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**STORAGE TANK THIRD
PARTY LIABILITY
CORRECTIVE ACTION AND
CLEANUP POLICY**

THIS IS AN APPLICATION FOR A CLAIMS-MADE POLICY.

NOTICE: PLEASE ANSWER ALL QUESTIONS. ATTACH ADDITIONAL SHEETS OF PAPER IF NECESSARY.

THIS POLICY PROVIDES DEFENSE EXPENSES SEPARATE FROM THE LIMIT OF LIABILITY THAT APPLIES TO LOSS, CORRECTIVE ACTION AND CLEANUP COSTS. NOTE THAT AMOUNTS INCURRED FOR LEGAL DEFENSE SHALL BE APPLIED AGAINST THE DEDUCTIBLE AMOUNT.

- 1. Named Insured: _____
- 2. Insured's Address: _____

Phone: _____ Fax: _____

- 3. Please provide a survey plot for this facility, if there are above-ground tanks.
- 4. List all claims made against you during the past five years for cleanup, or response action, or bodily injury or property damage, resulting from the release of regulated substances, hazardous waste or any other pollutants, from this location or other locations owned or operated by you, into the environment. Provide a brief description of the claim(s) and its disposition. If none, so state.

- 5. At the time of the signing of this application, do you know of any facts or circumstances which may reasonably be expected to result in a claim or claims being asserted against your company for environmental cleanup or response, or for bodily injury or property damage arising from the release of pollutants into the environment?

- 6. Have you during the past five years had any reportable releases or spills of regulated substances, hazardous waste or any other pollutants, as defined by applicable environmental statutes or regulations?
() Yes () No If yes, please describe.

- 7. Have you during the last five years been prosecuted, or are you currently being prosecuted, for contravention of any standard or law relating to the release or threatened release from the location of a regulated substance, hazardous waste or any other pollutant? () Yes () No If yes, please give details.

- 8. Is there a history of leaks or releases at any of your facilities not stated above? () Yes () No
If yes, please describe.

- 9. Were all tanks new at installation? () Yes () No
If no, provide details regarding the date manufactured, and any upgrades or changes made to the tank since the date manufactured.

- 10. Have any repairs or upgrades (including relining) been performed within the past ten years for any tank at any location? () Yes () No If yes, please describe the repairs or upgrades performed?

- 11. Please provide a copy of the Spill Prevention and Counter Control plan with regard to the aboveground storage tanks if any exists. Have any inspections or maintenance procedures as required by the plan, not been performed? () Yes () No If yes, please explain.

- 12. Were any tanks ever removed or closed at any location? () Yes () No
If yes, provide specific details as to why this occurred.

13. If aboveground tanks are present, please describe the security measures at the site to protect against theft and vandalism. _____

14. **STORAGE TANK & LOCATION SCHEDULE: Copy and attach additional sheets if necessary.**

Facility I.D. # _____ Facility Name _____

Facility Address _____ Facility Type _____

Do you (Circle one) **Own Operate Lease** this facility? If not owned, please name the owner. _____

STORAGE TANK & LOCATION SCHEDULE (Complete schedule with symbols below)

	1	2	3	4	5
Tank #					
UST/AST					
Install Date Year					
Capacity (Gallons)					
Contents					
Tank Construction Material					
Overfill/Spill Protection					
Tank Leak Detection					
AST Diking & Base Construction					
Piping Construction Material					
Piping Leak Detection					

Contents

- B. Unleaded Gasoline
- C. Gasohol
- D.,F.,G.,H. Diesel
- K. Kerosene
- L. Waste Oil/ Used Oil
- M. Fuel Oil
- P. Generic Gasoline
- Q. Pesticide
- R. Ammonia compound
- S. Chlorine compound
- T. Haz. Substance (CERCLA)
- U. Mineral Acids
- V. Grades 5&6 bunker 'C' oils
- W. Petroleum-base additive
- X. Misc. petroleum-base
- Z. Other, Identify

Tank Construction

- C. Steel
- E. Fiberglass
- F. FRP Clad Steel
- X. Concrete
- Y. Polyethylene
- Z. Other EPA/DEP Approved
- G. Cathodic Protection Sacrificial Anode
- H. Cathodic Protection - Impressed Current
- I. Double Walled(DW) - Single Material
- R. Double Walled (DW)- Dual Material
- J. (DW)Synthetic Liner in Tank Construction
- V. (DW)Pipeless UST with Secondary Containment
- B. Internal Lining
- STI. STI-P3

