

APPENDIX M – DOCUMENTATION OF FINANCIAL RESPONSIBILITY

Documentation of financial responsibility for pollution liability coverage (Section 519.C.13 & Section 511)

Draft documentation of financial responsibility for pollution liability coverage is included in this section.

**Commercial Facility
Draft Certificate of Liability Insurance**

XXX Insurance Co., (the "Insurer") of **ADDRESS**, hereby certifies that it has issued liability insurance covering bodily injury and property damage to Defiance Energy Services, LLC (the "insured"), of (Physical address) 415 Texas Street, Suite 400 – Shreveport, LA 71101 in connection with the insured's obligation to demonstrate financial responsibility under LAC 43:XIX.511. The coverage applies at Site Code TBD for sudden and accidental pollution liability. The limits of liability are **\$1,000,000 for each occurrence with \$2,000,000 Annual Aggregate**, exclusive of legal defense costs. The coverage is provided under policy number TBD, issued on TBD. The effective date of said policy is TBD.

The insurer further certifies the following with respect to the insurance described in LAC 43:XIX.511.E.1.

- a. Bankruptcy or insolvency of the insured shall not relieve the insurer of its obligation under the policy.
- b. The insurer is liable for the payment of amounts within any deductible applicable to the policy, 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.
- c. Whenever requested by the Commissioner of Conservation, the insurer agrees to furnish to the commissioner a signed duplicate original of the policy and all endorsements.
- d. Cancellation of the insurance, whether by the insurer, the insured, a parent corporation providing insurance coverage for its subsidiary, or by a firm having an insurable interest in and obtaining liability insurance on behalf of the owner or operator of the commercial facility or transfer station, 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 Commissioner of Conservation.
- e. Any other termination of the insurance will be effective only upon written notice and only after the expiration of 30 days after a copy of such written notice is received by the Commissioner of Conservation.

I hereby certify that the wording of this instrument is identical to the wording specified in LAC 43:XIX.511.E as such regulation was constituted on the date this certificate was issued, as indicated below, and that the insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess of surplus lines insurer, in one or more states, and is authorized to conduct insurance business in the state of Louisiana.

NAME
TITLE, Authorized Representative of XXX Insurance Co.
ADDRESS
DATE OF ISSUANCE: TBD