



Alaska Department of Environmental Conservation  
Division of Spill Prevention and Response  
410 Willoughby Ave., Suite 303  
PO Box 111800, Juneau, AK 99811-1800



## FINANCIAL RESPONSIBILITY APPLICATION & CHECKLIST

**Check One:** ☐ New Application      Date operations will begin: \_\_\_\_\_  
☐ Renewal Application      Date current approval certificate(s) expire: \_\_\_\_\_

Application is hereby made for demonstration of financial responsibility in accordance with AS 46.04.040 or AS 46.04.055 and 18 AAC 75 Article 2.

**Applicant :** (see 18 AAC 75.205) \_\_\_\_\_

**For Pipeline, Exploration, or Production Facility** applicant is: (check all that apply) ☐ Lease Holder ☐ Operator

**For Oil Terminal Facility:** (check all that apply) ☐ Owner ☐ Operator

**For Vessels:** (check all that apply) ☐ Owner ☐ Person with Primary Operational Control

**A. The FACILITIES (Pipelines, Oil Terminals, Production or Exploration Facility) named below** (attach additional sheets if necessary)

Name:	Street Address/Location:	On Shore Production Facility: Max Daily Production	Total Facility Storage Capacity (in barrels) <input type="checkbox"/> Crude <input type="checkbox"/> Noncrude
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

The **Owner** of the facility or facilities: \_\_\_\_\_

Primary **Operational Control** is under: \_\_\_\_\_

Name of persons DEC should contact if necessary to clarify application: \_\_\_\_\_

Email: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Postal Code: \_\_\_\_\_

**B. The VESSELS** named below (attach additional sheets or schedules if necessary):

Name:	Official Number:	GRT:	Oil Capacity (in barrels) <input type="checkbox"/> Crude <input type="checkbox"/> Noncrude
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

The **Owner** of each vessel is: \_\_\_\_\_

Primary **Operational Control** of each vessel is under: \_\_\_\_\_

Name of persons DEC should contact if necessary to clarify application: \_\_\_\_\_

Email: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Postal Code: \_\_\_\_\_

The applicant has various options in demonstrating proof of financial responsibility. These include self-insurance, insurance, surety bond, guaranty, letter of credit or other proof of financial responsibility approved by the DEC. The **following checklist ensures that the applicant has completed their application and has met State of Alaska requirements for any option.** References to the regulations under 18 AAC 75 Article 2 containing specifications for each financial responsibility option are listed. Refer to the regulations for detailed information. Please check the appropriate spaces to indicate what evidence of financial responsibility you are submitting to complete this application, and of your acknowledgement and understanding of the various requirements.

For additional information: <https://dec.alaska.gov/spar/ppr/contingency-plans/financial-responsibility/>

Regulations: <http://dec.alaska.gov/spar/regulations>

**This application is considered incomplete until appropriate spaces (below) have been checked, the application certification has been signed and dated, and all associated evidence of financial responsibility has been received by DEC.**

☐ Agent for service of process in the State of Alaska is provided.

#### **A. SELF INSURANCE**

**Reference-18 AAC 75.245**

- ☐ 1. Annual audited financial statement certified by an independent certified public accountant is enclosed.
- ☐ 2. Quarterly affidavit attesting to net worth and working capital (as defined in this section) is enclosed.
- ☐ 3. The most recent Federal Energy Regulatory Commission Form 6 is enclosed.

#### **B. INSURANCE**

**Reference-18 AAC 75.250**

- ☐ 1. Insurer is authorized to sell insurance in the State or is not disapproved to sell insurance by the State.
- ☐ 2. Binder or insurance certificate enclosed, to be followed in 90 days by the underlying insurance policy.
- ☐ 3. Copy of the current insurance policy is enclosed.
- ☐ 4. Deductible clause in the policy will be met by another form of proof. (These other forms of proof must be indicated on this checklist.)
- ☐ 5. Policy, binder or certificate includes the endorsement required under 18 AAC 75.250(b).

#### **C. SURETY BOND**

**Reference-18 AAC 75.255**

- ☐ 1. DEC Surety Bond Form A is enclosed.
- ☐ 2. Surety Bond is in the full amount required under AS 46.04.040, AS 46.04.055 or 18 AAC 75.235.
- ☐ 3. Surety Bond is in an amount less than required under AS 46.04.040, AS 46.04.055 or 18 AAC 75.235, but is being supplemented with other proof of financial responsibility to equal the full amount required. (These other forms must be indicated on this checklist.)
- ☐ 4. Surety issuer is registered in the State and possesses a certificate of authority to do business in the United States.
- ☐ 5. Surety issuer possesses sufficient underwriting limitation.

#### **D. GUARANTY**

**Reference-18 AAC 75.260**

- ☐ 1. DEC Guaranty Form B is enclosed.
- ☐ 2. Requirements under 18 AAC 75.245 are met and individually indicated by checking the applicable spaces in the self-insurance Section A (above).

#### **E. LETTER OF CREDIT**

**Reference-18 AAC 75.265**

- ☐ 1. Letter of credit is enclosed.
- ☐ 2. Letter of Credit is in the full amount required under AS 46.04.040, AS 46.04.055 or 18 AAC 75.235.
- ☐ 3. Letter of Credit is in an amount less than required under AS 46.04.040, AS 46.04.055 or 18 AAC 75.235, but is supplemented with another form of proof to equal the full amount. (These other forms must be indicated on this checklist.)
- ☐ 4. Letter of credit is issued by a financial institution that has authority to do so and is regulated and examined by state and federal banking agencies.

#### **F. OTHER PROOF OF FINANCIAL RESPONSIBILITY**

- ☐ 1. A contract of indemnity or insurance (subject to AS 46.04.040(e)) is enclosed. (Reference -18 AAC 75.270)
- ☐ 2. A statement of indemnification includes an endorsement that meets the requirements of 18 AAC 75.250(b).
- ☐ 3. The contract of indemnity or insurance does not agree to direct court action or to appoint an agent for service of process, but the applicant meets the requirements of 18 AAC 75.270(c) with the first \$111.45 million subject to direct action. (These other forms of proof must be indicated on this checklist.)
- ☐ 4. A Certificate of Deposit for the deductible amount or other financial evidence is enclosed. (Describe here: \_\_\_\_\_)
- ☐ 5. Tank vessel or oil barge only available for spill response per AS 46.04.040(m). Explanation required under 18 AAC 75.205(d)(1) is enclosed.
- ☐ 6. The applicant is an agency of the United States or of the State of Alaska and is exempted from proof per 18 AAC 75.205(b)(4).

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**Certification**

I certify, under penalty of unsworn falsification in violation of AS 11.56.210, that I am the applicant; a principal of the applicant; an authorized agent for the applicant, or an official of the applicant. As required by 18 AAC 75.205(a) and (c), I have the authority to sign this application on behalf of the applicant. I declare under penalty of perjury that I have examined this application, including all accompanying evidence of financial responsibility, schedules, and statements, and to the best of my knowledge, information and belief, find it to be true, correct and complete.

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date