



Oil Pollution Act (OPA) Liability Limits

Annual Report to Congress

Fiscal Year 2009

August 2009



Homeland
Security

United States Coast Guard

Foreword

AUG 18 2009

I am pleased to present the "Oil Pollution Act Liability Limits" report which has been prepared by the United States Coast Guard, National Pollution Funds Center. This report is the third annual update to the report submitted on January 5, 2007 pursuant to section 603(c) of the Coast Guard and Maritime Transportation Act of 2006 (CG&MT Act), P.L. 109-241.

This report includes:

- An analysis of the extent to which oil discharges from vessels and non-vessel sources have resulted or are likely to result in removal costs and damages, as defined in the Oil Pollution Act (OPA), for which no defense to liability exists and that exceed the liability limits established in OPA as amended by section 603 of the CG&MT Act.
- An analysis of the impacts that claims against the Oil Spill Liability Trust Fund (hereafter referred to as "the Fund") for amounts exceeding such liability limits will have on the Fund.
- Recommendations, based on the above analyses and other factors impacting the Fund, on whether the liability limits need to be adjusted in order to prevent the principal of the Fund from declining to levels that are likely to be insufficient to cover expected claims.

Pursuant to congressional requirements, this report is being provided to the following Members of Congress:

The Honorable John D. Rockefeller IV
Chairman, Senate Commerce, Science, & Transportation Committee

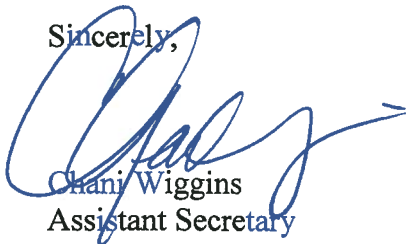
The Honorable Kay Bailey Hutchison
Ranking Member, Senate Commerce, Science, & Transportation Committee

The Honorable James L. Oberstar
Chairman, House Transportation and Infrastructure Committee

The Honorable John L. Mica
Ranking Member, House Transportation and Infrastructure Committee

Inquiries relating to this report may be directed to me at (202) 447-5890 or to Mr. Craig Bennett, Director, National Pollution Funds Center at (202) 493-6700.

Sincerely,



Chani Wiggins
Assistant Secretary
Office of Legislative Affairs
U.S. Department of Homeland Security

Executive Summary

This is the third annual update to the report submitted on January 5, 2007 to the Committee on Commerce, Science and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives pursuant to section 603(c) of the Coast Guard and Maritime Transportation Act of 2006 (CG&MT Act), P.L. 109-241.¹

This report includes:

- An analysis of the extent to which oil discharges from vessels and non-vessel sources have resulted or are likely to result in removal costs and damages, as defined in the Oil Pollution Act (OPA), for which no defense to liability exists and that exceed the liability limits established in OPA as amended by section 603 of the CG&MT Act.
- An analysis of the impacts that claims against the Oil Spill Liability Trust Fund (hereafter referred to as “the Fund”) for amounts exceeding such liability limits will have on the Fund.
- Recommendations, based on the above analyses and other factors impacting the Fund, on whether the liability limits need to be adjusted in order to prevent the principal of the Fund from declining to levels that are likely to be insufficient to cover expected claims.

Since the enactment of OPA, 51 oil discharges or substantial threats of discharge (hereafter referred to as “discharge” or “incident”), all originating from vessels, have reportedly resulted or are likely to result in removal costs and damages that exceed the liability limits amended in 2006. In the case of facilities, current data demonstrates that no discharges have occurred that would require removal costs or damages that approach the amended liability limits as set forth in OPA.

The estimated removal costs and damages from incidents taking place since the enactment of OPA total approximately \$1.5 billion in 2009 dollars. Of these costs, approximately \$1.0 billion, or an annual average of \$56.3 million, would be in excess of liability limits as amended by the CG&MT Act. The number of incidents vary from year to year. However, the historical data clearly demonstrates the financial impact vessel discharges with costs that exceed liability limits had on the Fund and show that the impact has grown in recent years. Therefore, the overall trend continues to be toward an increasing average annual potential Fund liability despite the amended limits.²

¹ Section 603(c)(3) of the CG&MT Act requires the Secretary to provide an update of this report to the Committees on an annual basis. Because section 603(c) of the CG&MT Act provided for the first report to be submitted no later than 45 days after enactment of the Act, or August 25, 2006, we intend to submit updates on or by August 25 annually. References throughout this report to data for the year 2009 are partial year data ending on May 1, 2009.

² The 2009 data presents a slight reduction of this annual average from \$56.5 million reported in 2008 to \$56.3 million in this report. The reduction is the result of deflationary factors and substantial reduction of the estimated costs of two incidents. The overall trend in recent years is toward increased Fund liability.

Regardless of OPA liability limits for responsible parties, a substantial portion of Fund expenses, including appropriations from the Fund to agencies, removal costs, and damages from oil discharges where liable parties cannot be identified or are unable to pay, will continue to be expended from the Fund. In addition, because the Fund can be utilized to pay for up to \$1.0 billion in emergency clean-up costs for a major spill like the *T/V EXXON VALDEZ* disaster, a major or catastrophic discharge could immediately liquidate the available Fund balance.

Payments from the Fund as a result of costs for incidents exceeding liability limit levels generally have a lesser impact on the Fund principal than the total Fund payments for appropriations, damages, removal costs, and third-party claims. However, the available data continues to suggest that existing liability limits for certain vessel types, notably tank barges and cargo vessels with substantial fuel oil, may not sufficiently account for the historic costs incurred as a result of oil discharges from these vessel types. Targeted increases in liability limits for these vessel types may better support OPA's "polluter pays" public policy purposes. Data presented in this report indicate that increasing liability limits for certain vessels, particularly non-tank vessels greater than 300 gross tons, single hull tank ships and tank barges, would result in a more balanced cost share between responsible parties and the Fund, positively impact the balance of the Fund, and reduce the Fund's overall risk position.

Available data include only a limited number of discharge incidents available for analysis and many of the removal cost and damage amounts are only best estimates. The data have been updated to reflect new incidents. In addition, estimates for previously reported incidents have been revised as removal cost and damage amounts are updated. Some historical incidents not previously reported have been added to the data based on updated information. The overall results of the data remain consistent after considering inflationary factors.

With ongoing tax revenue, including the substantial tax increase enacted in the Energy Improvement and Extension Act of 2008 (P.L. 110-343), the National Pollution Funds Center (NPFC) anticipates the Fund will be able to cover its projected non-catastrophic liabilities (including claims) without further increases to liability limits. However, increases to liability limits for certain vessel types would result in a more equitable division of risk between the Fund and responsible parties and have a positive impact on the balance of the Fund.

Table of Contents

Foreword	i
Executive Summary	ii
Table of Contents	iv
Table of Figures	v
I. Legislative Requirement	1
II. Background	2
III. Analysis of Discharges.....	3
IV. Impacts on the Fund	5
A. Historical Impact	5
B. Impact from Claims	6
C. Recent Trends	6
V. Findings with Respect to Further Liability Limit Adjustments	8
A. Future Year Fund Outlook	8
B. Further Liability Limit Adjustments.....	10
VI. Conclusion	13
Attachment A: Incidents Exceeding Liability Limits by Vessel Type.....	14
Attachment B: Incidents Exceeding Liability Limits by Incident Date	15
Attachment C: Incidents Exceeding Liability Limits with Limits to Achieve 50% Cost Share...	16

Table of Figures

Figure 1: Number of Incidents Exceeding Limits of Liability.....	3
Figure 2: Number of Incidents Exceeding Limits of Liability by Vessel Type.....	4
Figure 3: Total Incident Costs by Vessel Type.....	4
Figure 4: RP vs. Fund Share of Total Incident Costs under Current Limits by Vessel Type.....	5
Figure 5: Total Claims Paid.....	6
Figure 6: Pending Claims.....	6
Figure 7: RP vs. Fund Share of Total Incident Costs.....	7
Figure 8: Fund Forecast Balance.....	8
Figure 9: Total Fund Expenditures.....	9
Figure 10: Gross Tonnage Limits of Liability for 50% Cost Share.....	10
Figure 11: Minimum Liability Limits for 50% Cost Share.....	11
Figure 12: Limits of Liability under OPA.....	12

I. Legislative Requirement

Section 603(c) of the Coast Guard and Maritime Transportation Act of 2006 (CG&MT Act), P.L. 109-241 provides:

- (1) Initial Report. Not later than 45 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit a report on liability limits described in paragraph (2) to the Committee on Commerce, Science and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.
- (2) Contents. The report shall include, at a minimum, the following:
 - (A) An analysis of the extent to which oil discharges from vessels and nonvessel sources have or are likely to result in removal costs and damages (as defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) for which no defense to liability exists under section 1003 of such Act and that exceed the liability limits established in section 1004 of such Act as amended by this section.
 - (B) An analysis of the impacts that claims against the Oil Spill Liability Trust Fund for amounts exceeding such liability limits will have on the Fund.
 - (C) Based on analyses under this paragraph and taking into account other factors impacting the Fund, recommendations on whether the liability limits need to be adjusted in order to prevent the principal of the Fund from declining to levels that are likely to be insufficient to cover expected claims.
- (3) Annual Updates. The Secretary shall provide an update of the report to the Committees referred to in paragraph (1) on an annual basis.

II. Background

OPA was enacted in the wake of the *T/V EXXON VALDEZ* oil spill to promote the prevention of oil spills on navigable waters, the adjoining shorelines, and the exclusive economic zone. It provided for a more robust Federal response to spills, increased the liability of polluters (also known as Responsible Parties, or RPs) for such spills, and provided for compensation to those that incur removal costs and damages as a result of these spills. The NPFC was commissioned to implement certain provisions of OPA, administer the Fund, ensure funding for Federal response, and recover costs from liable parties.

