

Addendum

The Agreement for Provision of Response Resources (Agreement), between National Response Corporation (Provider) and _____ (Client), dated _____, is hereby amended as follows:

Washington State Contingency Plan Coverage

In accord with the provisions and definitions set forth in Washington State Administrative Code Chapter 173-182, Provider shall maintain a Contingency Plan (Plan) approved by the State of Washington’s Department of Ecology for coverage of vessels operating in Washington State waters, excluding the Columbia River, as described in the Plan (Plan Coverage Area), including meeting drill and exercise requirements. Provider shall also meet oil spill response planning requirements as outlined in the Plan.

Client commits to the implementation of the Plan on behalf of those of its vessels covered by the Agreement when operating in the Plan Coverage Area (Covered Vessels). Client appoints Provider its designee, as permitted in WAC 173-182-220, and directs Provider to submit the following Plan certification on behalf of the Client and the Client’s Covered Vessels as follows:

I certify I have reviewed and am familiar with the information submitted in this Plan. I verify acceptance of the plan and commit to (a) a safe and immediate response to spills and to substantial threats of spills that occur in, or could impact Washington waters or Washington’s natural, cultural and economic resources; (b) having an incident commander in the state within six hours after notification of a spill; (c) the implementation and use of the plan during a spill and substantial threat of a spill, and to the training of personnel to implement the plan; (d) the authority and capability to make the necessary and appropriate expenditures in order to implement plan provisions; (e) working in unified command within the incident command system to ensure that all personnel and equipment resources necessary to the response will be called out to clean up the spill safely and to the maximum extent practicable.

Client acknowledges that Provider will submit the certification set forth in WAC 173-182-220 as the disclosed designee for the Client.

Provider will provide Client with the Plan Field Document and Notification Placard. Client will ensure that they are provided for use on the bridge of each Covered Vessel (or in the pilot house of the tug towing a covered barge) prior to such vessel’s arrival in Plan Coverage Area and Client agrees to follow the notification requirements outlined therein in the event of a spill or threatened oil spill.

In the event of a spill or threatened spill, the Plan provides the initial Incident Commander on behalf of the Covered Vessel (Plan IC) and spill management team until a formal transition occurs from the provider to the Client’s designated Qualified Individual (QI) as delineated in section 3.2 of the Plan. The Plan IC will initiate response activities and direct response resources in the initial phase of the response to the spill or threat of a spill. The Plan IC will liaise so far as practicable with the Client and the QI regarding the response and resource direction. Client authorizes and directs its QI to coordinate with the Plan IC as soon as possible upon a report of a spill or threatened oil spill from the Covered Vessel.

Fees for the addition of Washington State Contingency Plan and oil spill response capabilities as described above (Covered Vessel Fees) shall be added to Agreement Schedule 3, Basic Compensation.

Except as expressly amended or modified hereunder, all other terms of the Agreement shall remain in full force and in effect.

Acknowledged by:

Acknowledged by:

Name: _____
Position: _____
Date: _____
For and on behalf of Provider:
NATIONAL RESPONSE CORPORATION (NRC)

Name: _____
Position: _____
Date: _____
For and on behalf of Client: