

PORT OF PENSACOLA, FLORIDA

Berth Assignment Application Addendum

Applicable to: All vessels, barges & tugs

Effective: Until further notice

All conditions and information contained in the Berth Assignment Application (“BAA”) are fully incorporated into this Berth Assignment Application Addendum (“Addendum”) by reference. For additional consideration, the receipt and sufficiency of which is hereby acknowledged, the Port of Pensacola, Owner and Authorized Agent (collectively the “Parties”) agree to the following:

THIS IS AN EMERGENCY ADDENDUM RESULTING FROM THE DEEP WATER HORIZON/BP OIL SPILL

- The Owner and Authorized Agent are solely responsible for obtaining current information and maintaining strict compliance with all Government, U.S. Coast Guard and Incident Command directives regarding safe operations, environmental compliance and vessel decontamination;
- The Owner and Authorized Agent shall review and abide by the Port of Pensacola Tariffs;
- The Owner and Authorized Agent are solely responsible for maintaining safe passage thru and around all cleanup activities and related structures. **The location of such activities and related structures may vary from time to time;**
- The Owner or Authorized Agent of a vessel entering the Port of Pensacola must submit a written report stating the subject vessel has not transited an oiled area and/or has conducted a visual examination of the external hull above the waterline for the presence of oil. Reports must be submitted to the attention of Glenda White – Port of Pensacola at GWhite@ci.pensacola.fl.us ;
- All vessels that have been in direct support of the oil spill response activities (skimming, laying boom, etc.) should contact the Incident Command Post in Mobile, AL for current decontamination instructions. Mobile Incident Command Point of Contact: (251) 445-8983;
- It is the Owner and Authorized Agent’s sole responsibility to not enter the Port of Pensacola if they or the vessel’s Master have information indicating the entry and berthing of the vessel would lead to contamination of Port of Pensacola facilities, surrounding waters, shoreline or submerged lands;
- Any evidence of contamination shall be immediately and properly reported to the appropriate government authorities and the Port of Pensacola (Port Management Office);
- Owner and Authorized Agent shall be solely responsible for costs and expenses of any environmental cleanup or enforcement action resulting from or incident to the entry or berthing of its vessel. Such costs and expenses shall include but are not limited to investigation, actual cleanup, short and long term monitoring, consulting fees and costs, governmental fines and penalties, attorney’s fees and costs, etc.;
- This Addendum shall be effective and binding on the Parties concurrently with the transmittal of the BAA or this Addendum to the Port of Pensacola.

VESSEL AGENT: _____

AGENT NAME: _____

AGENT PHONE #: _____

AGENT FAX #: _____

AGENT EMAIL ADDRESS: _____