OPA provides that RPs are strictly liable for removal costs and damages resulting from a discharge up to certain statutory liability limits. In general, RPs are liable without limit only if the discharge results from gross negligence or willful misconduct or a violation of operation, safety, or construction regulations (OPA § 1004 (33 U.S.C. § 2704)).

The Fund plays a critical role in the OPA regime.³ It pays Federal costs for oil removal when a discharge occurs and reimburses third-party claims for uncompensated removal costs and damages when a responsible party does not pay or is not identified. The types of damages compensable under OPA include damages to natural resources, loss of subsistence use of natural resources, damages to real or personal property, loss of profits or earning capacity, loss of government revenues, and increased cost of public services. In addition, the Fund is an important source of annual appropriations to various Federal agencies responsible for administering and enforcing a wide range of oil pollution prevention and response programs addressed in OPA (OPA § 1012 (33 U.S.C. § 2712)).

As provided by OPA, the Fund is available to pay claims for removal costs and damages resulting from an oil discharge that exceed the responsible party's liability limits. This includes payment of claims from RPs who pay or incur removal costs or damages in excess of their liability limits and can establish their entitlement to the limits under the circumstances of the discharge (OPA § 1008 (33 U.S.C. § 2708)).

Claims to the Fund are payable only from the Fund and payments are limited by the available balance. For any single discharge incident, the Fund is authorized to pay no more than \$1.0 billion, of which no more than \$500 million may be paid for natural resource damages (OPA § 9001(c) (26 U.S.C. § 9509)).

Pursuant to section 603 of the CG&MT Act, liability limits for vessel discharges were substantially increased. In that same section, Congress requested this analysis and report.

³ A more comprehensive history of the Fund detailing its revenues and expenses can be found in the Coast Guard's May 12, 2005, "Report on Implementation of the Oil Pollution Act of 1990."

III. Analysis of Discharges

This section provides an analysis of the extent to which oil discharges from vessels and non-vessel sources have resulted or are likely to result in removal costs and damages, as defined in the Oil Pollution Act (OPA), which exceed liability limits established in OPA as amended by the CG&MT Act.

Best available data indicate there have been 51 oil discharges, all from vessels, which have resulted in removal costs and damages that exceed the amended liability limits.⁴ The data have been updated to incorporate new incidents, and reflect revised estimates of costs and damages associated with previously reported incidents.⁵ The discharge incidents are listed by vessel type in Attachment A and by incident date in Attachment B.

Figure 1 shows the number of such discharges per year. The higher than average total for 1999 is the result of a typhoon in American Samoa that resulted in oil discharges involving eight fishing vessel wrecks. The figure illustrates that the number of incidents can vary significantly from year to year.

Figure 1: Number of Incidents Exceeding Limits of Liability

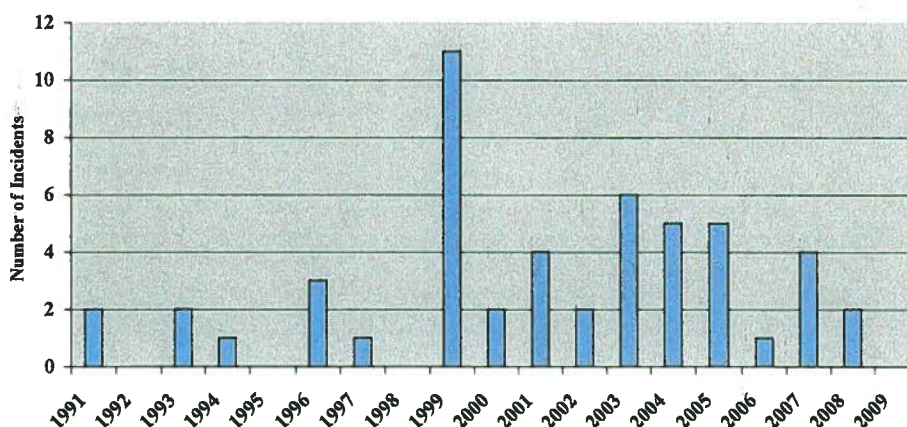


Figure 2 shows a breakdown of these 51 incidents by vessel type. Fishing vessels account for 37% of the historical incidents that result in damages in excess of the liability limits, while cargo and other self-propelled non-tank vessels represent 39% of the incidents. Single hull and double hull tank barges represent 16% and 4%, respectively. Single hull tank ships account for only 4% of such discharges. There are no double hull tank ship incidents among the 51 incidents.

⁴ Data indicate that no facility discharges have resulted in removal costs and damages even approaching the applicable liability limits for such facilities. Accordingly, this report does not further address facility-source spills or facility-related limits of liability.

⁵ References throughout this report to data for the year 2009 are partial year data ending on May 1, 2009.

Figure 2: Number of Incidents Exceeding Limits of Liability by Vessel Type

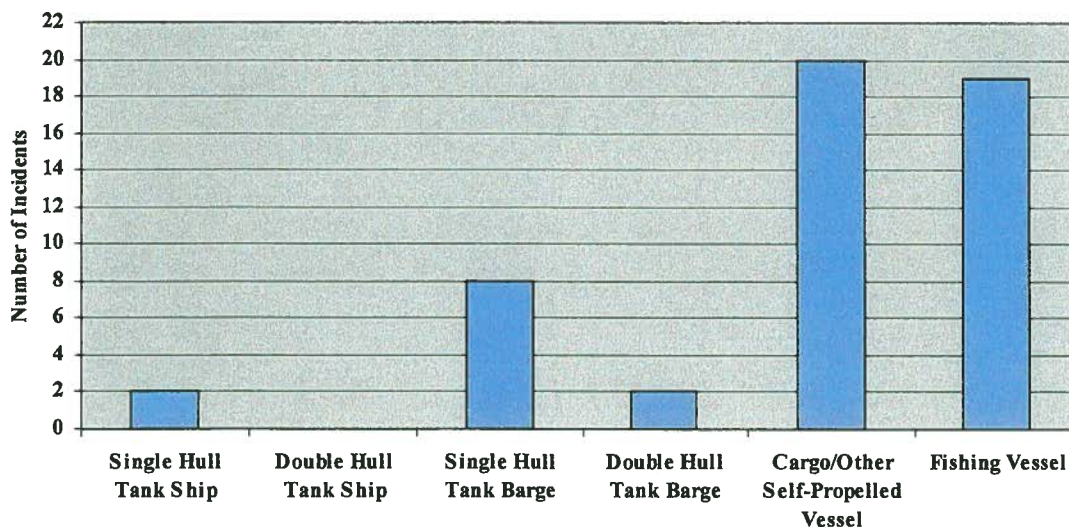
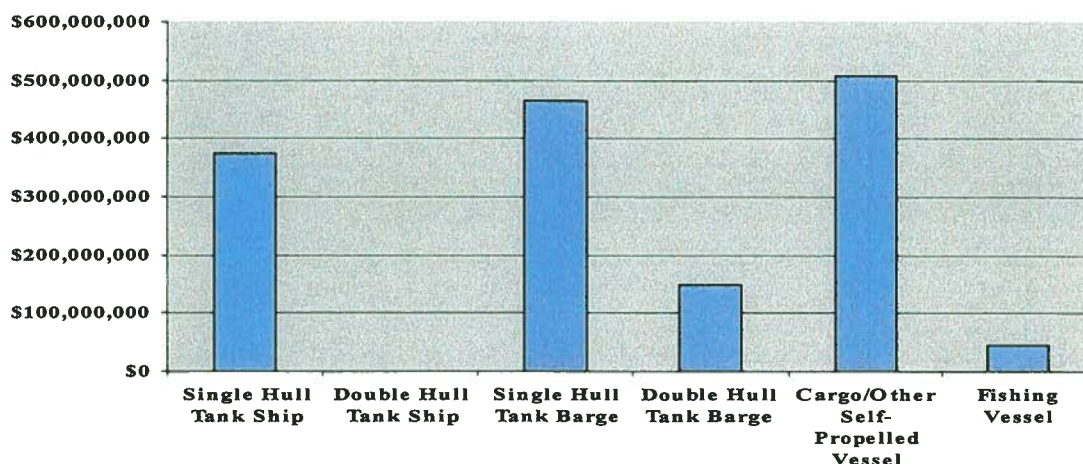


Figure 3, estimated removal costs and damages from these incidents by vessel type, portrays a different picture. While fishing vessels are involved in the highest number of discharges that exceed liability limits, total costs in excess of liability limits for cargo/other self-propelled vessel discharges have been the highest.⁶ Total costs for single hull tank ship and tank barge discharges that exceed liability limits have also been significant. Per discharge costs from single hull tank ship incidents are the highest (approximately \$187.3 million) in light of the quantities of oil these vessels carry. Per discharge costs for all tank barges are also substantial (approximately \$61.3 million). Larger cargo vessels also carry enough fuel to result in costly discharges (approximately \$25.4 million per incident). The small size and limited quantities of oil characteristic of most fishing vessel incidents accounts generally for the lower total costs of such discharges (approximately \$2.4 million), shown in more detail in Attachment A.

Total estimated removal costs and damages for these discharges since enactment of OPA is approximately \$1.5 billion.