Overfill/Spill Protection

- A. Ball Check Valve
- M. Spill Containment Bucket
- N. Flow Shut-off
- O. Tight Fill
- P. Level Gauges, High Level Alarms
- Q. Other EPA/DEP Approved Protection Method

Tank Leak Detection

- N. Groundwater Monitoring Wells
- E. Interstitial Monitoring
- O. Vapor Monitoring Wells
- Q. Visual Inspections of AST Systems
- Z. Other EPA/DEP Approved
- D. SPCC Plan - AST
- F. Interstitial Space- Double Walled Tank
- M. Manual Tank Gauging - UST
- S. Statistical Inventory Reconciliation (SIR)(USTs)
- L. Automatic Tank Gauging System (USTs)
- R. Interstitial Monitoring of AST Tank Bottom
- T. Annual Tightness Test with Inventory (USTs)

AST Diking & Base Construction

- K. Concrete, Synthetic Material, clays
- S. Other EPA/DEP approved secondary containment system
- Z. Dirt/Earth

Piping Construction Material

- B. Steel
- C. Fiberglass
- F.,M. Double walled
- N. Approved Synthetic Material
- Z. Other EPA/DEP Approved Piping Material
- D. External Protective Coating
- E. C/P with sacrificial anode or impressed current

Piping Leak Detection

- G. Electronic Line Leak Detector with Flow Shutoff
- J. Interstitial Monitoring - Piping Filter
- 6. External Monitoring
- H. Mechanical Line Leak Detector
- K. Interstitial Monitoring of double wall piping
- V. Suction Pump Check Valve

15. Are there any tanks at this location that were not included in the Tank Schedule? () Yes () No

If yes, please describe.

16. Do you use an outside contractor or firm for compliance management services? This includes, but is not limited to, equipment inspection and monitoring, proper state and local regulatory paperwork completion, and filing, pooling gauges and monthly monitoring reports for you? () Yes () No

If yes, please give the name and phone # of the firm you use.

17. Do you use a remote monitoring system, with an outside vendor who receives an alarm when a release occurs and is responsible for notifying the appropriate parties? () Yes () No

If yes, please give the name of that vendor.

18. Do any plans exist to remove or replace any tanks within the next year? () Yes () No

If yes, list when and why the removal or replacement is to occur.

19. Do you currently have pollution liability insurance coverage for the tanks applied for on this application?

() Yes () No

If so, please list below the name of the carrier, expiring premium, expiring deductible, retroactive date and limits of liability; or attach a copy of your current policy declarations page.

LIMITS DESIRED: (each incident/aggregate)

() \$500,000/\$1 million () \$1 million/\$1 million () \$1 million/\$2 million

() \$2 million/\$2 million () OTHER: _____

DEDUCTIBLE DESIRED: (each incident)

() \$5,000 () \$10,000 () \$25,000 () \$50,000

() \$100,000 () \$250,000 () OTHER: _____

For Deductibles \$25,000 or above, please include your most current audited financial statement.

THIS APPLICATION DOES NOT BIND THE APPLICANT TO BUY, OR THE COMPANY TO ISSUE THE INSURANCE, BUT IT IS AGREED THAT THIS FORM SHALL BE THE BASIS OF THE CONTRACT SHOULD A POLICY BE ISSUED, AND IT WILL BE ATTACHED TO AND MADE A PART OF THE POLICY. THE UNDERSIGNED APPLICANT DECLARES THAT THE STATEMENTS SET FORTH IN THIS APPLICATION ARE TRUE AND THAT NO MATERIAL FACTS HAVE BEEN SUPPRESSED OR MISSTATED. THE APPLICANT FURTHER DECLARES THAT IF THE INFORMATION SUPPLIED ON THIS APPLICATION CHANGES BETWEEN THE DATE OF THIS APPLICATION AND THE TIME WHEN THE POLICY IS ISSUED, THE APPLICANT WILL IMMEDIATELY NOTIFY THE COMPANY OF SUCH CHANGES, AND THE COMPANY MAY WITHDRAW OR MODIFY ANY OUTSTANDING QUOTATIONS AND/OR AUTHORIZATION OR AGREEMENT TO BIND THE INSURANCE.

ALL WRITTEN STATEMENTS AND MATERIALS FURNISHED TO THE COMPANY IN CONJUNCTION WITH THIS APPLICATION ARE HEREBY INCORPORATED BY REFERENCE INTO THIS APPLICATION AND MADE A PART HEREOF.

