit the Ballast Water Management Report (BWMR) to the State at least 24-hours prior to arrival. The U.S. National Ballast Information Clearinghouse (NBIC) requires vessels to submit the BWMR no later than 6 hours after the vessel's arrival. Our recommendation is to submit the report to the State and NBIC at the same time, and at least 24 hours prior to arrival. Should any updates be required, the crew can submit an update to the initial report. We recommend the reports be emailed to: bwform@slc.ca.gov for California and nbic@ballastreport.org for NBIC. More information on this subject can be downloaded from: https://www.slc.ca.gov/wp-content/uploads/2018/08/BW_ReportingRequirements.pdf.
- ✓ California State inspectors have been boarding vessels for Biofouling Management compliance to ensure the vessel has a "ship specific" Biofouling Management Plan (BFMP), Biofouling Record Book, and the data in the BFMP and record book is current. The updated Record Book must be compliant with the IMO Biofouling Guidelines. It must also describe the practices used to ensure the hull niche areas are maintained including the specific antifouling systems in place, and details of the recent out-of-water maintenance. California has issued a guidance document that describes this information in detail that can be downloaded from, <https://www.slc.ca.gov/wp-content/uploads/2018/08/MISPGuidanceDoc.pdf>. We recommend the crew review this document, conduct training on the subject, and review the BFMP and Biofouling Record Book to ensure all information is included and updated.
- ✓ In our January 2021 Client Advisory 01-2021, we discussed the California Marine Invasive Species Program (MISP) online portal, and the State of California Annual Vessel Reporting Form (AVRF) must be completed each calendar year, and no later than 24-hours prior to the first California port of call. The AVRF is a detailed report pertaining to drydock, hull coatings, ports of call, etc.... If the AVRF is not correctly completed online, it's possible your vessel will have an attendance by the State inspector. This **Client Advisory, 01-2021** can be reviewed and downloaded from our website csi@compliancesystemsinc.com.
- ✓ California has a ballast water program in place where the State evaluates the ballast water reports from vessels calling ports within the State. For now, the fee for this is \$1000. USD and is applied to each vessels voyage that arrives at any California port from a port or place outside of California. In years past, port agents would process the payment direct and add it to the Disbursement Account (DA). Now, the State of California mailing the invoices directly to the vessel owners/operators and many of our clients are questioning the purpose and legality of the invoice. This marine invasive



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species fee/tax is due and payable to the California Department of Tax and Fee Administration (CDTFA) within 30 days from the date of the notice of determination (billing) or assessment; however, most foreign vessel operators are not seeing the invoice until later, after it's been routed through various departments of the company. CSI recommends you discuss this with your nominated California Port Agents, prior to the vessel's arrival to set up the required Power of Attorney or other payment options.

- ✓ For vessels conducting bunker transfer operations in California ports, one of the requirements is that the contracted Oil Spill Removal Organization (OSRO) be identified and there is acknowledgement the OSRO was notified in advance of the bunker transfer (reference: California Code Title 14, Sec. 843.8 - Pre-Transfer Requirements for Oil Transfer Operations). The contact details of the OSRO are listed in the Vessel Response Plan (VRP). After the notification is made, recommend the vessel make an entry in the deck logbook when this is completed.

This Client Advisory, along with previously issued CSI Client Advisories, can be retrieved from our website, www.compliancesystemsinc.com. If you are unable to download any of this information, please let us know and we will email it to you.