Figure 3: Total Incident Costs by Vessel Type



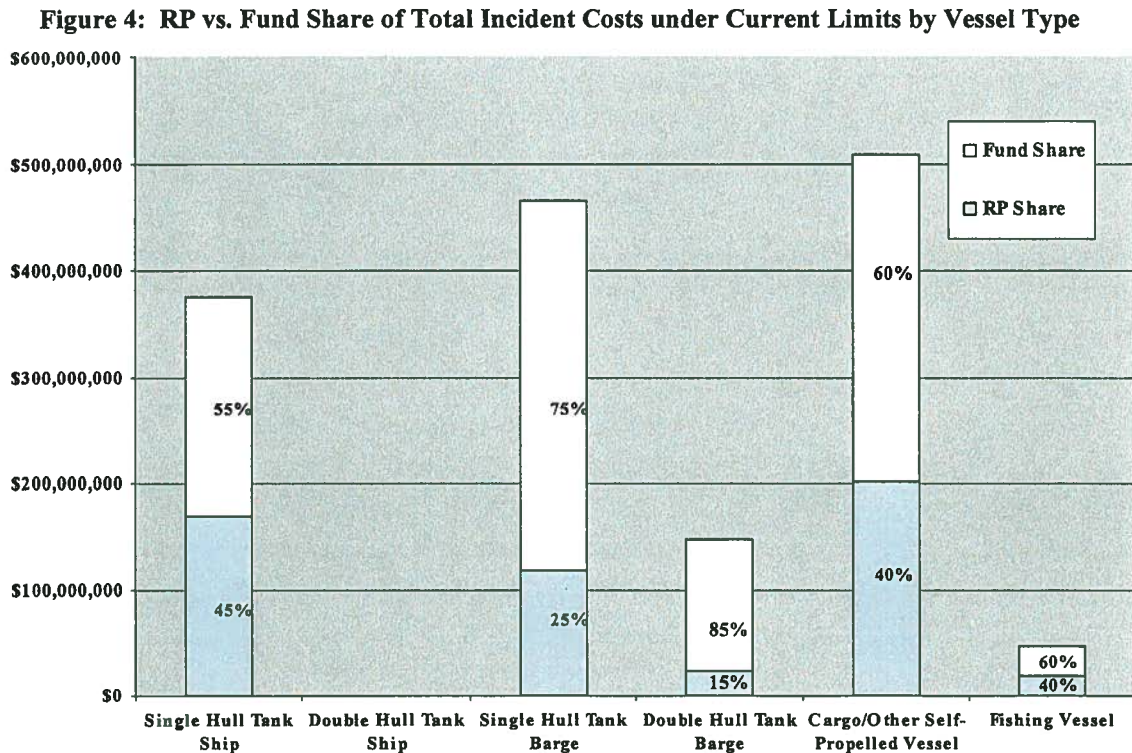
⁶ This total has decreased from the amount reported in 2008 as a result of adjustments in the estimated costs of the M/V COSCO BUSAN and M/V KURE incidents. The M/V KURE incident is no longer reported because costs are now estimated to be less than the applicable liability limit.

IV. Impacts on the Fund

This section provides an analysis of the impacts on the Fund resulting from claims against the Fund for incidents in which costs and damages exceed liability limits.

A. Historical Impact

As indicated in Figure 4, the Fund's financial obligation in cases where removal costs and damages exceed liability limits (listed in Attachment A) is substantial despite recent liability limit amendments. The top portion of the bar for each vessel type represents the Fund share of the risk (in excess of applicable liability limit). The bottom portion of the bar for each vessel type represents responsible party risk (RP liability limit based on gross tonnage or minimum limit as applicable for each discharge).



Of the approximately \$1.5 billion in estimated removal costs and damages from these incidents over the last 18 years, the Fund's share of risk totals approximately \$1.0 billion. This amount represents a maximum potential impact on Fund risk resulting solely from the application of the liability limit levels. While the rate of such incidents is difficult to predict and may vary widely from year to year (as indicated by Figure 1), the risk to the Fund can be expressed broadly as an annual cost of approximately \$56.3 million (total costs of \$1.0 billion over 18 years) in excess of amended limits in 2009 dollars.

B. Impact from Claims

Figure 5 shows that actual claims paid by the NPFC over the past 18 years as a result of vessel RPs' exceeding their liability limits have totaled \$266 million (or 83 percent of all claims paid). This number includes both payments made directly to the RPs for the removal costs and damages they paid or incurred in excess of liability limits, as well as an estimate of the number of third-party claims paid by the Fund because the RP had spent up to its limit of liability.

Figure 6 shows of the \$295 million in claims under adjudication as of May 1, 2009, \$204 million (or 69 percent of total dollars), are claims by RPs who have incurred incident costs exceeding their liability limits or claims by third parties where incident costs exceeded liability limits.

Figure 5: Total Claims Paid

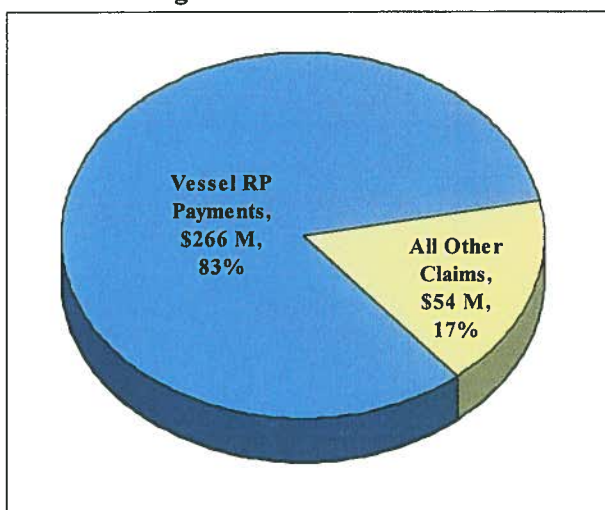
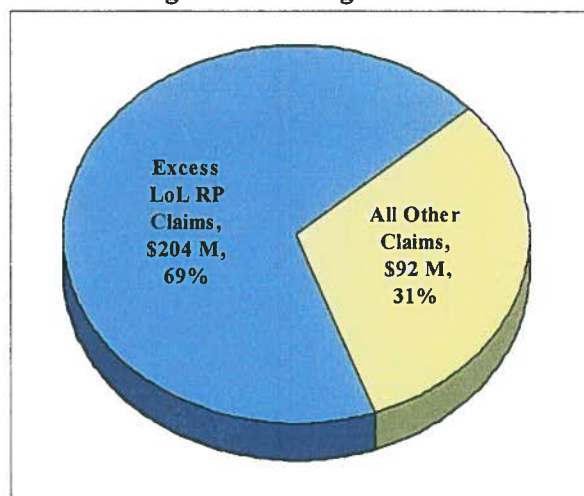


Figure 6: Pending Claims

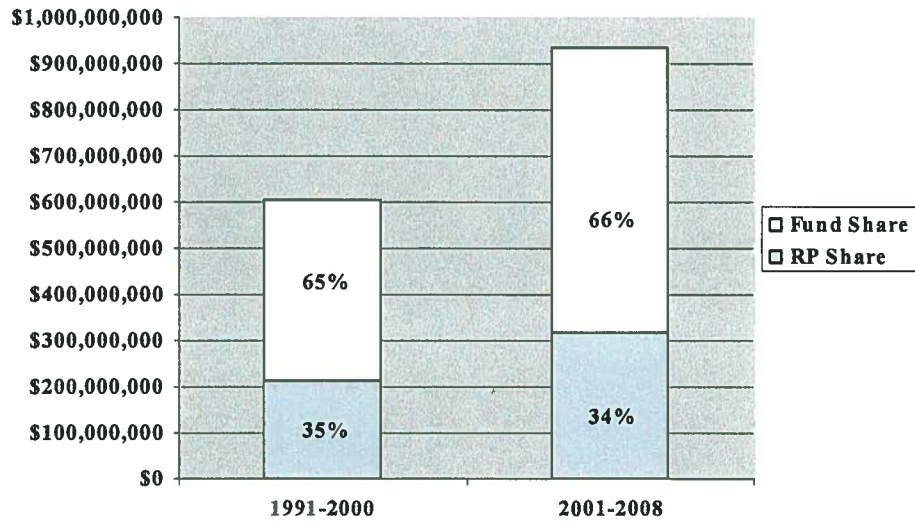


C. Recent Trends

The potential impact to the Fund resulting from payments to RPs, third parties claims, and response costs where incident costs exceeded the RPs' limits of liability varies substantially from year to year, but has averaged approximately \$56.3 million per year over the past 18 years. While the potential impact is significant, it is useful to note the available data show a continued trend toward more Fund risk in recent years.

As illustrated in Figure 7 and Attachment B, the Fund risk for discharges that result in estimated removal costs and claims that exceed liability limits in the most recent 8-year period (approximately \$600 million) is greater than the Fund risk for the discharges in the preceding 10 years (approximately \$400 million). This would indicate, despite the uncertainties as to the actual impact over time, the risk to the Fund resulting from the liability limits applicable to individual incidents has increased in recent years. This increased risk is largely the result of the greater cost of such incidents in recent years.

Figure 7: RP vs. Fund Share of Total Incident Costs (in 2009 dollars)



The Energy Improvement and Extension Act of 2008 (P.L. 110-343) extended the barrel tax through Dec. 31, 2017 and increased the tax from five (5) cents to eight (8) cents for 2009-2016 and to nine (9) cents for 2017. Tax revenues are deposited into the Fund, and should provide substantially increased income to the Fund over the next several years. Based on current revenue and expenditure projections, the NPFC forecasts that the Fund should maintain liquidity through 2015 (See Figure 8).

