



Pro-iii - Insurance Innovators Inc.  
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**ACE TANKSAFE®**  
**Storage Tank Liability**  
**Application**

**APPLICATION**

**Instructions:**

- Please type or print clearly.
- Answer **ALL** questions completely, leaving no blanks. If any questions, or part thereof, do not apply, print "N/A" in the space.
- Provide any supporting information on a separate sheet using the Applicant's letterhead and reference the applicable question number.
- Check Yes or No answers.
- This form must be completed, dated and signed by a principal of the Applicant.

**Required Attachments:**

- Copies of the Applicant's past two (2) years of audited financial statements and annual reports
- Summary of Environmental Site Assessments/Remediation (past, current, planned)  (check if none)
- Storage Tank Inventory – By Location Document (Attachment I)
- Marina Questionnaire (Attachment II)  (check if no marina exposure)

**NOTICE TO APPLICANT: THE COVERAGE APPLIED FOR IS SOLELY AS STATED IN THE POLICY AND ANY ENDORSEMENTS ATTACHED THERETO. THE POLICY PROVIDES COVERAGE FOR THIRD-PARTY LIABILITY ON A CLAIMS-MADE AND REPORTED BASIS, WHICH COVERS ONLY CLAIMS FIRST MADE AGAINST THE INSURED AND REPORTED TO THE INSURER, IN WRITING, DURING THE POLICY PERIOD OR ANY APPLICABLE EXTENDED REPORTING PERIOD. THE POLICY ALSO PROVIDES COVERAGE FOR FIRST-PARTY REMEDIATION COSTS ON A DISCOVERED AND REPORTED BASIS, WHICH COVERS ONLY STORAGE TANK INCIDENTS FIRST DISCOVERED AND REPORTED TO THE INSURER, IN WRITING, DURING THE POLICY PERIOD.**

1. Name of Applicant: \_\_\_\_\_

Principal Contact: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

URL: http:// \_\_\_\_\_ Date Established: \_\_\_\_\_

The Applicant is:  Corporation  Partnership  Joint Venture  LLC/LLP  
 Other: \_\_\_\_\_

Federal Employer Identification Number (FEIN): \_\_\_\_\_

2. Details of locations where the insured storage tanks are located:  
(Continue on a separate sheet, if necessary.)

Company Name:	Street Address City, State Zip Code:	No. of USTs at this location	No. of ASTs at this location	Known Pre-existing Contamination Present?*	Facility Type**

3. Desired effective date of coverage: \_\_\_\_\_

a. Desired Retroactive Date:  Policy Inception  Other \_\_\_\_\_  
(In order to obtain retroactive coverage, you must provide copies of all prior policies for the corresponding time period.)

4. Limits of Liability and Deductible requested:

Limits of Liability:		Deductible:
Per Storage Tank Incident:	\$ _____	\$ _____ (per Storage Tank Incident)
Aggregate:	\$ _____	
Aggregate Legal Defense Expense Limit:	\$ _____	

5. Which form of Tank Maintenance/Record Keeping is utilized at this facility? Statistically Inventory Reconciliation  
A. (SIR) with Annual Tank Tightness Testing  
B. Automatic Tank Gauging (ATG)/Electronic Monitoring

6. Do you have a Written Tank Management Plan for this Facility? Yes No

7. Loss History Information for this Facility  
A. No pollution related clean-ups or 3rd party claims at this facility in past 10 years  
B. Pollution at facility in past 10 years, resolved with regulatory closure

8. Do you utilize a 3rd party Engineering firm to provide Compliance Management Services for this Facility? Yes No

9. Are any of the underground storage tanks greater than 30,000 gallons in capacity? Yes No

10. Do any of the underground storage tanks contain ethanol or other non-petroleum based product? Yes No

11. Are any underground storage tanks located at a marina or airport? Yes No

12. Are any of the Insured's Facilities located in the state of Florida? Yes No

13. Are Single-Walled Storage Tanks (i.e., Bare Steel Tanks, Steel Tanks with Cathodic Protection, STIP ¾ Tanks or Tanks operating under ACT 100), with or without any form of tank lining, located at the insured's facilities in the State of Florida? Yes No

14. Will any scheduled storage tank(s) be removed, closed or upgraded at any of the facilities for which coverage is sought under this policy within the next 18 months? Yes No

15. Are all of your USTs EPA Compliant for leak, spill, overflow, and corrosion protection in accordance with 1998 regulations (or newer, if any)? Yes No

16. Within the past five (5) years have any claims been made or legal actions (including any regulatory proceedings) been brought against the applicant or other party to the proposed insurance with respect to storage tanks or any other pollution conditions at any of the facility(ies) where the tanks you are seeking coverage for are located? Yes No
17. Does the applicant have knowledge of pollution conditions actionable under current State or Federal regulations at any of the facilities where the tanks for which you are seeking coverage are located? Yes No
18. At the time of signing this application, are you aware of any circumstances that may reasonably be expected to give rise to a claim against any insured? Yes No
19. Within the past five (5) years are you aware of any failed tank/piping integrity tests or any other negative monitoring system data for any of the tanks you are seeking coverage for? Yes No
20. Were any storage tanks included on the insured schedule installed more than thirty (30) years ago? Yes No
21. Within the last five (5) years before the date of signing of this application, has the Applicant, any of its affiliated entities, or any person or entity proposed to be an insured filed or been the subject of any proceeding relating to bankruptcy, receivership, and/or insolvency? Yes No
22. At the time of signing of this application, do the Applicant, any of its affiliated entities, or any person or entity proposed to be an insured either (a) intend to commence or (b) know of any plan or threat to commence any proceeding relating to bankruptcy, receivership, and/or insolvency, whether by or against one or more of them? Yes No

*If "Yes" to Questions 16 through 22., above, provide a description of the information, claim, or circumstance.*

***\*IT IS UNDERSTOOD AND AGREED THAT IF ANY SUCH CLAIMS EXIST OR ANY SUCH FACTS OR CIRCUMSTANCES EXIST WHICH COULD GIVE RISE TO A CLAIM, THEN THOSE CLAIMS AND ANY OTHER CLAIMS ARISING FROM SUCH FACTS OR CIRCUMSTANCES ARE EXCLUDED FROM THE PROPOSED INSURANCE UNLESS OTHERWISE AFFIRMATIVELY STATED IN THE POLICY.***

**BY SIGNING THIS APPLICATION, THE APPLICANT WARRANTS TO THE INSURER THAT IT AND THE OTHER PARTIES TO THIS INSURANCE, ALONG WITH ANY FOREIGN SUBSIDIARIES, WILL STRICTLY FOLLOW ANY WATER INTRUSION, MOLD-RELATED, FUNGI-RELATED OR BACTERIA-RELATED OPERATION AND MAINTENANCE PROCEDURES OR PROTOCOLS, INCLUDING ANY WATER INTRUSION, MOLD-RELATED, FUNGI-RELATED OR BACTERIA-RELATED DUE DILIGENCE PROCEDURES OR PROTOCOLS FOR THE ACQUISITION, LEASE, OPERATION, MANAGEMENT OR MAINTENANCE OF ANY PROPERTIES, WHICH WERE PROVIDED TO THE INSURER PRIOR TO THE INCEPTION OF ANY COVERAGE APPLIED FOR HEREIN. THE APPLICANT ACKNOWLEDGES THAT THE INSURER'S AGREEMENT TO PROVIDE MOLD, FUNGI AND/OR LEGIONELLA PNEUMOPHILA COVERAGE AS PART OF THE COVERAGE APPLIED FOR PURSUANT TO THIS APPLICATION IS PREDICATED UPON THE APPLICANT'S AGREEMENT TO PROVIDE THIS WARRANTY.**

**BY SIGNING THIS APPLICATION, THE APPLICANT WARRANTS TO THE INSURER THAT IT AND THE OTHER PARTIES TO THIS INSURANCE, ALONG WITH ANY FOREIGN SUBSIDIARIES, WILL STRICTLY FOLLOW ANY LEAD-BASED PAINT OR ASBESTOS OPERATION AND MAINTENANCE PROCEDURES OR PROTOCOLS, WHICH WERE PROVIDED TO THE INSURER PRIOR TO THE INCEPTION OF ANY SUCH COVERAGE APPLIED FOR HEREIN. THE APPLICANT ACKNOWLEDGES THAT THE INSURER'S AGREEMENT TO PROVIDE LEAD-BASED PAINT AND/OR ASBESTOS COVERAGE AS PART OF THE COVERAGE APPLIED FOR PURSUANT TO THIS APPLICATION IS PREDICATED UPON THE APPLICANT'S AGREEMENT TO PROVIDE THIS WARRANTY.**

**BY SIGNING THIS APPLICATION, THE APPLICANT WARRANTS TO THE INSURER THAT ALL STATEMENTS MADE IN THIS APPLICATION, INCLUDING ANY ATTACHMENTS THERETO, ABOUT THE APPLICANT AND ITS OPERATIONS ARE TRUE AND COMPLETE, AND THAT NO MATERIAL FACTS HAVE BEEN MISSTATED IN THIS APPLICATION OR CONCEALED. COMPLETION OF THIS FORM DOES NOT BIND COVERAGE. THE APPLICANT'S ACCEPTANCE OF THE INSURER'S QUOTATION IS REQUIRED BEFORE THE APPLICANT MAY BE BOUND AND A POLICY ISSUED.**

**NOTICE TO 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 ARKANSAS, LOUISIANA, RHODE ISLAND and WEST VIRGINIA 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 DISTRICT OF COLUMBIA APPLICANTS:** WARNING: It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.

**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 of 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 purposes of defrauding the company. Penalties may include imprisonment, fines or a denial of insurance benefits.

**NOTICE TO MARYLAND APPLICANTS:** Any person who knowingly and willfully presents a false or fraudulent claim for payment for a loss or benefit or who knowingly and willfully 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 MINNESOTA APPLICANTS:** A 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, or 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 violation.

**NOTICE TO OHIO APPLICANTS:** Any person who, with the 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 OKLAHOMA APPLICANTS:** WARNING: Any person who knowingly, and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.

**NOTICE TO OREGON APPLICANTS:** Any person who knowingly and with intent to defraud or solicit another to defraud an insurer: 1) by submitting an application, or 2) by filing a claim containing a false statement as to any material fact may be violating state law.

**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 TENNESSEE, VIRGINIA and WASHINGTON 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.

\_\_\_\_\_  
Signature of Authorized Applicant

\_\_\_\_\_  
Signature of Broker/Agent

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed by Licensed Resident Agent  
(Where Required By Law)



# ACE TANKSAFE® ATTACHMENT I

## Storage Tank Inventory By Location

Facility Name \_\_\_\_\_ Facility Address \_\_\_\_\_ Facility ID # \_\_\_\_\_

(Complete schedule with symbols below)

	1	2	3	4	5	6
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**

- A. Unleaded Gasoline
- B. Gasohol
- C. Diesel
- D. Kerosene
- E. Waste Oil/ Used Oil
- F. Fuel Oil
- G. Generic Gasoline
- H. Pesticide
- I. Ammonia compound
- J. Chlorine compound
- K. Haz. Substance (CERCLA)
- L. Mineral Acids
- M. Grades 5&6 bunker 'C' oils
- N. Petroleum-base additive(E85)
- O. Misc. petroleum-base
- P. Heating Oil
- Q. Other, please identify

**Tank Construction**

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

**Overfill/Spill Protection**

- A. Ball Check Valve
- B. Spill Containment Bucket
- C. Flow Shut-off
- D. Tight Fill
- E. Level Gauges, High Level Alarms
- F. Other EPA/DEP Approved Protection Method

**Piping Construction Material**

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

**Tank Leak Detection**

- A. Groundwater Monitoring Wells
- B. Interstitial Monitoring
- C. Vapor Monitoring Wells
- D. Visual Inspections of AST Systems
- E. Other EPA/DEP Approved
- F. SPCC Plan - AST
- G. Interstitial Space -Double Walled Tank
- H. Manual Tank Gauging - UST
- I. Statistical Inventory Reconciliation - (SIR)(USTs)
- J. Automatic Tank Gauging System (USTs)
- K. Interstitial Monitoring of AST tank bottom
- L. Annual Tightness Test with Inventory - (USTs)

**AST Diking & Base Construction**

- A. Concrete, Synthetic Material, clays
- B. Other EPA/DEP approved secondary containment system
- C. Dirt/Earth

**Piping Leak Detection**

- A. Electronic Line Leak Detector with Flow Shutoff
- B. Interstitial Monitoring – Piping Filter
- C. External Monitoring
- D. Mechanical Line Leak Detector
- E. Interstitial Monitoring of double wall piping
- F. Suction Pump Check Valve



## **ACE TANKSAFE® ATTACHMENT II**

### **Marina Questionnaire**

***Answer the following questions in relation to any facility identified as a “marina” or any storage tank(s) located within one (1) mile of a body of water:***

1. Please provide the facility name, full address and photo of the storage tank(s) and associated piping and appurtenances connected thereto.
  
2. Has a Spill Prevention, Control and Countermeasure Plan been completed within the past five (5) years? (If “Yes”, please provide a copy of the report.)
  
3. What is the distance from the storage tank to the nearest body of water? Also, please provide a description of the environment surrounding the tank?  
 Less Than 2000 feet  
 Less Than 1 mile  
 More than 1 mile
  
4. What is the distance from the facility to the nearest recreational swimming area on this body of water?  
 Less Than 2000 feet  
 Less Than 1 mile  
 More than 1 mile
  
5. Is all piping associated with the storage tank double-walled?
  
6. Is the piping associated with the storage tank UV Resistant?
  
7. What year was the piping associated with the storage tank installed? Has the piping ever been tested? (If “Yes”, provide a copy of the test results.)
  
8. Does the facility have piping that extends under the water? (If “Yes”, please describe and provide the Spill Prevention, Control and Countermeasure Plan in place for this piping.)
  
9. Does the facility have piping that extends over the water, including along bulkheads, docks or floating docks? (If “Yes”, please describe and provide the Spill Prevention, Control and Countermeasure Plan in place for this piping.)
  
10. Does the facility have a shut-off valve located on land that will stop the flow of product in the event of a release? (If “Yes”, please describe the placement of the valve and shut-off process.)
  
11. Are all dispensers associated with the storage tank protected from impact from boats or watercraft? (If “Yes”, please describe how.)
  
12. If the facility has aboveground storage tanks, do they have secondary containment? (If “Yes”, please describe.)