

# Eidyia Insurance Services

7828 Vance Dr #107, Arvada, CO 80003 Phone: 877-455-0680 Fax: 630-455-0310

## POLLUTION LEGAL LIABILITY APPLICATION

THIS IS AN APPLICATION FOR A **CLAIMS -MADE** POLICY

### INSTRUCTIONS

- (A) This application requires that contact persons be provided for each location. The applicant is responsible for obtaining and reviewing whatever records are available, whether in their possession or in the public domain, which are necessary in order to answer any of the questions in this application.
- (B) Provide the following documents and materials along with the completed original signed and dated application:
  - \* Audited financials and/or 10K for the latest three (3) years.  
 enclosed     information to follow     Do not exist
  - \* Schedule of EIL and GL insurance policies for the past three (3) years.  
 (policy #, policy term, type of policy, and exclusions)  
 enclosed     information to follow     Do not exist
  - \* Any Environmental Surveys/Audits conducted at the location within the past three years.  
 enclosed     information to follow     Do not exist
- (C) Once this application is received, a member of our staff will call the contact person(s) you provide in Table A (attached to this application) in order to continue the application process. **The attached Telephone Survey Outline summarizes the type of information that will be requested from each contact person, and should be sent to the contact person(s) in preparation for our staff call.**
- (D) If necessary, use additional sheets in order to provide the requested information.

1. **NAMED INSURED:**

\_\_\_\_\_  
\_\_\_\_\_

**LIST SUBSIDIARY COMPANIES REQUESTING COVERAGE:**

\_\_\_\_\_  
\_\_\_\_\_

**POST OFFICE ADDRESS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. **NAMED INSURED IS A:**

partnership  corporation  joint venture  other \_\_\_\_\_

3. **DESCRIBE SPECIFICALLY THE OPERATIONS OF THE INSURED:**

(include a diagram of the company structure)

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4. **SITE CONTACTS (See Table A attached to this Application)**

*The individuals the applicant lists in the attached Telephone Survey Outline (Table A) should be qualified to provide information for all site activities at the referenced locations, and should be prepared to respond to the items in the Survey. If necessary, copy Table A in order to provide additional location information.*

**NOTE:**

*For the purposes of Question 5. "YOU" includes the Corporation, Entity, or Partnership of the applicant and any Director, Officer or Partner thereof.*

5.

A. HAVE YOU DURING THE PAST FIVE (5) YEARS HAD ANY REPORTABLE RELEASES OR SPILLS OF HAZARDOUS SUBSTANCES, HAZARDOUS WASTE OR ANY OTHER POLLUTANTS, AS DEFINED BY APPLICABLE ENVIRONMENTAL STATUTES OR REGULATIONS?

NO \_\_\_\_\_ YES \_\_\_\_\_ IF YES, DESCRIBE IN DETAIL:

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B. HAVE YOU DURING THE LAST FIVE (5) 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 HAZARDOUS SUBSTANCE, HAZARDOUS WASTE OR ANY OTHER POLLUTANT?

NO \_\_\_\_\_ YES \_\_\_\_\_ IF YES, DESCRIBE IN DETAIL:

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C. LIST ALL CLAIMS MADE AGAINST YOU DURING THE PAST FIVE YEARS FOR CLEANUP OR RESPONSE ACTION, "TOXIC TORT" OR OTHER BODILY INJURY, OR PROPERTY DAMAGE, RESULTING FROM THE RELEASE OF HAZARDOUS SUBSTANCES, HAZARDOUS WASTE, OR 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.

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D. 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?

YES \_\_\_\_ NO \_\_\_\_ IF YES, DESCRIBE IN DETAIL:

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Completion of this form does not bind coverage. Applicant's acceptance of Company's quotation is required prior to binding coverage and policy issuance.

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**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 AUTHORITIES."

**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 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 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 OR CLAIM CONTAINING ANY FALSE INCOMPLETE OR MISLEADING INFORMATION SHALL UPON CONVICTION BE SUBJECT TO IMPRISONMENT FOR UP TO SEVEN YEARS AND PAYMENT OF A FINE OF UP TO \$15,000."