V. Findings with Respect to Further Liability Limit Adjustments

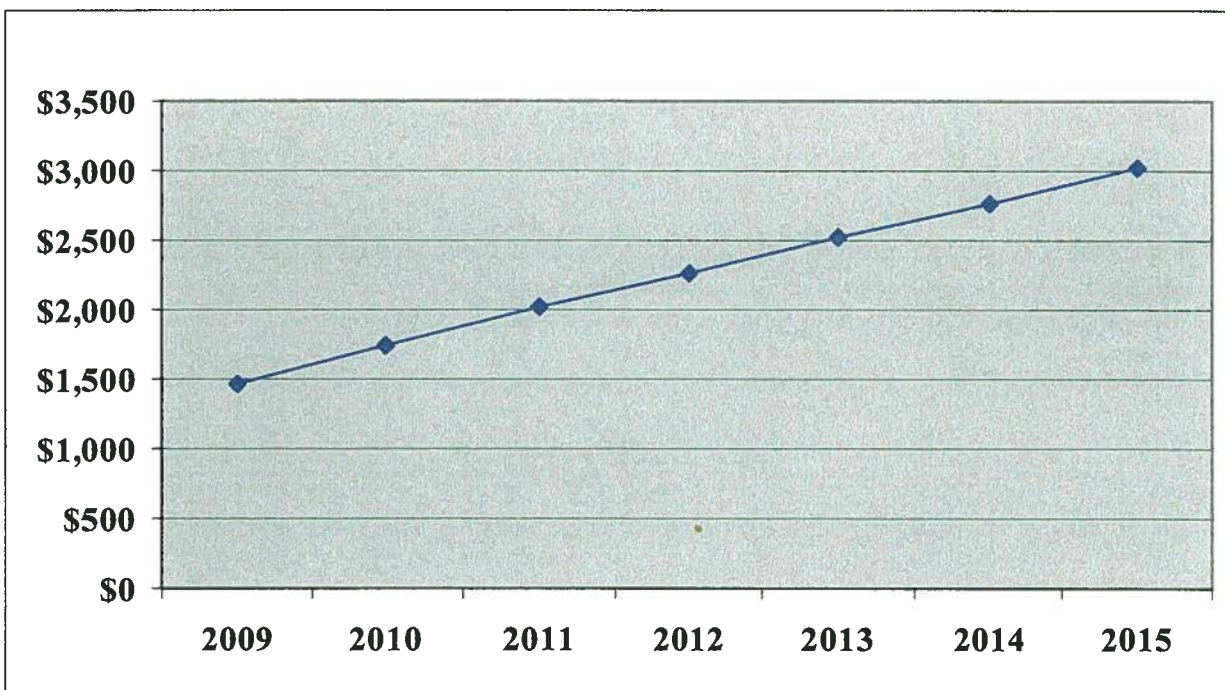
This section discusses findings, based on historical trends and analyses, and taking into account other factors impacting the Fund, on whether the liability limits need to be adjusted in order to prevent the principal of the Fund from declining to levels that are likely to be insufficient to cover expected claims.

A. Future Year Fund Outlook

The NPFC anticipates the Fund will be able to cover its projected non-catastrophic liabilities, including claims, without further increases to liability limits. However, increases to liability limits for certain vessel types would result in a more equitable division of risk between the Fund and responsible parties and have a positive impact on the balance of the Fund.

Figure 8 projects the end of year balance of the Fund through 2015 based on estimated revenues and expenditures (no adjustment for inflation):

**Figure 8: Fund Forecast Balance
(Millions of dollars)**



Notably, several classes of Fund expenditures are independent of revisions to the limits of liability, such as Federal removal costs and annual appropriations. The Fund provides resources to the Federal government to respond to oil discharges (Federal removal costs) and to compensate claimants for their removal costs and damages when a liable responsible party cannot be identified, does not respond, or does not compensate claimants [See OPA § 1012(a)(1), (4) (33 U.S.C § 2712(a)(1), (4))]. The Fund also pays when recourse against RPs is not available, such as when an RP declares bankruptcy or cannot be identified.

Thus, the Fund is the ultimate insurer with respect to oil removal costs and damages when there is a discharge or substantial threat of discharge to navigable waters, adjoining shorelines, or the exclusive economic zone.

The Fund also pays annual appropriations to various agencies responsible for administering and enforcing OPA and provisions of the Federal Water Pollution Control Act [See OPA § 1012(a)(5) (33 U.S.C. § 2712(a)(5))]. Administrative and enforcement costs that are not allocable to a specific oil discharge are not recoverable from liable RPs.

Figure 9 shows total Fund expenses in recent years for agency appropriations, Federal removal costs, and claims for removal costs and damages, of which claims resulting from incident-related costs exceeding the limits of liability is a subset.

Figure 9: Total Fund Expenditures

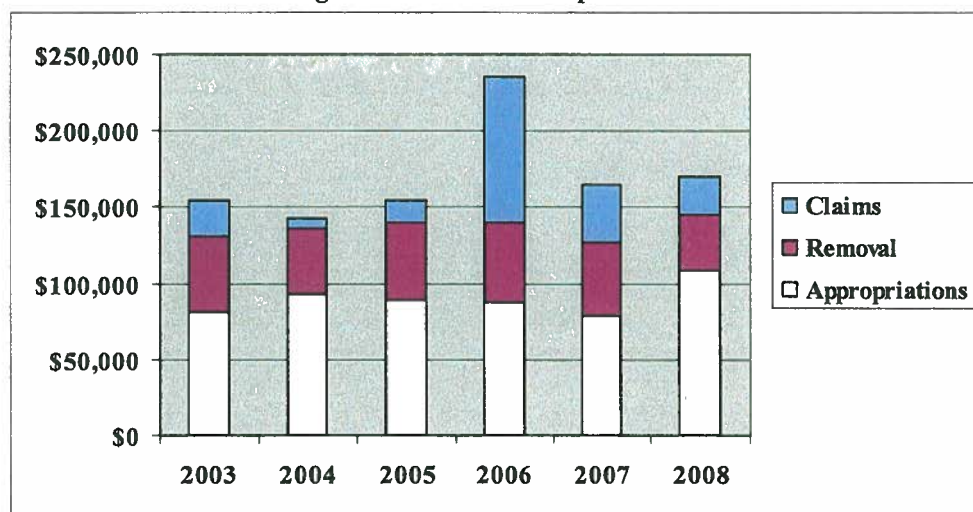


Figure 9 illustrates that the Federal removal costs and claims payments for which RPs may be liable have represented only a portion, often well less than half, of the annual expenditures from the Fund. This graph displays all costs for vessel or facility discharges.

Further, roughly half of the removal costs in Figure 9 are for *facility* discharges; liability limits for facilities, as previously discussed, are more than adequate at this time. Finally, with respect to the Fund expenses for removal costs and claims allocable to vessel spills, the Fund frequently pays even when a responsible party is unknown. In these cases, liability limits have no impact on Fund risk.

Vessel liability limits will impact the Fund only to the extent RPs are available and have the ability to pay. Even then the impact would be limited. This, coupled with the fact that appropriations make up such a large part of the Fund's annual expenses, demonstrate that adjustments to the limits of liability alone cannot reasonably ensure maintenance of an adequate Fund balance, including a balance sufficient to pay claims.

B. Further Liability Limit Adjustments

Adjustments to liability limits help more equitably divide liabilities between the Fund and RPs. OPA is founded on the “polluter pays” principle. OPA also recognizes the polluter’s liability to pay for clean-up of spills should be limited except in certain circumstances and the Fund is the ultimate insurer for removal costs and damages. Analysis indicates establishing different liability limits for non-tank vessels, which include fishing, cargo, and other self-propelled vessels, by tonnage (i.e., greater than 300 gross tons and less than or equal to 300 gross tons) would provide more equitable limits on smaller vessels.

Figure 4 clearly demonstrates that for those vessel discharges where removal costs and damages exceed current liability limits, the Fund bears a majority of the cost even if every RP is available and pays to its limit. Figure 10 illustrates how further adjustments to limits of liability per gross ton might achieve an equal sharing of that risk between RPs and the Fund. The bottom portion of the bar represents the responsible party risk at the current limits of liability based on gross tonnage or minimum limits as applicable for each discharge. The middle portion represents the additional cost the responsible party would pay if the additional limits were applied, which would leave the Fund covering 50% of the total incident costs (the top portion of each bar).

For example, to split the estimated clean-up costs evenly between the Fund and the vessel operators, liability limits for single hull tank ships would increase to \$3,300 per gross ton, single hull tank barges to \$7,000 per gross ton, double hull tank barges to \$7,000 per gross ton, non-tank vessels greater than 300 gross tons to \$1,200 per gross ton, and non-tank vessels less than or equal to 300 gross tons to \$4,600 per gross tons.

