



Underground Storage Tanks

Requirements for Proof of Financial Responsibility

Storing fuel in underground storage tanks is inherently dangerous. Because UST leaks are common and can be costly to clean up, Oregon DEQ and US EPA require tank owners and permittees to show that someone can pay the costs of cleaning up leaks and compensating others for bodily injury and property damage they cause. This is the proof of financial responsibility that you are required to provide to us for every active tank.

OAR 340-151-0025 (7) states:

An owner or operator must submit the appropriate forms listed in 40 CFR § 280.111(b) documenting current evidence of financial responsibility to the Director of the implementing agency: Within 30 days after a new financial responsibility mechanism is obtained that replaces or substitutes for a previous mechanism as required by 40 CFR § 280.108(Oct. 13, 2015).

As the owner or permittee, you must send us your proof of FR within 30 days after the previous policy expires.

So, if your pollution liability insurance policy expires on March 15, 2022, you must send us the new documentation by April 16, 2022. If you do not send us this proof on time, you are in violation and subject to enforcement and penalty.

Do not rely on your insurance agent sending the correct document on time! As the owner or permittee, you are responsible for submitting the proper forms, and you will be the one subject to enforcement and penalty if we don't get them on time.

For those of you using pollution liability insurance, we need a copy of the Certificate of Insurance provided by the insurance company. As an example, we have included a copy of the certificate issued by Crum and Forster Specialty Insurance Company, which writes approximately 30 percent of the policies in Oregon. Except for site specific language in each certificate, all Certificates of Insurance will look similar to this example, because the general wording of the certificate is required by the federal underground storage tank rules. Please compare your certificate against this example to make sure you are sending the correct documentation.

An ACORD form will not work!

Besides documenting the policy number, insurance limits and policy term, each certificate must also identify the location of the insured facility, the number of underground storage tanks insured and the DEQ-issued Facility ID. If you are uncertain what to send, your insurance agent will be able to assist you in locating a copy of the pollution liability Certificate of Insurance.

UST Compliance Program

Steve Paiko
UST Permits and Licensing Coordinator

Tanks.info@deq.state.or.us
Phone: 503-229-6652
Toll-Free: 800-742-7878 Oregon only

Alternate formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.



Oregon

Kate Brown, Governor

Department of Environmental Quality

Headquarters, Operations Division
700 NE Multnomah Street, Suite 600
Portland, OR 97232-4100
(503) 229-6652
FAX (503) 229-6977
TTY 711

3/31/2021

Example

Kurt Larson Jr.
PO Box 1299
Hillsboro, OR 97123-1299

RE: Facility ID #: 275
Facility Name: BRETTTHAUER OIL COMPANY

Dear Kurt Larson Jr.:

Since July 1, 2008 DEQ has been issuing annual operating certificates for underground storage tanks in Oregon holding motor fuels and other hazardous substances. In order to obtain an annual operating certificate, permittees are required to pay the annual tank permit fee and document compliance with the financial responsibility requirements.

According to our records, your financial responsibility mechanism recently expired. This is a request that you provide DEQ with a current copy of your financial responsibility mechanism or combination of mechanisms within the next two weeks. If you are able, DEQ would prefer to receive a copy electronically in PDF format. Please e-mail a copy to: financialresponsibility@deq.state.or.us. Alternately, you can fax me a copy at 503-229-6977 or you can mail me a copy at the address listed above.

For those of you using pollution liability insurance, we need a copy of the Certificate of Insurance provided by the insurance company. As an example, we have included a copy of the certificate issued by Crum and Forster Specialty Insurance Company which writes approximately 30 percent of the policies in Oregon. Except for site specific language in each certificate, all Certificates of Insurance will look similar to this example because the general wording of the certificate is required by the federal underground storage tank rules. Please compare your certificate against this example to make sure you are sending the correct documentation. Besides documenting the policy number, insurance limits and policy term, each certificate must also identify the location of the insured facility and the number of underground storage tanks insured. If you are uncertain what to send, your insurance agent will be able to assist you in locating a copy of the pollution liability Certificate of Insurance.

