



STATE OF ALASKA
Department of Environmental Conservation
 Division of Spill Prevention & Response
 410 Willoughby Ave., Suite 303
 Juneau, Alaska 99801-1795



FINANCIAL RESPONSIBILITY SURETY BOND - FORM A

Surety Co. Bond No. _____

Owner - Operator name: _____

_____, as principal, and

_____ name of surety

a company created and existing under the laws of _____ State _____,

and registered to do business in the State of Alaska, as surety, are held and firmly bound unto any holder of a final judgement for damages or civil penalties under Alaska Statute 46.04.040, or any provisions cited in it, in the sum of

\$ _____, for which payment we bind ourselves and our successors and assigns, jointly and severally.

Whereas, the principal intends to prove financial responsibility under Title 18, Alaska Administrative Code, Chapter 75, Article 2, and has elected to file with the Alaska Department of Environmental Conservation a bond that will assure financial responsibility to meet any liability incurred under Alaska Statute 46.04.040 or any provisions cited in it, and

Whereas, this bond is written to assure compliance by the principal with the requirements of the statutes and regulations mentioned in the preceding paragraph and inures to the benefit of any holder of a final judgment against the principal as a result of an unlawful discharge of oil under Alaska Statute 46.04.040, or any provisions cited in it, from or by any vessel or facility names in the schedule appended to this bond;

Therefore, the condition of this obligation is such that, if the principal pays or causes to be paid to a claimant any sum or sums for which the principal may be held legally liable under Alaska Statute 46.04.040 - Regulation 18 AAC 75.235 or any provisions cited in it, then, to the extent of that payment, this obligation is void; otherwise it remains in full force and effect.

The liability of the surety is not discharged by any payment or succession of payments under this bond until that payment amounts in the aggregate to the amount specified in this bond. The surety's obligation under this bond does not exceed the amount of that penalty.

The surety agrees that any final judgment against the principal for damages under Alaska Statute 46.04.040 or any provisions cited in it, arising from an unlawful discharge of oil from or by any vessel or facility specified in the schedule attached to this bond, may be enforced or executed directly against the surety to the penal sum of this bond (less payment previously made). The surety is bound by such a judgment as if the judgment were against the surety.

This bond takes effect _____, 201 ____, at 12:01 a.m. standard time, at the address of the principal as stated in this bond and it continues in force until terminated as provided below.

The principal or the surety may at any time terminate this bond by written notice sent by certified mail to the other party with a copy to the Alaska Department of Environmental Conservation at its office in Juneau, Alaska, the termination to become effective 60 days after actual receipt of the notice by the department. The surety is not liable under this bond in connection with an incident occurring after the termination of this bond, but that termination does not affect the liability of the surety in connection with an incident occurring before the date the termination becomes effective.

The surety designates _____, with offices at _____

_____, Alaska, as the surety's agent for service of process for the purposes of Alaska Statute 46.04.040. If the designated agent cannot be served due to their death, disability, or unavailability, the Commissioner of the Alaska Department of Environmental Conservation is considered to be the agent for service of process.

If more than one surety joins in executing this bond, each surety is jointly and severally liable. In witness of the agreement, the principal and surety have executed this instrument on _____, 201 _____.

PLEASE COMPLETE REVERSE SIDE