Figure 10: Gross Tonnage Limits of Liability for 50% Cost Share

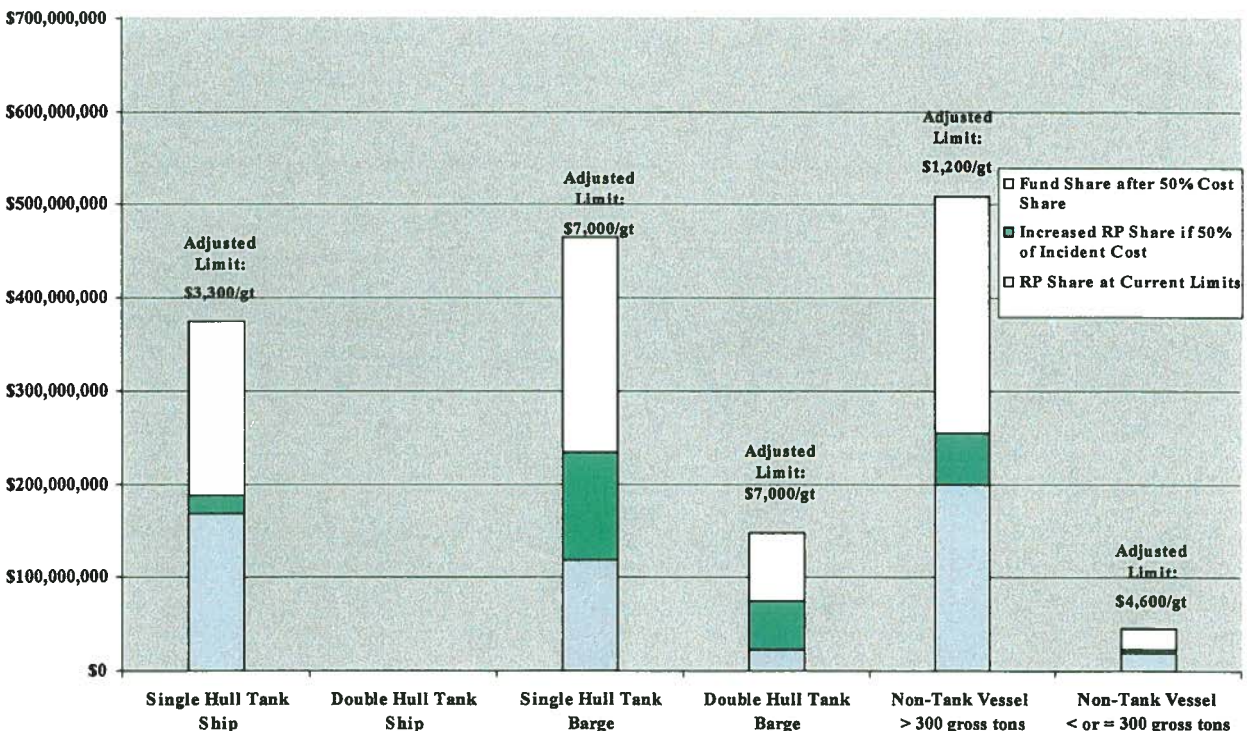


Figure 11 indicates the minimum amount an RP would be expected to pay for an incident (based on average historical costs of incidents by vessel type in 2009 dollars), if the limits of liability were adjusted so costs were shared evenly between the RP and the Fund.

Figure 11: Minimum Liability Limits for 50% Cost Share

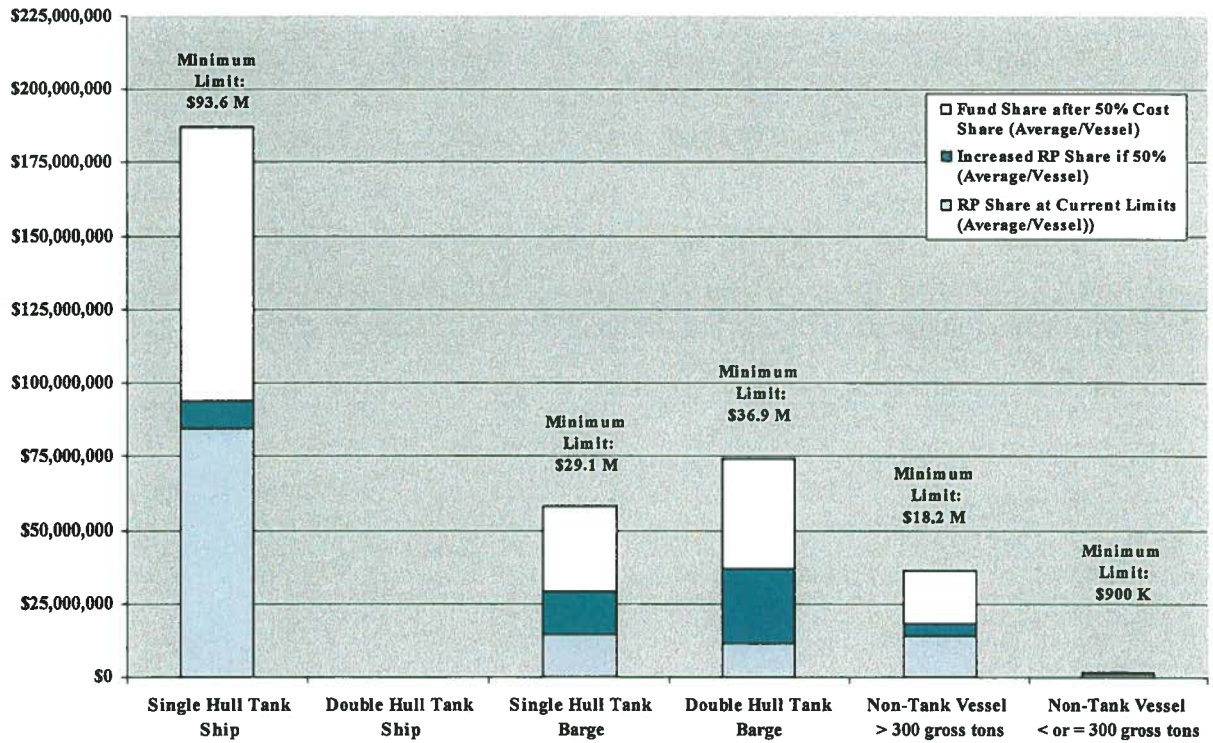


Figure 12 summarizes the 50% cost share limits and minimums and compares them to the current limits. Attachment C illustrates how these limits would protect the Fund from paying the majority of the total incident cost when applied to the 51 incidents discussed earlier. The current limits distinguish between single hull tank vessels, double hull tank vessels and non-tank (other) vessels. As discussed in Section III, however, analysis has shown these categories might best be subdivided as follows: categories of *Tank Ship* and *Tank Barge* are addressed separately as subsets of single and double hull *Tank Vessel*, and the *Non-Tank Vessel* category is divided between vessels greater than 300 gross tons and vessels less than or equal to 300 gross tons.⁷

Figure 12: Limits of Liability under OPA

If the vessel is a . . .		The current limits of liability are the greater of.	But to achieve an equal cost share limits of liability would need to be increased to.
Tank Ship	With a single hull, double sides only, or double bottom only	Greater than 3,000 gross tons: \$3,000 per gross ton or \$22,000,000 Less than or equal to 3,000 gross tons: \$3,000 per gross ton or \$6,000,000	\$3,300 per gross ton or \$93,600,000.
	With a double hull	Greater than 3,000 gross tons: \$1,900 per gross ton or \$16,000,000 Less than or equal to 3,000 gross tons: \$1,900 per gross ton or \$4,000,000	No data
Tank Barge	With a single hull, double sides only, or double bottom only	Greater than 3,000 gross tons: \$3,000 per gross ton or \$22,000,000 Less than or equal to 3,000 gross tons: \$3,000 per gross ton or \$6,000,000	\$7,000 per gross ton or \$29,100,000.
	With a double hull	Greater than 3,000 gross tons: \$1,900 per gross ton or \$16,000,000 Less than or equal to 3,000 gross tons: \$1,900 per gross ton or \$4,000,000	\$7,000 per gross ton or \$36,900,000.
Non-Tank Vessel	Greater than 300 gross tons	\$950 per gross ton or \$800,000.	\$1,200 per gross ton or \$18,200,000.
	Less than or equal to 300 gross tons	\$950 per gross ton or \$800,000.	\$4,600 per gross ton or \$900,000.

⁷ The comparative results for single and double hull tank barges may appear incongruous at first glance. While double hull vessels may be safer, and be less likely to spill oil, the data shows that a catastrophic discharge from a double hull tank barge can be just as expensive as one from a single hull tank barge. Also, when dealing with such a limited data set, an increase from one to two double hull tank barge incidents can easily result, as in this case, in significant changes in average costs from previous reports.

VI. Conclusion

The NPFC continues to anticipate the Fund will be able to cover its projected non-catastrophic liabilities, including claims, without further increases to liability limits. However, increases to liability limits for certain vessel types would result in a more equitable division of risk between the Fund and responsible parties, have a positive impact on the balance of the Fund, and reduce the Fund's overall risk position.

The limited data available indicates, as in previous reports, that increasing liability limits per incident for single hull tank ships, tank barges and non-tank vessels greater than 300 gross tons in particular would result in a more balanced cost share between responsible parties and the Fund while positively impacting the Fund's balance.

The means and method for sharing costs between the RP and the Fund may be debated, but splitting total forecast costs for discharges equally between RPs and the Fund appears to be a reasonable standard to apply in determining adequacy of limits.

Using this methodology, equity between the Fund and responsible parties may be more directly achieved by raising minimum limits.