Since the operating certificate for the underground tanks expire annually on June 30th, updating compliance with financial responsibility annually is important. Sending us proof of financial responsibility each time your financial responsibility mechanism renews will expedite operating certificate issuance. If you have any questions regarding this request, please call me at 503-229-6652. You can also leave a message on our toll-free number 1-800-742-7878 and I will return your call.

Sincerely,

Steve Paiko

Steve Paiko
UST Permits Coordinator

Certificate of Insurance

Policy No.	Eff. Date of Pol.	Exp. Date of Pol.	Premium
	9/30/2014	9/30/2016	

Named Insured and Mailing Address:

Name of Insurer:

Crum & Forster Specialty Insurance Company
305 Madison Avenue
Morristown, NJ 07960

CERTIFICATE:

1. Crum & Forster Specialty Insurance Company, the "Insurer", as identified above, hereby certifies that it has issued a insurance covering the following underground storage tank(s):

Per Attached Scheduled Locations and Scheduled Storage Tank(s) Systems

for taking corrective action and compensating third parties for bodily injury and property damage caused by accidental releases, in accordance with and subject to the limits of liability, exclusions, conditions, and other terms of the policy, arising from operating the underground storage tank(s) identified above.

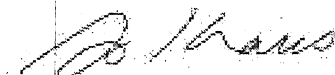
The limits of liability are: \$2,000,000 Each Occurrence and: \$2,000,000 Annual Aggregate Policy Limit, exclusive of legal defense costs which are subject to a separate limit under the Policy. This coverage is provided under Policy Number: The effective date of said policy is: 9/30/2014.

2. The Insurer further certifies the following with respect to the insurance described in Paragraph 1:
- Bankruptcy or insolvency of the Insured shall not relieve the Insurer of its obligations under the policy to which this certificate applies.
 - The Insurer is liable for the payment of amounts within any deductible applicable to the policy to the provider of corrective action or a third party, with a right of reimbursement by the Insured for any such payment made by the Insurer. This provision does not apply with respect to that amount of any deductible for which coverage is demonstrated under another mechanism or combination of mechanisms as specified in 40 CFR 280.95-280.102.
 - Whenever requested by a Director of an implementing agency, the Insurer agrees to furnish to the Director a signed duplicate original of the Policy and all endorsements.
 - Cancellation or any other termination of the insurance by the Insurer, except for non-payment of premium or misrepresentation by the insured, will be effective only upon written notice and only after the expiration of 60 days after a copy of such written notice is received by the Insured. Cancellation for non-payment of premium or misrepresentation by the insured will be effective only upon written notice and only after expiration of a minimum of 10 days after a copy of such written notice is received by the Insured.
 - The insurance covers claims otherwise covered by the Policy that are reported to the Insurer within six (6) months of the effective date of cancellation or non-renewal of the Policy except where the new or renewed policy has the same retroactive date or a retroactive date earlier than that of the prior policy and which arise out of any covered occurrence that commenced after the policy retroactive date, if applicable, and prior to such policy renewal or termination date. Claims reported during such an extended reporting period are subject to the terms, conditions, limits, including limits of liability, and exclusions of the policy.

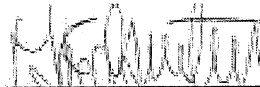
I hereby certify that the wording of this instrument is identical to the wording in 40 CFR 280.97 (b) (2) and that the Insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess lines insurer, in one or more states.

In Witness Whereof, this Company has caused this policy to be signed by its President and Secretary, but if required by state law, this policy shall not be valid unless countersigned by an authorized representative of the Company.

BY



James Kraus, Secretary



Mary Jane Robertson, President

**Crum & Forster Storage Tank Application
Declarations**

Schedule of Locations and Storage Tanks

Effective as of September 30, 2014

Attached to and forming part of Policy #STP-103582

<u>Tank#</u>	<u>Cap. Gal.</u>	<u>Contents</u>	<u>Position</u>	<u>Install Date</u>	<u>Lined Date</u>
1	12,000	Gasoline	Under	1992	
2	12,000	Gasoline	Under	1992	
3	12,000	Gasoline	Under	1992	

Total Number of Tanks: 3
Total Number of Facilities: 1