

# **EXHIBIT 14**

## Compensation Framework for Vessel Physical Damage Claims

### 1. Eligibility Requirements

- A. **Eligible Claimants** shall be comprised of claimants who do not fall within the exclusions to the **Economic Loss and Property Class Definition** and who were owners of an **Eligible Vessel(s)** during the time period April 20, 2010 to December 31, 2011, except for the following:
- i. Claimants who are owners of an **Eligible Vessel(s)** that have 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 program.
  - ii. Claimants who sustained **Physical Damage** to an **Eligible Vessel** while working for an Oil Spill Response Organization or an Oil Spill Removal Organization (**OSRO**) in the DWH Spill response. However this exclusion shall not apply to claimants who were participating in the Vessels of Opportunity Program.
- B. An **Eligible Vessel** shall be defined as a vessel, and/or vessel appurtenances, that sustained **Physical Damage**.
- C. **Physical Damage** shall be defined as physical damage that was sustained by an **Eligible Claimant's Eligible Vessel** due to or resulting from the DWH Spill or the DWH Spill response cleanup operations, including the Vessels of Opportunity 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 DWH Spill response cleanup operations.
- i. Some examples of **Physical Damage** include a bent propeller, dents or scratches to a vessel's hull, damage to a vessel's engine from the intake of MC252 oil, scratching or staining of a vessel's paint or gelcoat from coming into contact with MC252 oil and/or dispersants, damage to nets, rakes, traps or other gear used in the harvesting of seafood, or the need for decontamination of MC252 oil from a vessel.
- D. Notwithstanding the above, **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 an **Eligible Vessel**.

- i. Some examples of damage not included in the definition of **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 vessel operator was inebriated, damage caused by violation of the United States Coast Guard's Navigation Rules, damage from lightning strikes, or damage caused by the unseaworthiness of the vessel.
- E. **Administrator's Database:** The Claims Administrator shall maintain a database ("**Administrator's Database**") containing information on **Eligible Claimants** that have 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 program. The Claims Administrator shall check the **Administrator's Database** to determine whether an **Eligible Claimant** has 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 program. The **Administrator's Database** is presumed to be satisfactory evidence of such a release.

## 2. Compensation

- A. An **Eligible Claimant** must provide the Claims Administrator with satisfactory proof of all of the following items below in order to qualify to receive compensation for **Physical Damage**.
- i. The claimant is an **Eligible Claimant**.
  - ii. The claimed **Physical Damage** was sustained by an **Eligible Claimant's Eligible Vessel**.
  - iii. The **Physical Damage** occurred between April 20, 2010 and December 31, 2011.
  - iv. The **Physical Damage** was sustained due to or resulting from the DWH Spill or the DWH Spill response cleanup operations, including the Vessels of Opportunity Program, that were consistent with the National Contingency Plan or specifically ordered by the Federal On-Scene Coordinator or delegates thereof. Satisfactory proof shall include operations of the Vessels of Opportunity program or other operations approved by BP or the Unified Command.
  - v. The condition of the **Eligible Vessel** prior to the claimed **Physical Damage**.
    - a) As part of the Vessels of Opportunity program, the condition of certain vessels was inspected prior to beginning an operational mission. These

inspections are reflected in documents referred to as the Jackson On-Hire Surveys. The Claims Administrator shall be provided with Jackson On-Hire Surveys for vessels involved in the Vessels of Opportunity program.

- vi. The **Eligible Claimant** owned the **Eligible Vessel** for which **Physical Damaged** is claimed at the time the damage occurred.
  - vii. For an **Eligible Claimant** claiming to have incurred costs to repair or replace the **Eligible Vessel**, evidence to establish that the costs were incurred by the **Eligible Claimant** and that they were reasonable and necessary.
  - viii. For an **Eligible Claimant** seeking compensation for costs not yet incurred to repair or replace the **Eligible Vessel**, a cost estimate and proof the costs are reasonable and necessary.
- B. An **Eligible Claimant** must comply with the **Claim Form, Document Requirements** and **Verification Statement** listed in Appendices A, B and C in order to qualify to receive **Vessel Damage Compensation**.
- C. An **Eligible Claimant** who claims **Physical Damage** and satisfies Section 2. A, and 2. B above shall receive **Vessel Damage Compensation**. **Vessel Damage Compensation** shall be the lesser of the reasonable and necessary costs to repair or replace an **Eligible Vessel**. **Vessel Damage Compensation** shall only include the cost to replace an **Eligible Vessel** if the Claims Administrator determines that the cost to replace an **Eligible Vessel** is less than the cost to repair an **Eligible Vessel**.
- i. The Claims Administrator shall have the authority to verify any of the criteria contained in the **Compensation Framework for Vessel Physical Damage Claim** including, the **Eligible Claimant's** claimed repair and/or replacement costs, and to undertake an investigation to determine the reasonableness of the costs to repair and/or replace the **Eligible Vessel**, including obtaining an independent estimate.
- D. In no case shall an RTP be applied to **Vessel Damage Compensation**.

**Compensation Framework for Vessel Physical Damage Claims**

**Appendix A**

**Vessel Physical Damage Claim Form**

---

1. Are you claiming you are entitled to compensation for physical damage that occurred to your vessel due to or resulting from the DWH Spill or the DWH Spill response cleanup operations, including the Vessels of Opportunity Program, during the time period April 20, 2010 to December 31, 2011?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

*If you answered yes question 1 above, (i) answer the questions below, (ii) provide the documentation required in the **Document Requirements** form (Appendix B), and (iii) complete a **Vessel Physical Damage Verification Statement** (Appendix C).*

2. What is the vessel's registration number?

---

---

---

---

---

---

3. If your vessel participated in the Vessels of Opportunity program, provide the contract number of the Master Charter Vessel Agreement you executed.