Attachment A: Incidents Exceeding Liability Limits by Vessel Type

Vessel Type	Project Name	Incident Year	Incident Location	Gross Tonnage	Total Incident Cost (\$000 Dollars)	Initiation Factor	Total Incident Cost (\$000 Dollars)	Limits of Liability	Paid Expenses	Actual OSLTF Costs Incurred
Tank Ship (Single Hull)	TV BELLE N	1996	ME	18,500	\$32,601,000	1.36	\$71,138,000	\$55,631,000	\$16,107,000	\$28,376,000
Tank Ship (Single Hull)	TV ATHOS I	2004	NI	37,900	\$28,120,000	1.13	\$302,975,000	\$113,885,000	\$189,290,000	\$172,110,000
Tank Ship (Single Hull)	TV VITABELLA	1991	FR	1,100	\$7,797,000	1.57	\$12,942,000	\$6,000,000	\$6,342,000	\$4,782,000
Tank Ship (Single Hull)	TV TAMPA BAY COLLISION 0770	1993	FL	9,100	\$68,000,000	1.48	\$10,972,000	\$27,786,000	\$74,186,000	\$2,397,000
Tank Ship (Single Hull)	TV MORRIS J. BERMAN	1994	FR	5,400	\$95,488,000	1.44	\$17,503,000	\$22,000,000	\$115,503,000	\$9,488,000
Tank Ship (Single Hull)	TV SCANDIA & TV NORTH CAPE	1996	RI	5,900	\$49,000,000	1.36	\$66,640,000	\$22,000,000	\$44,640,000	\$9,046,000
Tank Ship (Single Hull)	TV BUFFALO #92-086075	1996	TX	1,500	\$33,339,000	1.36	\$45,341,000	\$6,000,000	\$39,341,000	\$16,810,000
Tank Ship (Single Hull)	TV B NO. 120	2003	NA	6,900	\$62,117,000	1.16	\$72,053,000	\$22,000,000	\$50,053,000	\$1,753,000
Tank Ship (Single Hull)	TV FOSB 248 P2	2005	WA	2,100	\$13,028,000	1.16	\$15,113,000	\$6,180,000	\$8,933,000	\$15,000
Tank Ship (Single Hull)	TV EMC 423	2005	IL	1,400	\$13,431,000	1.09	\$14,538,000	\$6,000,000	\$8,538,000	\$4,810,000
Tank Ship (Double Hull)	TV DBL 121	2005	LA	9,700	\$53,819,000	1.09	\$78,662,000	\$18,500,000	\$60,162,000	\$13,517,000
Tank Ship (Double Hull)	TV DM932	2008	LA	800	\$90,000,000	0.99	\$9,100,000	\$4,000,000	\$5,100,000	\$3,270,000
Tank Ship (Double Hull)	TV KUROSHIMA	1997	AK	4,200	\$19,703,000	1.33	\$26,304,000	\$3,932,000	\$22,372,000	\$17,540,000
Cargo/Other SPV	TV NEW CARRISA	1999	OR	35,600	\$59,600,000	1.28	\$76,388,000	\$34,742,000	\$41,646,000	\$30,531,000
Cargo/Other SPV	TV STUYVESANT	1999	CA	7,100	\$11,700,000	1.28	\$14,576,000	\$6,735,000	\$8,221,000	\$379,000
Cargo/Other SPV	TV SERGO ZAKARIADZE	1999	PR	16,500	\$15,967,000	1.28	\$20,437,000	\$15,677,000	\$4,760,000	\$6,065,000
Cargo/Other SPV	SS LUCKENBACH	2001	CA	7,900	\$41,820,000	1.20	\$50,195,000	\$7,476,000	\$42,719,000	\$24,523,000
Cargo/Other SPV	TV KIMTON	2001	PR	200	\$174,000	1.20	\$856,000	\$800,000	\$56,000	\$714,000
Cargo/Other SPV	VICTORIA ROSE HUNT	2003	MA	100	\$1,086,000	1.16	\$1,239,000	\$800,000	\$439,000	\$94,000
Cargo/Other SPV	TV RED DIAMOND	2003	FL	200	\$2,895,000	1.16	\$3,010,000	\$800,000	\$2,210,000	\$2,925,000
Cargo/Other SPV	CRANE BARGE MONARCH	2003	CA	200	\$2,482,000	1.16	\$2,879,000	\$800,000	\$2,079,000	\$2,482,000
Cargo/Other SPV	TV BOWSTING	2003	FL	300	\$1,666,000	1.16	\$1,863,000	\$800,000	\$1,063,000	\$1,666,000
Cargo/Other SPV	TV SELERDANO AYU	2004	AK	39,800	\$149,743,000	1.13	\$169,217,000	\$77,267,000	\$131,444,000	\$6,668,000
Cargo/Other SPV	TV ORIENTAL	2004	FL	200	\$727,000	1.13	\$822,000	\$800,000	\$22,000	\$727,000
Cargo/Other SPV	TV CASITAS	2005	CA	200	\$1,207,000	1.09	\$1,316,000	\$800,000	\$516,000	\$1,207,000
Cargo/Other SPV	TV MAMA LERE	2006	TX	400	\$1,217,000	1.06	\$1,290,000	\$800,000	\$490,000	\$1,217,000
Cargo/Other SPV	TV COSCO BUSCAN	2007	CA	65,100	\$99,723,000	1.03	\$1,027,140,000	\$61,874,000	\$40,846,000	\$2,903,000
Cargo/Other SPV	TV SERENA	2007	MI	200	\$1,211,000	1.03	\$1,247,000	\$800,000	\$447,000	\$1,211,000
Cargo/Other SPV	LST-1166	2007	OR	2,400	\$6,000,000	1.03	\$6,180,000	\$2,297,000	\$3,883,000	\$3,986,000
Cargo/Other SPV	CATALA	2007	WA	5,700	\$6,138,000	1.03	\$6,333,000	\$5,115,000	\$918,000	\$6,138,000
Cargo/Other SPV	CYN SEA WITCH	2008	MD	17,900	\$19,126,000	0.99	\$18,933,000	\$17,007,000	\$1,926,000	\$19,126,000
Tank Cargo/Other SPV	TV TONY MARU	1991	WA	4,200	\$6,063,000	1.37	\$9,319,000	\$800,000	\$8,519,000	\$6,063,000
Fishing Vessel	TV JIN SHANGFA	1993	AS	400	\$2,013,000	1.48	\$2,979,000	\$800,000	\$2,179,000	\$2,420,000
Fishing Vessel	TV YU TE NO. 1	1999	AS	200	\$1,165,000	1.28	\$1,491,000	\$800,000	\$691,000	\$1,165,000
Fishing Vessel	TV AMIGA NO. 5	1999	AS	200	\$3,356,000	1.28	\$4,295,000	\$800,000	\$3,495,000	\$2,766,000
Fishing Vessel	TV KWANG MYONG	1999	AS	200	\$1,555,000	1.28	\$1,990,000	\$800,000	\$1,190,000	\$985,000
Fishing Vessel	TV KOBAM NO. 3	1999	AS	200	\$1,403,000	1.28	\$1,796,000	\$800,000	\$996,000	\$813,000
Fishing Vessel	TV KWANG MYONG NO 72	1999	AS	200	\$2,183,000	1.28	\$2,794,000	\$800,000	\$1,994,000	\$1,993,000
Fishing Vessel	TV KWANG MYONG NO 38	1999	AS	200	\$1,558,000	1.28	\$1,994,000	\$800,000	\$1,194,000	\$967,000
Fishing Vessel	TV KOBAM NO. 1	1999	AS	200	\$1,378,000	1.28	\$1,764,000	\$800,000	\$964,000	\$788,000
Fishing Vessel	TV KWANG MYONG NO 51	1999	AS	200	\$1,249,000	1.28	\$1,599,000	\$800,000	\$799,000	\$659,000
Fishing Vessel	TV JESSICA ANN	2000	ME	200	\$947,000	1.24	\$1,174,000	\$800,000	\$374,000	\$947,000
Fishing Vessel	TV SWORDMAN I	2000	HI	100	\$1,528,000	1.24	\$1,895,000	\$800,000	\$1,095,000	\$1,528,000
Fishing Vessel	TV WINDY BAY	2001	AK	400	\$3,396,000	1.20	\$4,076,000	\$800,000	\$3,276,000	\$3,396,000
Fishing Vessel	TV VANGUARD	2001	AK	200	\$700,000	1.20	\$840,000	\$800,000	\$40,000	\$700,000
Fishing Vessel	TV GENET MARU #7	2002	AK	100	\$470,000	1.19	\$562,000	\$800,000	\$32,000	\$470,000
Fishing Vessel	TV THERESA LYNN	2002	FL	200	\$691,000	1.19	\$822,000	\$800,000	\$22,000	\$691,000
Fishing Vessel	TV MWALIL SAAT	2004	CU	200	\$3,414,000	1.13	\$3,857,000	\$800,000	\$3,057,000	\$3,414,000
Fishing Vessel	TV THE ROSS	2004	OR	200	\$926,000	1.13	\$1,046,000	\$800,000	\$246,000	\$926,000
Fishing Vessel	TV MILKY WAY	2005	WA	200	\$1,300,000	1.09	\$1,417,000	\$800,000	\$617,000	\$9,000
Total Fishing Vessel					\$46,833,000		\$46,833,000	\$11,979,000	\$34,854,000	\$34,831,000
Grand Total					\$1,452,423,000		\$538,911,000	\$228,911,000	\$1,013,118,000	\$524,488,000

SPV - Self-Propelled Vessel

This listing includes all incidents regardless of vessel size or type and regardless of whether a claim to the Fund by a responsible party for amounts in excess of liability limits was received or is anticipated. Costs include Federal removal costs and claims paid that have been verified. Other costs are estimated from best available information but cannot otherwise be verified. Fund exposure amounts are estimated and do not imply that the responsible parties will be able to limit their liability under the statute where the issue has not yet been determined.

