

Client Alert 08-2014 March 06, 2014

CALIFORNIA ISSUING NOTICES OF VIOLATION FOR VESSELS THAT FAIL TO CONDUCT QUALIFIED INDIVIDUAL NOTIFICATION EXERCISES WHEN CALLING CALIFORNIA PORTS

The CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE – OFFICE OF SPILL PREVENTION AND RESPONSE (OSPR) has begun issuing notices of violation for vessels that fail to conduct a Qualified Individual (QI) notification exercise in accordance with the [CALIFORNIA CODE OF REGULATIONS, TITLE 14, SUBCHAPTER 3—820.01 DRILLS AND EXERCISES](#). OSPR inspectors are boarding vessels in port to verify that all California requirements have been met. If a QI notification exercise has not been conducted and properly recorded, OSPR will issue a notice of violation that includes a non-negotiable fine.

Action Required

- Masters must conduct a QI notification exercise quarterly, or 72 hours prior to entering California waters, whichever is less often.
- The QI notification exercise can be conducted via telephone, radio, facsimile or email. The attached **ECM Form 08—QI NOTIFICATION EXERCISE FORM** has been developed to assist Masters with this exercise.
- Record the exercise in the vessel's log and have this information readily available for review by an OSPR inspection, if requested.
- Ensure that your vessels post the **ECM CALIFORNIA NOTIFICATION PLACARD** on the bridge in a conspicuous place when operating in California State waters. A copy can be found with a vessel's California plan onboard. Otherwise, contact ECM at ecm@ecmmaritime.com to request a copy.

NOTE: The USCG (federal) requirement requiring Masters to conduct QI notification exercises is still applicable in all US States as per the attached ECM Form 08.

- ECM records and maintain all received QI notification exercises for a period of three (3) years as required. If you receive a notice of violation from OSPR, please notify ECM so that we may check our database for any recorded exercises for your vessel.

Please contact Stephen Edinger at ecm@ecmmaritime.com if you have any questions concerning California regulations or requirements.