

Instructions for Completing the Vessel Physical Damage Claim Form (Black Form)

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1. Instructions for Submitting a Vessel Physical Damage Claim

1.	<p>To make a Vessel Damage Claim under the Deepwater Horizon Economic and Property Damages Settlement Agreement (the "Settlement") for damages arising from the Deepwater Horizon Incident on April 20, 2010, (the "Spill"), you must complete and submit this Claim Form and all documentation required by the Settlement ("Supporting Documentation") to the Claims Administrator on or before June 8, 2015.</p> <p>The final deadline to file claims with the Settlement Program was June 8, 2015. Accordingly, the Claims Administrator is no longer accepting new claim submissions or Parcel Eligibility Request Forms at this time.</p> <p>The Vessel Physical Damage Claim is for individuals and businesses who owned an eligible vessel and the vessel or its appurtenances sustained physical damage between April 20, 2010, and December 31, 2011, due to or resulting from the Spill or the Spill response cleanup operations, including the Vessels of Opportunity ("VoO") program, that were consistent with the National Contingency Plan or specifically ordered by the Federal On-Scene Coordinator or delegates. Physical damage includes the need for removal of equipment or rigging that was added to an eligible vessel to conduct Spill response cleanup activities.</p>				
2.	<p>Do not use this Claim Form if you seek payment only for bodily injury arising from the Deepwater Horizon Incident. To get more information about the Medical Benefits Settlement and to determine whether you are eligible for benefits under that settlement, visit www.deepwaterhorizonsettlements.com or call 1-877-545-5111. For TTY assistance, call 1-800-877-8973.</p>				
3.	<p>If you have access to a computer with an internet connection, it will be far easier for you to fill out and submit your Claim Form online, rather than on this paper Claim Form. The online claim process will guide you through only the specific questions you need to answer, and will instruct you about the specific Supporting Documentation you must submit, based on the answers you enter as you go along. Go to www.deepwaterhorizonsettlements.com to submit a claim online.</p>				
4.	<p>If you choose to fill out a paper Claim Form, be sure to read the entire Claim Form and fill out every section needed to assert your claim, and also read Section 4 of this Instructions Booklet to find out what Supporting Documentation you have to submit along with your claim. If you need more space to answer any questions, put the answer on a separate page and attach it to your Claim Form.</p>				
5.	<p>As you complete your Claim Form and review the list of required Supporting Documentation, you may come across words that are unfamiliar to you. Section 2 of this Instructions Booklet defines many terms that are found in the Claim Form or in the Supporting Documentation descriptions. Consult these definitions if you need help understanding the meaning of a particular term.</p>				
6.	<p>Any term used in the Claim Form or in this Instructions Booklet that is defined in the Settlement will have the meaning set forth in the Settlement. If there is any conflict between the terms in the Settlement and the terms in the Claim Form or in this Instructions Booklet, the meaning set forth in the Settlement controls.</p>				
7.	<p>Submit your Claim Form and all required Supporting Documentation by sending it to the Claims Administrator in one of these ways:</p> <hr/> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; vertical-align: top;"> <p>Regular Mail: Deepwater Horizon Economic Claims Center P.O. Box 10272 Dublin, LA 43017-5772</p> </td> <td style="text-align: center; vertical-align: top;"> <p>Fax: (888) 524-1583</p> </td> </tr> <tr> <td style="text-align: center; vertical-align: top;"> <p>Overnight, Certified or Registered Mail: Deepwater Horizon Economic Claims Center c/o Claims Administrator 5151 Blazer Parkway Suite A Dublin, OH 43017</p> </td> <td style="text-align: center; vertical-align: top;"> <p>Email Attachment: ClaimForms@deepwaterhorizoneconomicsettlement.com</p> </td> </tr> </table> <hr/> <p>Your claim will be reviewed more quickly if you submit all of your Supporting Documentation along with your Claim Form. If you need to submit any Supporting Documentation separately, put your name and Tax Identification Number on a cover sheet or on the first page of what you submit, so the Claims Administrator can properly place the documents in your file.</p>	<p>Regular Mail: Deepwater Horizon Economic Claims Center P.O. Box 10272 Dublin, LA 43017-5772</p>	<p>Fax: (888) 524-1583</p>	<p>Overnight, Certified or Registered Mail: Deepwater Horizon Economic Claims Center c/o Claims Administrator 5151 Blazer Parkway Suite A Dublin, OH 43017</p>	<p>Email Attachment: ClaimForms@deepwaterhorizoneconomicsettlement.com</p>
<p>Regular Mail: Deepwater Horizon Economic Claims Center P.O. Box 10272 Dublin, LA 43017-5772</p>	<p>Fax: (888) 524-1583</p>				
<p>Overnight, Certified or Registered Mail: Deepwater Horizon Economic Claims Center c/o Claims Administrator 5151 Blazer Parkway Suite A Dublin, OH 43017</p>	<p>Email Attachment: ClaimForms@deepwaterhorizoneconomicsettlement.com</p>				
8.	<p>If you have any questions about how to submit your claim, go to www.deepwaterhorizonsettlements.com, or call toll free at 1-800-353-1262. Do not call the Court or any Judge's office to ask questions about how to complete this Claim Form, what documentation is required, or the status of your claim, in general.</p>				