Attachment B: Incidents Exceeding Liability Limits by Incident Date

Vessel Type	Project Name	Incident Year	Incident Location	Gross Tonnage	Total Incident Cost (\$100 Dollars)	Inflation Factor	Total Incident Cost (\$100 Dollars)	Liability Limits	Fund Exposure	Actual OBL/TF Costs Incurred
Fishing Vessel	FV TENYO MARU	1991	WA	4,200	\$5,063,000	1.57	\$9,519,000	\$3,959,000	\$1,560,000	\$6,063,000
Tank Barge (Single Hull)	TB VISTABELLA	1991	FR	1,100	\$7,797,000	1.57	\$12,242,000	\$6,000,000	\$6,242,000	\$4,782,000
Fishing Vessel	FV JIN SHIANG FA	1993	AS	400	\$2,013,000	1.48	\$2,979,000	\$800,000	\$2,179,000	\$2,420,000
Tank Barge (Single Hull)	TB TAMPA BAY COLLISION-0710	1993	FL	9,300	\$68,900,000	1.48	\$101,974,000	\$27,786,000	\$74,186,000	\$2,977,000
Tank Barge (Single Hull)	TB MORRIS J. BERMAN	1994	PR	5,400	\$95,481,000	1.44	\$137,503,000	\$22,000,000	\$115,503,000	\$95,481,000
Tank Barge (Single Hull)	MV SCANDIA & TB NORTH CAPE	1996	RI	5,100	\$49,000,000	1.36	\$66,640,000	\$22,000,000	\$44,640,000	\$9,046,000
Tank Barge (Single Hull)	TB BUFFALO #292-066075	1996	TX	1,500	\$33,339,000	1.36	\$45,341,000	\$6,000,000	\$39,341,000	\$16,810,000
Tank Ship (Single Hull)	MV KUROSHIMA	1996	ME	18,500	\$52,601,000	1.36	\$71,538,000	\$55,431,000	\$16,107,000	\$28,376,000
Cargo/Other SPV	MV NEW CARISSA	1997	AK	4,200	\$19,703,000	1.33	\$26,204,000	\$3,952,000	\$22,252,000	\$17,540,000
Cargo/Other SPV	MV STUYVESANT	1999	OR	36,600	\$59,600,000	1.28	\$76,288,000	\$34,742,000	\$41,546,000	\$30,531,000
Cargo/Other SPV	MV SERGIO ZAKARIADZE	1999	CA	7,100	\$11,700,000	1.28	\$14,976,000	\$6,753,000	\$8,223,000	\$379,000
Fishing Vessel	FV YU TE NO. 1	1999	PR	16,500	\$15,961,000	1.28	\$20,437,000	\$15,677,000	\$4,760,000	\$6,965,000
Fishing Vessel	FV AMIGA NO. 3	1999	AS	200	\$1,165,000	1.28	\$1,491,000	\$800,000	\$691,000	\$5,296,000
Fishing Vessel	FV KWANG MYONG	1999	AS	200	\$3,356,000	1.28	\$4,295,000	\$800,000	\$3,495,000	\$2,766,000
Fishing Vessel	FV KORAM NO. 3	1999	AS	200	\$1,555,000	1.28	\$1,990,000	\$800,000	\$1,190,000	\$965,000
Fishing Vessel	FV KWANG MYONG NO 72	1999	AS	200	\$1,403,000	1.28	\$1,796,000	\$800,000	\$996,000	\$813,000
Fishing Vessel	FV KWANG MYONG NO 38	1999	AS	200	\$2,183,000	1.28	\$2,794,000	\$800,000	\$1,994,000	\$1,597,000
Fishing Vessel	FV KORAM NO. 1	1999	AS	200	\$1,518,000	1.28	\$1,994,000	\$800,000	\$1,194,000	\$967,000
Fishing Vessel	FV KWANG MYONG NO 31	1999	AS	200	\$1,378,000	1.28	\$1,764,000	\$800,000	\$964,000	\$718,000
Fishing Vessel	FV JESSICA ANN	1999	ME	200	\$1,249,000	1.24	\$1,599,000	\$800,000	\$799,000	\$659,000
Fishing Vessel	SS J LUCKENBACH	2000	HI	100	\$1,528,000	1.24	\$1,895,000	\$800,000	\$1,095,000	\$1,528,000
Cargo/Other SPV	Cargo/Other SPV	2001	CA	7,900	\$41,832,000	1.20	\$50,195,000	\$7,476,000	\$42,719,000	\$24,523,000
Cargo/Other SPV	FV WINDY BAY	2001	PR	200	\$714,000	1.20	\$856,000	\$800,000	\$56,000	\$714,000
Fishing Vessel	FV VANGUARD	2001	AK	400	\$3,396,000	1.20	\$4,076,000	\$800,000	\$3,276,000	\$3,396,000
Fishing Vessel	FV ORNEI MARU #7	2002	AK	100	\$700,000	1.20	\$840,000	\$800,000	\$40,000	\$700,000
Fishing Vessel	FV THERESA LYNN	2002	FL	200	\$991,000	1.19	\$1,033,000	\$800,000	\$233,000	\$870,000
Cargo/Other SPV	VICTORIA ROSE HUNT	2003	MA	100	\$1,086,000	1.16	\$1,259,000	\$800,000	\$459,000	\$94,000
Cargo/Other SPV	MV RED DIAMOND	2003	FL	200	\$2,959,000	1.16	\$3,010,000	\$800,000	\$2,210,000	\$2,959,000
Cargo/Other SPV	CRANE BARGE MONARCH	2003	CA	200	\$2,482,000	1.16	\$2,879,000	\$800,000	\$2,079,000	\$2,482,000
Cargo/Other SPV	MV BOWSTRING	2003	FL	300	\$1,696,000	1.16	\$1,863,000	\$800,000	\$1,063,000	\$1,696,000
Tank Barge (Single Hull)	TB B NO. 120	2003	MA	6,900	\$62,117,000	1.16	\$72,055,000	\$22,000,000	\$50,055,000	\$1,753,000
Tank Barge (Single Hull)	TB FOSS 248 P2	2003	WA	2,100	\$13,026,000	1.16	\$15,113,000	\$6,100,000	\$9,013,000	\$5,000,000
Cargo/Other SPV	MV SELENDANG AYU	2004	AK	39,800	\$149,745,000	1.13	\$169,213,000	\$37,767,000	\$131,444,000	\$6,668,000
Fishing Vessel	FV MAWALIL SAAT	2004	GU	200	\$3,414,000	1.13	\$3,857,000	\$800,000	\$3,057,000	\$3,414,000
Fishing Vessel	FV THE BOSS	2004	OR	200	\$926,000	1.13	\$1,046,000	\$800,000	\$246,000	\$926,000
Cargo/Other SPV	TB ATHOS 1	2004	NJ	37,900	\$261,120,000	1.13	\$302,972,000	\$113,685,000	\$189,287,000	\$172,110,000
Cargo/Other SPV	MV ORIENTAL	2004	FL	200	\$727,000	1.13	\$822,000	\$800,000	\$22,000	\$727,000
Tank Barge (Double Hull)	TB DBL 152	2005	LA	9,700	\$33,819,000	1.09	\$36,862,000	\$18,508,000	\$40,154,000	\$19,373,000
Cargo/Other SPV	ALBION	2005	CA	200	\$1,207,000	1.09	\$1,316,000	\$800,000	\$516,000	\$1,207,000
Cargo/Other SPV	MV CASITAS	2005	HI	300	\$1,771,000	1.09	\$1,865,000	\$800,000	\$1,065,000	\$1,771,000
Tank Barge (Single Hull)	TB EMC 423	2005	IL	1,400	\$13,421,000	1.09	\$14,628,000	\$6,000,000	\$8,628,000	\$4,810,000
Fishing Vessel	FV MILKY WAY	2005	WA	200	\$1,300,000	1.09	\$1,417,000	\$800,000	\$617,000	\$9,000
Cargo/Other SPV	MAMA LERE	2006	TX	400	\$1,217,000	1.06	\$1,290,000	\$800,000	\$490,000	\$1,217,000
Cargo/Other SPV	MV COSCO BUSCAN	2007	CA	63,100	\$99,723,000	1.03	\$102,714,000	\$61,874,000	\$40,840,000	\$2,903,000
Cargo/Other SPV	MV SENECA	2007	MI	200	\$1,111,000	1.03	\$1,147,000	\$800,000	\$347,000	\$1,111,000
Cargo/Other SPV	LET-1166	2007	OR	2,400	\$6,000,000	1.03	\$6,180,000	\$2,297,000	\$3,883,000	\$3,986,000
Cargo/Other SPV	CATALA	2007	WA	5,700	\$6,138,000	1.03	\$6,323,000	\$4,415,000	\$908,000	\$6,138,000
Tank Barge (Double Hull)	TB DM932	2008	LA	800	\$90,000,000	0.99	\$89,100,000	\$4,000,000	\$85,100,000	\$3,770,000
Cargo/Other SPV	CV SEA WITCH	2008	MD	17,900	\$19,126,000	0.99	\$18,933,000	\$17,007,000	\$1,926,000	\$19,126,000
Total 1991-2009					\$586,431,000		\$686,431,000	\$213,102,000	\$338,329,000	\$236,219,000
SPV - Self-Propelled Vessel					\$935,592,000		\$935,592,000	\$315,880,000	\$619,712,000	\$288,263,000

This listing includes all incidents regardless of vessel size or type and regardless of whether a claim to the Fund by a responsible party for amounts in excess of liability limits was received or is anticipated. Costs include Federal removal costs and claims paid that have been verified. Other costs are estimated from best available information but cannot otherwise be verified. Fund exposure amounts are estimated and do not imply that the responsible parties will be able to limit their liability under the statute where the issue has not yet been determined.