---

---

---

---

---

4. Identify and describe the vessel that you claim sustained physical damage due to or resulting from the DWH Spill or the DWH Spill response cleanup operations, including the i) make, ii) model, iii) year, iv) length, v) capacity, vi) propulsion type, and vessel class (e.g., deck boat, dinghy, multihull cruiser, etc.).

---

---

---

---

---

5. Describe the physical damage that you claim was sustained by your vessel due to or resulting from the DWH Spill or the DWH Spill response cleanup operations.

---

---

---

---

---

6. Describe what activity your boat was performing at the time of the physical damage that you

claim was sustained by your vessel.

---

---

---

---

---

7. Where was your vessel located when the physical damage occurred?

---

---

---

---

---

8. When did the physical damage to your vessel occur?

---

---

---

---

---

9. Describe in detail what caused the physical damage to your vessel.

---

---

---

---

---

10. If you know, did the physical damage that your vessel sustained result from the DWH Spill or the DWH Spill response cleanup operations consistent with the National Contingency Plan or specifically ordered by the Federal On-Scene Coordinator or delegates thereof?

Yes     No     I Don't Know

11. Was the damage to your vessel caused by any of the following: i) your fault, ii) the fault of the vessel's captain or crew, iii) an act of God, or iv) normal wear and tear.

Yes     No

12. Describe the condition of the vessel prior to the damage you claim occurred.

---

---

---

---

---

13. Did you own the vessel that you claim was damaged at the time the damage occurred?

Yes     No



14. Have you already incurred the cost to repair or replace the vessel that you claim was physically damaged?

\_\_\_ Yes \_\_\_ No

15. If your answer to Question 13 is yes, please identify the following:

a. Was the vessel repaired or replaced?

---

---

---

---

---

b. If the vessel was replaced, state the reasons, in precise detail, that the vessel was replaced instead of being repaired.

---

---

---

---

---

c. If the vessel was replaced, state the name and address of the individual or business from which the replacement vessel was obtained and the cost you incurred to replace the vessel.

---

---

---

---

- d. If the vessel was repaired, state the name and address and telephone number of the individual or business that did the repairs, the cost you incurred to repair the vessel, and identify the repairs that were done.

---

---

---

---

---

---

16. If the answer to Question 13 is no, identify the following:

- a. State whether the vessel can be repaired:

Yes     No

- b. Have you obtained a cost estimate to repair the vessel?

Yes     No

- c. If you have obtained a cost estimate to repair the vessel, state the name address and phone number of the individual or entity that provided the cost estimate, what repairs are being done and the amount of the cost estimate for the repairs.

---

---

---

---

---

- d. If you claim that the vessel cannot be repaired, explain in precise detail the reasons for your claim.

---

---

---

---

---

17. Have you 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 program.

\_\_\_ Yes    \_\_\_ No

## Compensation Framework for Vessel Physical Damage Claims

### Appendix B

#### Vessel Physical Damage Claim Form

#### Document Requirements

---

To receive compensation under the **Compensation Framework for Vessel Physical Damage Claims** you must provide copies of the documents described below.

1. Owners of vessels seeking compensation under the **Compensation Framework for Vessel Physical Damage Claims** must provide each of the following:
  - a. A copy of the title for the vessel for which you are seeking compensation;
  - b. A copy of the registration for the vessel for which you are seeking compensation; and
  - c. Completed **Verification Statement**.
2. Owners of vessels seeking compensation under the **Compensation Framework for Vessel Physical Damage Claims** must provide the Claims Administrator with proof of the items below. Proof may consist of documents, 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 a witness(es).
  - a. The claimed physical damage to your vessel was due to or resulting from the DWH Spill or the DWH Spill response cleanup operations.
  - b. The claimed physical damage to your vessel was not caused by any of the following:
    - i) you, ii) the vessel's captain or crew, iii) an act of God, or iv) normal wear and tear.
  - c. The physical damage occurred between April 20, 2010 and December 31, 2011.
  - d. The condition of the vessel prior to the claimed physical damage.
  - e. You owned the vessel at the time the physical damage occurred.
  - f. If you claim to have incurred costs to repair or replace the vessel, evidence to establish the costs, that you incurred and that they were reasonable and necessary.

- g. If you are seeking compensation for costs not yet incurred to repair or replace the vessel, one or more cost estimates to repair or replace the vessel and proof that the cost estimates are reasonable and necessary.
- h. Signing the Verification Statement will qualify as support for subsections a, b, c, d and e above.

**Compensation Framework for Vessel Physical Damage Claims**

**Appendix C**

**Vessel Physical Damage Verification Statement**

---

I, \_\_\_\_\_, owned the vessel(s) for which I am submitting this claim during the time period April 20, 2010 to December 31, 2011, and the physical damages for which I seek compensation were due to or resulting from the DWH Spill or the DWH Spill response cleanup operations.

I have not 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 program.

The physical damage that I claim was sustained to my vessel was not caused by any of the following: i) my fault, ii) the fault of the vessel's captain or crew, iii) an act of God, or iv) normal wear and tear.

The physical damage that I claim was sustained to my vessel did not occur while working for an Oil Spill Response Organization or an Oil Spill Removal Organization (OSRO) in the DWH Spill response (**However** - You should check this box if your vessel damage occurred while you were working in Vessels of Opportunity Program).

I declare and affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date