2. Definitions

1.	Charterer: BP, Lawson, USMS, USES, DRC, or any other BP subcontractor.
2.	Effective Date: The date that the Settlement becomes effective, which is after the Court grants “final approval” of the Settlement and any appeals are resolved.
3.	Eligible Claimant: A Class Member who was an owner of an Eligible Vessel during the time period of April 20, 2010 to December 31, 2011. Vessel owners who signed a Receipt and Release Letter Agreement in connection with the BP program to reimburse costs from damage to vessels involved in the Vessels of Opportunity (“VoO”) program are not eligible. Claimants who sustained physical damage to an Eligible Vessel working for an Oil Spill Response Organization or an Oil Spill Removal Organization (OSRO) in the Deepwater Horizon Spill response are not eligible.
4.	Eligible Vessel: A vessel, and/or vessel appurtenances (fixtures), that sustained Physical Damage.
5.	Incompetent Class Member: A Natural Person who lacks the capacity to enter into a contract on his or her behalf at the time of a Claims Form submission to the Claims Administrator, in accordance with the state laws of that person’s domicile as applied to adult capacity issues, whether through power of attorney, agency documents, guardianship, conservatorship, tutorship, or otherwise.
6.	<p>Physical Damage: Damage that was sustained by an Eligible Claimant’s Eligible Vessel due to or resulting from the Deepwater Horizon Spill or the Deepwater Horizon Spill response cleanup operations, including the Vessels of Opportunity (“VoO”) program, that were consistent with the National Contingency Plan or specifically ordered by the Federal On-Scene Coordinator or delegates thereof. Physical Damage shall also include the need for removal of equipment or rigging that was added to an Eligible Claimant’s Eligible Vessel to conduct Deepwater Horizon Spill response cleanup operations.</p> <p>Examples of physical vessel damage include, but are not limited to, the following: bent propeller, dents or scratches to a vessel’s hull, damage to a vessel’s engine from the intake of oil, scratching or staining of vessel’s paint or gelcoat from coming into contact with oil and/or dispersants, damage to nets, rakes, traps, or other gear used in the harvesting of seafood, or the need for decontamination of oil from a vessel, etc.</p> <p>Physical Damage shall not include the following types of damage: i) damage caused by the negligence of an Eligible Claimant or an Eligible Vessel’s captain or crew; ii) damage caused by an employee or agent of an OSRO; iii) damage caused by an act of God; iv) damage caused by normal wear and tear; or v) damage to a trailer or anything else used to transport and Eligible Vessel.</p> <p>Examples of damage that do not constitute Physical Damage include, but are not limited to, the following: damage from running aground, damage from contaminated fuel, damage from allision with a fixed object, damage sustained while the vessel operator was inebriated, damage caused by violation of the United States Coast Guard’s Navigation Rules, damage from lightning strikes, damage caused by the unseaworthiness of the vessel, etc.</p>
7.	Master Vessel Charter Agreement (“MVCA”): The standard agreements utilized by BP and its agents or subcontractors to charter the vessels available for work or service in connection with the Vessels of Opportunity (“VoO”) program.
8.	Minor Class Member: A Natural Person whose age is below that of the majority rule for the state in which the minor resides at the time of a Claim Form submission to the Claims Administrator.
9.	Natural Person: A human being; Includes the estate of a human being who died on or after April 20, 2010. For purposes of the Settlement, a Natural Person that is the estate of a human being who died on or after April 20, 2010, a Minor Class Member or Incompetent Class Member, shall be deemed to act through his, her or its Representative.
10.	Oil Spill Response Organization or Oil Spill Removal Organization (“OSRO”): An entity that provides oil spill response resources, and includes any for-profit or not-for-profit contractor, cooperative, or in-house response resources that have been established in a geographic area to provide required response resources.
11.	Representative: If a claimant is a Minor or Incompetent, the Representative is the legal guardian of the claimant. If the claimant is deceased, the Representative is the duly authorized legal representative of the claimant’s estate.