Attachment C: Incidents Exceeding Liability Limits With Limits to Achieve 50% Cost Share

Vessel Type	Project Name	Incident Year	Incident Location	Gross Tonnage	Total Incident Cost	Incident Cost (100% Dollars)	Liability Limits	Fund Exposure	Actual O&M/TT Costs Incurred	Green Key Liability Limits for a 50% Cost Share	Minimum Liability for a 50% Cost Share
Tank Ship (Single Hull)	TIV JULIE N	1996	ME	18,500	\$32,601,000	1.36	\$51,431,000	\$14,107,000	\$28,376,000	\$61,045,000	\$29,400,000
Tank Ship (Single Hull)	TIV ATHOS 1	2004	NY	37,000	\$248,120,000	1.13	\$113,683,000	\$189,250,000	\$172,110,000	\$123,070,000	\$93,600,000
Tank Barge (Single Hull)	TIB VESTABELLA	1991	PR	1,100	\$7,797,000	1.57	\$12,242,000	\$6,241,000	\$4,782,000	\$7,700,000	\$29,100,000
Tank Barge (Single Hull)	TIB TAMPA BAY COLLISION#2730	1993	FL	9,100	\$6,900,000	1.48	\$10,977,000	\$7,186,000	\$2,797,000	\$37,800,000	\$79,100,000
Tank Barge (Single Hull)	TIB MORRIS J. BERMAN	1994	FL	5,400	\$9,488,000	1.44	\$13,203,000	\$22,000,000	\$9,488,000	\$37,800,000	\$79,100,000
Tank Barge (Single Hull)	MV SCANDIA & TIB NORTH CAPE	1996	TX	5,200	\$4,900,000	1.36	\$6,640,000	\$4,640,000	\$9,046,000	\$38,500,000	\$29,100,000
Tank Barge (Single Hull)	TIB B NO. 120	2003	MA	6,900	\$2,822,000	1.16	\$4,313,000	\$2,822,000	\$1,751,000	\$18,500,000	\$29,100,000
Tank Barge (Single Hull)	TIB FOSB 248 P2	2003	WA	2,100	\$13,028,000	1.16	\$15,113,000	\$5,180,000	\$85,000	\$18,300,000	\$29,100,000
Tank Barge (Single Hull)	TIB ERIC 421	2005	IL	1,400	\$13,921,000	1.09	\$14,628,000	\$5,000,000	\$4,110,000	\$9,100,000	\$29,100,000
Tank Barge (Double Hull)	TIB DML 152	2005	LA	9,700	\$3,819,000	0.99	\$3,862,000	\$11,500,000	\$13,171,000	\$61,900,000	\$36,900,000
Tank Barge (Double Hull)	TIB DM931	2008	LA	800	\$9,000,000	0.99	\$9,100,000	\$3,100,000	\$3,270,000	\$3,600,000	\$36,900,000
Tank Barge (Double Hull)	TIB TANK BARGE (DOUBLE HULL)				\$147,762,000		\$21,525,000	\$313,354,000	\$22,977,000	\$6,000,000	\$18,200,000
NTV > 300 GT	FV TIVU MANU	1991	WA	4,200	\$6,003,000	1.37	\$9,319,000	\$3,460,000	\$6,003,000	\$1,040,000	\$18,200,000
NTV > 300 GT	FV TIVU NG TA	1993	AR	400	\$2,013,000	1.48	\$2,975,000	\$1,750,000	\$2,420,000	\$450,000	\$18,200,000
NTV > 300 GT	MV KLEBERG	1996	AR	3,600	\$1,709,000	1.33	\$2,586,000	\$1,450,000	\$1,709,000	\$31,000,000	\$18,200,000
NTV > 300 GT	MV NEW GALISSA	1999	CA	2,100	\$1,700,000	1.28	\$2,471,000	\$1,450,000	\$1,700,000	\$31,000,000	\$18,200,000
NTV > 300 GT	MV STYVESANT	1999	CA	2,100	\$1,700,000	1.28	\$2,471,000	\$1,450,000	\$1,700,000	\$31,000,000	\$18,200,000
NTV > 300 GT	MV SERRA ZAKARADZE	1999	PR	16,500	\$15,967,000	1.38	\$20,437,000	\$4,760,000	\$6,065,000	\$19,800,000	\$18,200,000
NTV > 300 GT	SS LUCKENBACH	2001	CA	7,600	\$41,829,000	1.20	\$4,076,000	\$4,179,000	\$20,123,000	\$3,480,000	\$18,200,000
NTV > 300 GT	FV WINDY BAY	2001	AK	400	\$3,926,000	1.20	\$4,076,000	\$1,276,000	\$3,296,000	\$4,480,000	\$18,200,000
NTV > 300 GT	MV SELENDANO ATU	2004	AK	39,800	\$149,742,000	1.13	\$169,211,000	\$131,444,000	\$6,668,000	\$77,760,000	\$18,200,000
NTV > 300 GT	MAMA LERE	2006	TX	400	\$1,217,000	1.06	\$1,290,000	\$490,000	\$1,217,000	\$480,000	\$18,200,000
NTV > 300 GT	MV COSCO BUSCAN	2007	CA	65,100	\$99,723,000	1.03	\$102,714,000	\$40,840,000	\$2,903,000	\$74,120,000	\$18,200,000
NTV > 300 GT	LEF-1166	2007	OR	2,400	\$6,000,000	1.03	\$6,180,000	\$3,813,000	\$5,286,000	\$2,840,000	\$18,200,000
NTV > 300 GT	CATALA	2007	WA	5,700	\$6,138,000	1.03	\$6,323,000	\$984,000	\$6,138,000	\$5,840,000	\$18,200,000
NTV > 300 GT	CV SEA WITCH	2008	MD	17,900	\$19,126,000	0.99	\$19,333,000	\$1,629,000	\$19,126,000	\$21,480,000	\$18,200,000
Total NTV > 300 GT					\$209,328,000		\$219,231,000	\$310,065,000	\$114,950,000	\$3,296,000	\$300,000
NTV < 300 GT	FV YUTE NO. 1	1999	AS	200	\$1,165,000	1.28	\$1,491,000	\$800,000	\$970,000	\$920,000	\$300,000
NTV < 300 GT	FV ANITA NO. 3	1999	AS	200	\$1,356,000	1.28	\$1,749,000	\$800,000	\$1,749,000	\$920,000	\$300,000
NTV < 300 GT	FV ANITA NO. 2	1999	AS	200	\$1,356,000	1.28	\$1,749,000	\$800,000	\$1,749,000	\$920,000	\$300,000
NTV < 300 GT	FV KOBAL NO. 3	1999	AS	200	\$1,356,000	1.28	\$1,749,000	\$800,000	\$1,749,000	\$920,000	\$300,000
NTV < 300 GT	FV KWANG MYONG NO 72	1999	AS	200	\$1,356,000	1.28	\$1,749,000	\$800,000	\$1,749,000	\$920,000	\$300,000
NTV < 300 GT	FV KWANG MYONG NO 58	1999	AS	200	\$1,356,000	1.28	\$1,749,000	\$800,000	\$1,749,000	\$920,000	\$300,000
NTV < 300 GT	FV KOBAN NO. 1	1999	AS	200	\$1,356,000	1.28	\$1,749,000	\$800,000	\$1,749,000	\$920,000	\$300,000
NTV < 300 GT	FV KWANG MYONG NO 51	1999	AS	200	\$1,356,000	1.28	\$1,749,000	\$800,000	\$1,749,000	\$920,000	\$300,000
NTV < 300 GT	FV SWORDMAN 1	2000	ME	200	\$947,000	1.24	\$1,174,000	\$800,000	\$947,000	\$920,000	\$300,000
NTV < 300 GT	FV KINTON	2001	PR	200	\$1,328,000	1.24	\$1,655,000	\$800,000	\$1,655,000	\$920,000	\$300,000
NTV < 300 GT	FV YANGUARD	2001	AK	200	\$790,000	1.20	\$840,000	\$400,000	\$790,000	\$920,000	\$300,000
NTV < 300 GT	FV GENIE MARU #7	2002	AK	100	\$870,000	1.19	\$1,035,000	\$400,000	\$870,000	\$920,000	\$300,000
NTV < 300 GT	FV THERESA LYNN	2002	FL	200	\$691,000	1.19	\$822,000	\$400,000	\$691,000	\$920,000	\$300,000
NTV < 300 GT	VICTORIA ROSE RUNT	2003	MA	100	\$1,086,000	1.16	\$1,259,000	\$800,000	\$94,000	\$460,000	\$900,000
NTV < 300 GT	MV RED DIAMOND	2003	FL	200	\$2,595,000	1.16	\$3,010,000	\$800,000	\$2,595,000	\$900,000	\$900,000
NTV < 300 GT	CRANE BARGE MONARCH	2003	CA	200	\$2,482,000	1.16	\$2,879,000	\$2,079,000	\$2,482,000	\$920,000	\$900,000
NTV < 300 GT	MV BOWSTRENG	2003	FL	300	\$1,066,000	1.16	\$1,263,000	\$800,000	\$1,066,000	\$1,380,000	\$900,000
NTV < 300 GT	FV BAWALI SAAT	2004	GU	200	\$1,114,000	1.13	\$1,337,000	\$800,000	\$1,114,000	\$920,000	\$900,000
NTV < 300 GT	FV THE BOSS	2004	OR	200	\$956,000	1.13	\$1,066,000	\$600,000	\$956,000	\$920,000	\$900,000
NTV < 300 GT	ALBERTAL	2004	FL	200	\$1,270,000	1.13	\$1,422,000	\$800,000	\$1,270,000	\$920,000	\$900,000
NTV < 300 GT	FV MARY WAY	2005	VA	300	\$1,111,000	1.09	\$1,165,000	\$800,000	\$1,111,000	\$1,380,000	\$900,000
NTV < 300 GT	FV MILKY WAY	2005	VA	200	\$1,100,000	1.09	\$1,147,000	\$800,000	\$617,000	\$920,000	\$900,000
NTV < 300 GT	MV SERENCA	2007	MI	200	\$1,211,000	1.03	\$1,247,000	\$447,000	\$1,211,000	\$920,000	\$900,000
Total NTV < 300 GT					\$44,976,000		\$52,624,000	\$24,954,000	\$35,379,000	\$3,296,000	\$300,000
Grand Total					\$1,542,003,000		\$2,013,110,000	\$1,013,110,000	\$234,484,000		
NTV - Non-Tank Vessel											
GT - Gross Tonn											

This listing includes all incidents regardless of vessel size or type and regardless of whether a claim to the Fund by a responsible party for amounts in excess of liability limits was received or is anticipated. Costs include Federal removal costs and claims paid that have been verified. Other costs are estimated from best available information but cannot otherwise be verified. Fund exposure amounts are estimated and do not imply that the responsible parties will be able to limit their liability under the statute where the issue has not yet been determined.

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