



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY  
Materials Management Division

**HAZARDOUS WASTE MANAGEMENT FACILITY AMENDATORY ENDORSEMENT POLLUTION  
LEGAL LIABILITY - SUDDEN AND ACCIDENTAL FOR PRE-ACCEPTED POLICIES**

This endorsement (Endorsement) changes the Pollution Legal Liability Policy (Policy) effective on the inception date of the Policy. This Endorsement is attached to the Policy to fulfill the insurance requirements of Section 11123 of the State of Michigan Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and R 299.9710 of the Michigan Administrative Code (MAC).

THIS FORM IS FOR USE WITH PRE-ACCEPTED POLICIES ONLY

**SUBMITTAL INFORMATION**

Insurer: \_\_\_\_\_

Insurer's Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Insured: \_\_\_\_\_

Insured's Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Policy Period: From: \_\_\_\_\_ To: \_\_\_\_\_

Pre-Accepted Policy Form Number: \_\_\_\_\_

Covered Facility: **(Attach additional page, if necessary, to list multiple Facilities covered)**

Facility Name: \_\_\_\_\_

Facility Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

EPA ID Number: \_\_\_\_\_

## DEFINITIONS

As used in this Endorsement:

The term "Contaminant" means any hazardous waste defined in MAC R 299.9203, and any hazardous waste or hazardous constituent listed in Appendix VIII of Part 261 or Appendix IX of Part 264 of Title 40 of the Code of Federal Regulations; and

The term "Sudden and Accidental Occurrence" means the unintentional and unexpected discharge, dispersal, release, or escape of a contaminant in a noncontinuous and nonrepetitive manner, into or upon the land, the atmosphere, or any watercourse or body of water, which results in bodily injury or property damage.

## DECLARATIONS

The insurance afforded with respect to Sudden and Accidental Occurrences is subject to all of the terms and conditions of the Policy provided however that any provisions of the Policy inconsistent with Sections A through E of this Endorsement are hereby amended to conform to Sections A through E.

- A. The limits of liability as respects bodily injury and property damage are provided in an amount not less than \$1,000,000 per occurrence with an annual aggregate of not less than \$2,000,000 exclusive of legal defense costs.
- 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.
- C. A Notice of Violation or Order issued by the Michigan Department of Environment, Great Lakes, and Energy or other environmental agency shall not be deemed in and of itself sufficient evidence of an insured's intentional, knowing, willful, or deliberate noncompliance with a legal requirement so as to preclude coverage under this Policy.
- D. The Insurer will provide the Materials Management Division at the address below with at least 30 days advance written notice of cancellation, termination, or material change to the Policy that affects the coverage required by MAC R 299.9710. Such notices shall be provided no matter which party initiates the cancellation, termination, or material change, and whether or not nonpayment of premium is involved.
- E. The following are the only specific pre-existing soil and groundwater conditions (defined in the referenced assessments or reports) that are excluded from coverage under the Policy (Attach additional pages if necessary):

The Insurer hereby certifies that it has issued the Insured the Policy to provide financial assurance and responsibility for bodily injury and property damage caused by Sudden and Accidental Occurrences arising from operation of the covered facility(ies), that the policy form has been submitted to and accepted by the Materials Management Division, Michigan Department of Environment, Great Lakes, and Energy, and that the Insurer is licensed to transact the business of insurance, or is eligible to provide insurance as an excess or surplus lines insurer, in the State of Michigan.

**Filing of this Endorsement is required by Law (MAC R299.9710)**

Name of Authorized Agent: \_\_\_\_\_

Street Address or PO Box: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

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Signature of Authorized Agent

Date

**Submit one original signed Endorsement to:**

HAZARDOUS WASTE SECTION  
MATERIALS MANAGEMENT DIVISION  
MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY  
PO BOX 30241  
LANSING MI 48909-7741

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If you need this information in an alternate format, contact [EGLE-Accessibility@Michigan.gov](mailto:EGLE-Accessibility@Michigan.gov) or call 800-662-9278.

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