3. Detailed Instructions for Answering Vessel Physical Damage Claim Form Questions

The following instructions will take you step-by-step through the Vessel Physical Damage Claim Form. The sections and numbers in these instructions refer to the same sections and numbers in the Claim Form.

The final deadline to file claims with the Settlement Program was June 8, 2015. Accordingly, the Claims Administrator is no longer accepting new claim submissions or Parcel Eligibility Request Forms at this time.

A. Claimant Information

If you are completing this Claim Form on your own behalf, provide your personal information in this section. If you are completing this Claim Form on behalf of the claimant, fill in the claimant's information.

1.	Name of Natural Person or Business	If you are making this claim as an individual, print your last name, first name, and middle initial in the appropriate boxes. If you are making this claim on behalf a business, print the full name of the business in the box labeled, "Last Name or Full Name of Business."
2.	Social Security Number <i>or</i> Individual Taxpayer Identification Number <i>or</i> Employer Identification Number	If you are making this claim as an individual, provide your Social Security Number or Individual Taxpayer Identification Number by putting one digit in each space. There are nine spaces provided in this format: XXX-XX-XXXX. If you are making this claim on behalf of a business, provide the business' Employer Identification Number by putting one digit in each space. There are nine spaces provided in this format: XX-XXXXXX
3.	Claimant Number	If you filed a claim with the GCCF, your GCCF Claimant Number will also be your Claimant Number in the Deepwater Horizon Settlement Program. If you did not file a claim with the GCCF, you will receive a new nine-digit Claimant Number when you file your initial Registration Form with the Deepwater Horizon Settlement Program. If you filed a claim with the GCCF, check the box next to "GCCF Claimant Number" and write your seven-digit Claimant Number in the spaces provided. Write one number in each space. If you already have a Deepwater Horizon Settlement Program Claimant Number, check the box next to "Deepwater Horizon Settlement Program Claimant Number" and write your nine-digit Claimant Number in the spaces provided. Write one number in each space. If you do not already have a Deepwater Horizon Settlement Program Claimant Number and you did not file a claim with the GCCF, leave this question blank.

B. Information Required for a Vessel Physical Damage Claim

If you are asserting a Vessel Physical Damage Claim for more than one vessel and need additional pages, photocopy Section B of the Claim Form before completing it and attach the copy to the Claim Form for submission. Make one copy for each additional vessel. If you are not prepared to submit Vessel Physical Damage Claims for all of your vessels at the same time, you can submit claims for additional vessels separately, as long as they are all submitted within six months of the date of your first payment from the Settlement Program.

1.	What is the Hull Identification Number for the damaged vessel?	Provide the hull identification number for your damaged vessel. The hull identification number is a 12-character serial number found on all vessels manufactured or imported on or after November 1, 1972. Your hull identification number may be found on your vessel registration document, on the hull of your vessel, or on an unexposed location on your vessel.
2.	What is the Federal and/or State Identification Number for the physically damaged vessel?	Provide either: (a) the state vessel registration number, or (b) the Federal (U.S. Coast Guard) vessel registration number.

