

not later than 15 days after the date of the designation made under §136.305.

(e) If there is no designation under §136.305, if the source of the discharge or threat is a public vessel, or if the responsible party and guarantor of the source designated have denied the designation or failed to meet the requirements for advertisement in this section, the Director, NPFCC, may advertise procedures for presenting claims.

§ 136.311 Types of advertisement.

Advertisement required by the Director, NPFCC, will normally include one or more of the following:

(a) Paid advertisements in a newspaper or newspapers having general circulation in the area designated by the Director, NPFCC.

(b) Notice posted in marinas, marine supply stores, bait and tackle shops, and other appropriate business establishments or public facilities in the area designated by the Director, NPFCC.

(c) News releases to newspapers, radio stations, television stations, and cable services having general circulation in the area designated by the Director, NPFCC.

(d) Other means approved by the Director, NPFCC, under the circumstances of each case.

§ 136.313 Content of advertisement.

Each advertisement required by this subpart may be required to contain the following information or to indicate where this information may be contained:

(a) Location, date, and time of the incident.

(b) Geographical area affected, as determined by the FOSC or Director, NPFCC.

(c) Type and quantity of oil involved.

(d) Name or other description of the source designated by the FOSC or Director, NPFCC.

(e) Name of the responsible party and guarantor of the designated source.

(f) Name, address, telephone number, office hours, and work days of the person or persons to whom claims are to be presented and from whom claim information can be obtained.

(g) The procedures by which a claim may be presented.

(h) Other information required by the Director, NPFCC, under the circumstances of each case.

PART 138—FINANCIAL RESPONSIBILITY FOR WATER POLLUTION (VESSELS)

Sec.

- 138.10 Scope.
- 138.12 Applicability.
- 138.15 Implementation schedule.
- 138.20 Definitions.
- 138.30 General.
- 138.40 Where to apply for and obtain forms.
- 138.50 Time to apply.
- 138.60 Applications, general instructions.
- 138.65 Issuance and carriage of Certificates.
- 138.70 Renewal of Certificates.
- 138.80 Financial responsibility, how established.
- 138.90 Individual and Fleet Certificates.
- 138.100 Non-owning operator's responsibility for identification.
- 138.110 Master Certificates.
- 138.120 Certificates, denial or revocation.
- 138.130 Fees.
- 138.140 Enforcement.
- 138.150 Service of process.

APPENDIX A TO PART 138—APPLICATION FORM.

APPENDIX B TO PART 138—INSURANCE GUARANTY FORM

APPENDIX C TO PART 138—MASTER INSURANCE GUARANTY FORM

APPENDIX D TO PART 138—SURETY BOND GUARANTY FORM

APPENDIX E TO PART 138—FINANCIAL GUARANTY FORM

APPENDIX F TO PART 138—MASTER FINANCIAL GUARANTY FORM

AUTHORITY: 33 U.S.C. 2716, 2716a; 42 U.S.C. 9608, 9609; sec. 7(b), E.O. 12580, 3 CFR, 1987 Comp., p. 198; E.O. 12777, 3 CFR 1991 Comp., p. 351; 49 CFR 1.46.

Section 138.30 also issued under the authority of 46 U.S.C. 2103, 14302.

SOURCE: CGD 91-005, 59 FR 34227, July 1, 1994, unless otherwise noted.

§ 138.10 Scope.

This part sets forth the procedures by which an operator of a vessel may establish and maintain, for itself, and, where the operator is not the owner or demise charterer, for the owner and demise charterer of the vessel, evidence of financial responsibility to cover liability of the owner, operator, and demise charterer arising under—

(a) Section 1002 of the Oil Pollution Act of 1990 (OPA 90) (33 U.S.C. 2702); and