If an order is received, the application is attached to the policy so it is necessary that all questions be answered in detail.

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**The applicant represents that the above statements and facts are true and that no material facts have been suppressed or misstated.**

APPLICANT \_\_\_\_\_ DATE \_\_\_\_\_  
(signature of owner or officer)

APPLICANT \_\_\_\_\_  
(print name & title)

BROKER \_\_\_\_\_ DATE \_\_\_\_\_  
(print name of firm)

\_\_\_\_\_  
(address of brokerage firm)

\_\_\_\_\_  
(contact person & telephone #)

**TABLE A: LOCATION CONTACTS**

(1) Location Name and Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Description of Operations:  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Name & Title:  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Phone & Fax Nos.:  
\_\_\_\_\_  
\_\_\_\_\_

(2) Location Name and Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Description of Operations:  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Name & Title:  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Phone & Fax Nos.:  
\_\_\_\_\_  
\_\_\_\_\_

(3) Location Name and Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Description of Operations:  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Name & Title:  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Phone & Fax Nos.:  
\_\_\_\_\_  
\_\_\_\_\_

(4) Location Name and Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Description of Operations:  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Name & Title:  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Contact Phone & Fax Nos.:  
\_\_\_\_\_  
\_\_\_\_\_

**AMERICAN INTERNATIONAL COMPANIES  
POLLUTION LEGAL LIABILITY APPLICATION  
TELEPHONE SURVEY OUTLINE**

1. Description of PRINCIPAL OPERATIONS
2. Description of PRODUCTS (identify whether product manufactured, distributed, relabeled, blended or repackaged, whether “drop-shipped”, whether product labeled at facility, literature on product provided to customers, QC maintained for products, legal agreements and revenue associated with each product)
3. EPA Identification Numbers (s)
4. Have any ENVIRONMENTAL SURVEYS/AUDITS been conducted at the location within the past three (3) years?  
[ ] YES [ ] NO If yes, please forward a copy.
5. AGE of facility
6. SITE HISTORY: Description of past occupancies & land use
7. SURROUNDING ENVIRONMENTAL & LAND USE (Including population, residences, geographic features/sensitive habitats, industries, waterways, etc.)
8. RAW MATERIALS/WASTE MANAGEMENT (include on-site disposal such as closed landfills, surface impoundments, deep well injection, etc.)
  - Type
  - Materials or raw waste?
  - Amount on-site
  - Hazardous class/regulatory status
  - Method of storage
  - Environmental controls
9. Waste, products and residual materials TRANSPORT & DISPOSAL
  - TRANSPORTATION (such as by whom and the type of material transported, amount of material, number of trips/year, distance/trip)
  - DISPOSAL (such as the type of material disposed of, quantity, name, address and description of disposal, transfer or recycling facility)
10. STORAGE AREAS
  - (A) Description of container/drum storage areas
    - How many?/How much?
    - What type of secondary containment is provided?
  - (B) Description of above-ground storage tanks
    - How many?/How much?
    - Age?
    - What type of secondary containment is provided?
  - (C) Description of underground storage tanks
    - How many?/How much?
    - Age?
    - Type of leak detection?
11. PERMITS AND GROUNDWATER MONITORING (number of ...and number of exceedences)
  - (A) Permits
    - POTW
    - NPDES
    - AIR
    - Stormwater

**AMERICAN INTERNATIONAL COMPANIES  
POLLUTION LEGAL LIABILITY APPLICATION  
TELEPHONE SURVEY OUTLINE**

(B) On-site groundwater monitoring wells

- How many
- Forward groundwater monitoring results from past four (4) sampling events and map showing the location of wells and groundwater flow direction.

12. ENVIRONMENTAL MANAGEMENT AND COMPLIANCE

(A) Emergency response plan in place?

- SPCC Plan in Place?
- Fire Protection Plan in place?

(B) Environmental Personnel Training Program in place?

- On-Site Environmental Professional?

(C) Documented Inspection Program in Place?

(D) Previous pollution events?

(E) On-going remediation projects?

(F) Existing contamination?

(G) Public complaints, law suits?

(H) Regulatory issues

- NOV'S
- Consent Orders
- Corrective Actions
- Other

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