3.	Did you own the vessel at the time the damage occurred?	Check "Yes" if you owned the vessel at the time the physical damage occurred. Check "No" if you did not own the vessel at the time the physical damage occurred. If you check "No," you are not eligible for compensation for a Vessel Physical Damage Claim and you should not complete or submit the Vessel Physical Damage Claim Form.
4.	Was the damage to your vessel caused by any of the following: (a) your fault; (b) the fault of the vessel's captain or crew; (c) an Act of God; (d) an employee or agent of an Oil Spill Response Organization; or (e) normal wear and tear?	Check "Yes" if the damage to your vessel was your own fault, the fault of the vessel's captain or crew, the result of an Act of God, an employee or agent of an oil spill response organization, or normal wear and tear. Check "No" if the damage to your vessel was caused by some other source. If you check "Yes," you are not eligible for compensation for a Vessel Physical Damage Claim and you should not complete or submit the Vessel Physical Damage Claim Form.
5.	Are you claiming that vessel physical damage occurred due to the Spill or as a result of Spill response cleanup operations, including participation in the Vessels of Opportunity ("VoO") Program?	Check "Yes" if the damage to your vessel occurred due to the Spill or as a result of Spill response cleanup operations. If your eligible vessel sustained physical damage while a participant in the Vessels of Opportunity ("VoO") Program, check "Yes." If you check "No," you are not eligible for compensation for a Vessel Physical Damage Claim and you should not complete or submit the Vessel Physical Damage Claim Form.
5(a)	Did the physical damage that your vessel sustained result from the Spill or the Spill response cleanup operations, including participation in the Vessels of Opportunity Program?	Check "Spill" if the damage to your vessel was the result of the Spill. Check "Spill Response Cleanup Operations" if the damage to your vessel was the result of Spill response cleanup operations. If your vessel was physically damaged while participating in the VoO program, select "Spill Response Cleanup Operations."
5(b)	If the damage was the result of Spill response cleanup operations other than the VoO Program, were those operations consistent with the National Contingency Plan or specifically ordered by the Federal On-Scene Coordinator (FOSC) or his or her delegate?	<p>Only answer this question if you check "Spill Response Cleanup Operations" in 5(a). If you check "Spill" in Question 5(a), leave Question 5(b) blank and go to Question 6.</p> <p>Check "Yes" if the Spill response cleanup operation that caused damage to your vessel was consistent with the National Contingency Plan or was specifically ordered by the Federal On-Scene Coordinator or his or her delegate.</p> <p>Check "No" if the Spill response cleanup operation that caused damage to your vessel was neither consistent with the National Contingency Plan nor specifically ordered by the Federal On-Scene Coordinator or his or her delegate.</p> <p>Check "Do Not Know" if you do not know whether the Spill response cleanup operation that caused damage to your vessel was consistent with the National Contingency Plan or if it was specifically ordered by the Federal On-Scene Coordinator or his or her delegate.</p>
6.	Did you sustain the physical damage to your vessel while working for an Oil Spill Response Organization?	If you sustained the physical damage to your vessel while working for an Oil Spill Response Organization, check "Yes." If you were a VoO participant while you were working for an Oil Spill Response Organization, check "No." If you sustained the physical damage to your vessel, but not while working for an Oil Spill Response Organization, check "No."
7.	Did the damaged vessel participate in the VoO program?	If you participated in the VoO program, check "Yes." If you were registered with the VoO program but were not dispatched for VoO work, check the box "Yes." Only check the box "No" if you did not sign a Master Vessel Charter Agreement ("MVCA").

7(a)	Provide the Master Vessel Charter Agreement (MVCA) Number for your vessel.	If you checked "Yes" for Question 7, enter your MVCA contract number.
7(b)	Did you sign a Receipt and Release Letter Agreement to reimburse costs for the damage to your vessel involved in the VoO program?	Check "Yes" if you signed a Receipt and Release Letter Agreement in connection with a claim for physical damage to your vessel that occurred during your participation in the VoO program. Check "No" if you did not sign a Receipt and Release Letter Agreement or if your vessel did not participate in the VoO program. If you answer "Yes," you are not eligible for compensation for a Vessel Physical Damage Claim and you should not complete or submit the Vessel Physical Damage Claim Form.
8.	Identify and Describe your Vessel	Provide information about your vessel. There are seven parts to Question 8, make sure you answer all seven.
8(a)	Make	Provide the Make of your vessel. If your vessel is homemade, write "homemade."
8(b)	Model	Provide the Model of your vessel. If your vessel is homemade, write "homemade."
8(c)	Year	Provide the Model Year of your vessel. If your vessel is homemade, write the year you built the vessel.
8(d)	Length	Provide the length of your vessel in feet and inches in the blanks provided.
8(e)	Personnel Capacity	Provide the maximum number of persons permitted aboard your vessel.
8(f)	Propulsion	Check "Gasoline" if your vessel uses gasoline for propulsion. Check "Diesel" if your vessel uses diesel fuel for propulsion. Check "Other" if your vessel uses a method of propulsion other than gasoline or diesel. If you check "Other," describe the method of propulsion in the space provided.
8(g)	Vessel Class	Provide the Vessel Class for your vessel. Vessel class includes unpowered dinghy, powered skiff, multihull cruiser, commercial fishing vessel, recreational vessel, oil rig support vessel, etc.
9.	Describe the condition of the vessel before the damage occurred.	Provide a specific description of the vessel's condition before the date of the vessel damage. You may submit documents, receipts, invoices, estimates, photographs, videotaped footage, a sworn statement from you and/ or a sworn statement from a witness(es) in support of your description.
10.	When did the physical damage to your vessel occur?	Give the date of the physical damage to your vessel in this format: mm/dd/yyyy.
11.	Describe: (a) the physical damage to your vessel; (b) your vessel's activity at the time of the damage; (c) the cause of the damage to your vessel; and (d) the location of your vessel at the time of the damage.	Provide a specific description of the (a) physical damage your vessel sustained, (b) the activity your vessel undertook at the time of the damage, (c) the cause of the damage, and (d) the vessel's location at the time of the damage.
12.	Did you repair the damaged vessel?	Check "Yes" if you already repaired your vessel. Check "No" if you have not. If you check "Yes," provide: (a) the name, address, and telephone number of the individual or business that repaired your damaged vessel; (b) the cost to repair your damaged vessel; and (c) a description of the repairs made to your vessel.

13.	Did you replace the damaged vessel?	<p>Check "Yes" if you have already replaced the damaged vessel. Check "No" if you have not. If you check "Yes," provide:</p> <p>(a) an explanation of why the damaged vessel had to be replaced rather than repaired;</p> <p>(b)(1) the name, address and telephone number of the individual or business from which you obtained the replacement vessel;</p> <p>(b)(2) the cost of the replacement vessel;</p> <p>(b)(3) the date when the replacement was made; and</p> <p>(b)(4) a description of the replacement vessel.</p>
14.	Do you plan to repair the damaged vessel?	<p>Only answer this question if you checked "No" for both Questions 12 and 13.</p> <p>Check "Yes" if you have not repaired the damaged vessel, but you plan to do so in the future. Check "No" if you do not plan to repair the vessel. If you check "Yes," provide:</p> <p>(a) the name, address, and telephone number of the individual or business that will repair the vessel;</p> <p>(b) the estimated cost of the repairs; and</p> <p>(c) a description of the planned repairs.</p>
15.	Do you plan to replace the damaged vessel?	<p>Only answer this question if you checked "No" for both Questions 12 and 13.</p> <p>Check "Yes" if you have not replaced the damaged vessel, but you plan to do so in the future. Check "No" if you will not replace the damaged vessel. If you check "Yes," provide:</p> <p>(a) an explanation of why the damaged vessel has to be replaced rather than repaired;</p> <p>(b)(1) the name, address, and telephone number of the individual or business from which you plan to obtain the replacement vessel;</p> <p>(b)(2) the estimated cost of the replacement vessel; and</p> <p>(b)(3) a description of the replacement vessel.</p>

C. Vessel Physical Damage Claimant Verification Statement

Read this section carefully and, if you owned the vessel during the time period of April 20, 2010 to December 31, 2011, check the boxes to certify that (a) you have not signed a Receipt and Release Letter Agreement in connection with the BP program to reimburse costs for damage to vessels involved in the Vessels of Opportunity ("VoO") program, (b) the physical damage that you claim was sustained by your vessel was not caused by any of the following: (1) your fault; (2) the fault of the vessel's captain or crew; (3) an act of God; (4) an employee or agent of an Oil Spill Response Organization; or (5) normal wear and tear, and (c) that the physical damage you claim was sustained by your vessel did not occur while working for an Oil Spill Response Organization or an Oil Spill Removal Organization (OSRO) in the Deepwater Horizon Spill response. You must check all three boxes to be paid.