APPLICANT: _____
(Signature)

BROKER: _____
(Firm)

APPLICANT: _____
(Print name)

(Address)

DATE: _____

(Contact person & telephone #)

Signature of broker or agent)

(License number and state)

(Tax I.D. #)

NOTE: IN SOME STATES, ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS, FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME.

NOTICE TO ARKANSAS APPLICANTS: "ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT, OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN PRISON."

NOTICE TO COLORADO APPLICANTS: "IT IS UNLAWFUL TO KNOWINGLY PROVIDE FALSE, INCOMPLETE, OR MISLEADING FACTS OR INFORMATION TO AN INSURANCE COMPANY FOR THE PURPOSE OF DEFRAUDING OR ATTEMPTING TO DEFRAUD THE COMPANY. PENALTIES MAY INCLUDE IMPRISONMENT, FINES, DENIAL OF INSURANCE, AND CIVIL DAMAGES. ANY INSURANCE COMPANY OR AGENT OF AN INSURANCE COMPANY WHO KNOWINGLY PROVIDES FALSE, INCOMPLETE, OR MISLEADING FACTS OR INFORMATION TO A POLICYHOLDER OR CLAIMANT FOR THE PURPOSE OF DEFRAUDING OR ATTEMPTING TO DEFRAUD THE POLICYHOLDER OR CLAIMANT WITH REGARD TO A SETTLEMENT OR AWARD PAYABLE FROM INSURANCE PROCEEDS SHALL BE REPORTED TO THE COLORADO DIVISION OF INSURANCE WITHIN THE DEPARTMENT OF REGULATORY AGENCIES."

NOTICE TO FLORIDA APPLICANTS: "ANY PERSON WHO KNOWINGLY AND WITH INTENT TO INJURE, DEFRAUD, OR DECEIVE ANY INSURER FILES A STATEMENT OF CLAIM OR AN APPLICATION CONTAINING ANY FALSE, INCOMPLETE OR MISLEADING INFORMATION IS GUILTY OF A FELONY IN THE THIRD DEGREE."

NOTICE TO KENTUCKY APPLICANTS: "ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME."

NOTICE TO MAINE APPLICANTS: "IT IS A CRIME TO KNOWINGLY PROVIDE FALSE, INCOMPLETE OR MISLEADING INFORMATION TO AN INSURANCE COMPANY FOR THE PURPOSE OF DEFRAUDING THE COMPANY. PENALTIES MAY INCLUDE IMPRISONMENT, FINES OR A DENIAL OF INSURANCE BENEFITS."

NOTICE TO MINNESOTA APPLICANTS: "ANY PERSON WHO SUBMITS AN APPLICATION OR FILES A CLAIM WITH INTENT TO DEFRAUD OR HELPS COMMIT A FRAUD AGAINST AN INSURER IS GUILTY OF A CRIME."

NOTICE TO NEW JERSEY APPLICANTS: "ANY PERSON WHO INCLUDES ANY FALSE OR MISLEADING INFORMATION ON AN APPLICATION FOR AN INSURANCE POLICY IS SUBJECT TO CRIMINAL AND CIVIL PENALTIES."

NOTICE TO NEW MEXICO APPLICANTS: "ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO CIVIL FINES AND CRIMINAL PENALTIES."

NOTICE TO NEW YORK APPLICANTS: "ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION, CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME AND SHALL ALSO BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE STATED VALUE OF THE CLAIM FOR EACH SUCH VIOLATION."

NOTICE TO OHIO APPLICANTS: "ANY PERSON WHO, WITH INTENT TO DEFRAUD OR KNOWING THAT HE IS FACILITATING A FRAUD AGAINST AN INSURER, SUBMITS AN APPLICATION OR FILES A CLAIM CONTAINING A FALSE OR DECEPTIVE STATEMENT IS GUILTY OF INSURANCE FRAUD."

NOTICE TO PENNSYLVANIA APPLICANTS: "ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME AND SUBJECTS SUCH PERSON TO CRIMINAL AND CIVIL PENALTIES."

NOTICE TO VIRGINIA APPLICANTS: "IT IS A CRIME TO KNOWINGLY PROVIDE FALSE, INCOMPLETE OR MISLEADING INFORMATION TO AN INSURANCE COMPANY FOR THE PURPOSE OF DEFRAUDING THE COMPANY. PENALTIES INCLUDE IMPRISONMENT, FINES AND DENIAL OF INSURANCE BENEFITS."