



MASSACHUSETTS RESIDENTIAL PROPERTY AND LIABILITY LIQUID FUEL SPILL SUPPLEMENTAL APPLICATION

Named Insured:

Policy Number:

Producer:

Policy effective dates:

Producer code:

Massachusetts law requires that Massachusetts residential property owners must be offered property coverage for response action costs and liability coverage for third party claims associated with the remediation of a release of heating oil into the environment from an above ground residential liquid fuel storage tank that is installed in accordance with Massachusetts law, provided that all remediation steps required by law or regulation have been taken. For the purpose of this coverage residential property means a dwelling used for living or sleeping, consisting of one, two, three or four units.

We must offer you this coverage **only** if you meet **all** the following requirements. Please check all requirements that you meet:

Your property consists of one, two, three or four units.

Your property is a dwelling used for living or sleeping only, and is **not** a building of mixed commercial and residential occupancy, such as a building with a retail establishment on the ground floor and an apartment on the second floor.

The fuel tank is above ground.

The residential property owner supplies proof that the fuel tank is in compliance with Subsection (b) or (c) of Section 38J of Chapter 148 of the laws of Massachusetts, and any corresponding regulations. See below for Subsections (b) and (c).

We will provide a maximum of \$50,000 of Property coverage on an occurrence basis for the total of all covered losses and expenses, regardless of the number of premises or buildings affected, subject to a per Incident Deductible of \$1,000.

Please check the following box if you desire Property coverage:

We will provide a maximum of \$200,000 of Liability coverage per Incident on an occurrence basis, subject to a per Incident Deductible of \$1,000.

Please check the following box if you desire Liability coverage:

A residential property owner is not eligible for this coverage under the following circumstances:

- The property is a building of mixed commercial and residential occupancy, such as a building with a retail establishment on the ground floor and an apartment on the second floor.
- The fuel tank is underground.

- The residential property owner fails to supply proof that the fuel tank is in compliance with Subsection (b) or (c) of Section 38J of Chapter 148 of the laws of Massachusetts, and any corresponding regulations. Subsections (b) and (c) of Section 38J read as follows:

(b) An owner of residential property utilizing a heating oil tank for consumptive use on the premises with 1 or more fuel supply lines or return lines in direct contact with concrete, earth or other floor surfaces shall: (1) enclose any fuel supply line with a continuous non-metallic sleeve; (2) cause an oil safety valve to be installed at the tank end of any fuel supply line in accordance with the manufacturer's instructions; or (3) employ any other release prevention method approved by the board; provided, however, that the upgrades described in clauses (1) to (3), inclusive, shall not be required if the burner is located above the fuel storage tank and the entire fuel supply line is connected to, and above, the top of the tank.

(c) The provisions of subsection (b) shall not apply to any tank for which fuel supply lines or an oil safety valve were installed or upgraded on or after January 1, 1990; provided, however, that such installation or upgrade complies with 527 CMR 4.03 and 527 CMR 4.04 and has been inspected and certified to be in compliance with said regulations by a licensed oil burner technician on a form prescribed by the department of fire services and submitted to the head of the local fire department, or his designee.

FUEL TANK INFORMATION

Please complete the following table with the applicable information about your fuel tank(s):

Premises Number	Building Number	Number of Fuel Tanks serving the building	Number of buildings served by the Fuel Tank	Serial Number of Fuel Tank	Proof of Fuel Tank Compliance Provided	
					Yes	No
					Yes	No
					Yes	No
					Yes	No
					Yes	No
					Yes	No

FRAUD STATEMENT AND SIGNATURE SECTIONS

The Undersigned states that they/ them are an authorized representative of the Applicant and declares to the best of their knowledge and belief and after reasonable inquiry, that the statements set forth in this Application (and any attachments submitted with this Application) are true and complete and may be relied upon by Company * in quoting and issuing the policy. If any of the information in this Application changes prior to the effective date of the policy, the Applicant will notify the Company of such changes and the Company may modify or withdraw the quote or binder.

The signing of this Application does not bind the Company to offer, or the Applicant to purchase the policy.

*Company refers collectively to Philadelphia Indemnity Insurance Company and Tokio Marine Specialty Insurance Company

FRAUD NOTICE STATEMENTS

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 SUBJECTS THAT PERSON TO CRIMINAL AND CIVIL PENALTIES (IN OREGON, THE AFOREMENTIONED ACTIONS MAY CONSTITUTE A FRAUDULENT INSURANCE ACT WHICH MAY BE A CRIME AND MAY SUBJECT THE PERSON TO PENALTIES).

NAME (PLEASE PRINT/TYPE)

TITLE

(MUST BE SIGNED BY THE PRESIDENT, BOARD CHAIR, CEO OR EXECUTIVE DIRECTOR)

SIGNATURE

DATE

SECTION TO BE COMPLETED BY THE PRODUCER/BROKER/AGENT

PRODUCER

(If this is a Florida Risk, Producer means Florida Licensed Agent)

AGENCY

PRODUCER LICENSE NUMBER

(If this a Florida Risk, Producer means Florida Licensed Agent)

ADDRESS (STREET, CITY, STATE, ZIP)