D. Documentation Required for a Vessel Physical Damage Claim

You are required to submit Supporting Documentation with your Claim Form. The documentation requirements can be found in Section 4 of this Instructions Booklet. If you do not submit these documents, the Claims Administrator will not be able to review your claim and you may not be compensated for any losses.

E. Payment

1.	If You Have Your Own Attorney	Only answer Question E.1 if you have your own attorney. If an attorney is representing you in connection with your Spill-related lawsuit or claim, the Claims Administrator will make payments to both you and your attorney. If you agree to this, you do not need to do anything. If you would rather the Claims Administrator make payments only to your attorney, check the box.
2.	If You Do Not Have Your Own Attorney	If you are not represented by an attorney, you must read Item 2 carefully.
3.	Garnishments, Liens, and other Attachments	Garnishments, liens and other attachments to your claim will be deducted from any payment you receive.
4.	W-9 Form Requirement	All claimants must submit a W-9 Form. To obtain a copy of that form, go to www.deepwaterhorizonsettlements.com , or by calling 1-800-353-1262.

4. Documentation Required for Vessel Physical Damage Claims

Review the claimant categories below and find the sections that best fit the answers you provided on your Claim Form. The documents listed in the applicable sections are required for an evaluation of your claim. You may use the checkboxes next to the document descriptions to keep track of what you need to submit.

Claimant Categories

- A. All Claimants.** All claimants submitting a Vessel Physical Damage Claim must submit the documents listed in this section.
- B. Claimants with VoO Participant Vessels.** Claimants with VoO participant vessels must submit the document listed in this section.

A. All Claimants

All claimants asserting a Vessel Physical Damage Claim must submit the following:

- | | |
|--------------------------|--|
| <input type="checkbox"/> | (1) A copy of the title for the vessel for which you are seeking compensation. (A claimant who has proof of registration but no title may use SWS-42 in place of the missing title.) |
| <input type="checkbox"/> | (2) A copy of the state or Federal (U.S. Coast Guard) registration for the vessel for which you are seeking compensation. (A claimant who has proof of title but no registration may use SWS-42 in place of the missing registration.) |
| <input type="checkbox"/> | (3) Proof that the physical damage to your vessel was due to or resulting from the Spill or Spill response cleanup operations. |
| <input type="checkbox"/> | (4) Proof that the physical damage to your vessel was not caused by the following:
(a) You
(b) The vessel's captain or crew
(c) An act of God
(d) an employee of agent of an Oil Spill Response Organization
(e) Normal wear and tear |
| <input type="checkbox"/> | (5) Proof that the physical damage occurred between April 20, 2010 and December 31, 2011. |
| <input type="checkbox"/> | (6) Proof that you owned the vessel at the time the physical damage occurred. |
| <input type="checkbox"/> | (7) If you claim to have incurred costs to repair or replace the damaged property, evidence to establish that the costs were incurred by you and that they were reasonable and necessary. |
| <input type="checkbox"/> | (8) If you are seeking compensation for costs that you plan to incur to repair or replace the damaged vessel, an estimate of the costs and evidence to establish that the costs are reasonable and necessary. |
| <input type="checkbox"/> | (9) W-9 Form; to obtain a copy of your W-9 Form, go to www.deepwaterhorizonsettlements.com , or by calling 1-800-353-1262. If you are making multiple claims under the Settlement, you only need to submit the W-9 Form once. |

Examples of documents that may satisfy the requirements A(3) through A(8) include receipts, invoices, estimates, photographs, catalogues, advertisements, pricelists for vessels or vessel parts, videotaped footage, a sworn statement from the claimant and/ or sworn statements from witness(es). To obtain a copy of the Vessel Physical Damage Sworn Written Statement (SWS-35), go to www.deepwaterhorizonsettlements.com, or call toll free at 1-800-353-1262.

B. Claimants with VoO Participant Vessels

If you and your vessel(s) participated in the VoO program, you must submit the following:

- | | |
|--------------------------|---|
| <input type="checkbox"/> | The contract number of the MCVA you executed. |
|--------------------------|---|