

Reference:

Facility name: _____ FDEP I.D. Number: _____

Bank Name: _____ Letter of Credit Number: _____

Certificate of Valid Claim

The undersigned, as parties _____ (hereinafter
[Owner or Operator]

the "Principal") and _____
[Name of Third Party Claimant(s)]

(hereinafter the "Claimant(s)"), _____,
[Address of Third Party Claimant(s)]

hereby certify that the claim of bodily injury and/or property damage caused by a _____
[insert "sudden" or "nonsudden"]

accidental occurrence arising from the operations of the Principal's hazardous waste treatment, storage or

disposal facility should be paid in the amount of \$ _____. We hereby certify that the claim does not apply to any of the following:

- (a) Bodily injury or property damage for which the Principal is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the Principal would be obligated to pay in the absence of the contract or agreement.
- (b) Any obligation of the Principal under a workers' compensation, disability benefits or unemployment compensation law or any similar law.
- (c) Bodily injury to:
 - (1) An employee of the Principal arising from, and in the course of, employment by the Principal; or
 - (2) The spouse, child, parent, brother or sister of that employee as a consequence of, or arising from, and in the course of employment by the Principal.
 This exclusion applies:
 - (A) Whether the Principal may be liable as an employer or in any other capacity; and
 - (B) To any obligation to share damages with or repay another person who must pay damages because of the injury to persons identified in paragraphs (1) and (2).
- (d) Bodily injury or property damage arising out of the ownership, maintenance, use or entrustment to others of any aircraft, motor vehicle or watercraft.
- (e) Property damage to:
 - (1) Any property owned, rented or occupied by the Principal;
 - (2) Premises that are sold, given away or abandoned by if the property damage arises out of any part of those premises;
 - (3) Property loaned to the Principal;
 - (4) Personal property in the care, custody or control of the Principal;
 - (5) That particular part of real property on which or any contractors or subcontractors working directly or indirectly on behalf of the Principal are performing operations, if the property damage arises out of these operations.

For the Claimant(s)

For the Principal

[Signature by Authorized Representative of Claimant(s)]

[Signature by Authorized Representative of Principal]

[Name and Title of Claimant(s)'s Authorized Representative]

[Name and Title of Principal's Authorized Representative]

[Claimant(s)'s Phone and/or E-mail Address]

[Principal's Phone and/or E-mail Address]

Date signed]

Date signed