

A.14 Liability Mechanism

MICHIGAN DISPOSAL WASTE TREATMENT PLANT (MDWTP)
MID 000 724 831
2016 PERMIT APPLICATION



HAZARDOUS WASTE MANAGEMENT FACILITY AMENDATORY ENDORSEMENT
POLLUTION LEGAL LIABILITY - SUDDEN AND ACCIDENTAL

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).

INSURER: Indian Harbor Insurance Company
INSURED: US Ecology, Inc. EQ Holdings, Inc.
INSURER'S ADDRESS: Seaview House, 70 Seaview Avenue
INSURED'S ADDRESS: 251 East Front Street, Suite 400
CITY: Stamford STATE: CT ZIP CODE: 06902
CITY: Boise STATE: ID ZIP CODE: 83702
POLICY NUMBER: PEC004627701
POLICY PERIOD: FROM: August 1, 2016 TO: August 1, 2017

COVERED FACILITY: (Attach additional page if necessary to list multiple Facilities covered)
FACILITY NAME: Michigan Disposal, Inc.
FACILITY ADDRESS: 49350 N. I-94 Service Drive
CITY: Belleville STATE: MI ZIP CODE: 48111
EPA ID NUMBER: MID000724831

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 F of this Endorsement are hereby amended to conform to Sections A through F.

- 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 DEQ 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 Resource Management Division at the address below with at least 30 days advance written notice of cancellation, termination, or material change to the Policy which 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):
F. No condition, provision, stipulation, limitation, or exclusion contained in the Policy, or any other endorsement thereon, or any violation thereof, shall relieve the insurer from liability or from the payment of any claim, within the stated limits of liability in this Endorsement, for bodily injury and property damage to a third party caused by a sudden and accidental occurrence.

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), 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)

Submit one original signed Endorsement to:

HAZARDOUS WASTE SECTION
RESOURCE MANAGEMENT DIVISION
DEPARTMENT OF ENVIRONMENTAL QUALITY
PO BOX 30241
LANSING MI 48909-7741

Name of Authorized Agent: XL Catlin Insurance
Street Address or PO Box: 505 Eagleview Boulevard, Suite 100
City, State and Zip Code: Exton, PA 19341
Signature of Authorized Agent: [Signature]
Date: 7/28/16

DEQ Michigan Department of Environmental Quality
Office of Waste Management and Radiological Protection

**MICHIGAN WAIVER OF INSURED'S RIGHT
TO IMMEDIATE CANCELLATION OF THIS POLICY**

In order to comply with Administrative Rule R299.9711 of the Michigan Administrative Code, it is hereby agreed that the Insured waives the right to immediate cancellation as provided under Section 500.3020 of the Michigan Insurance Code, P.A. 1956, No. 218.

Policy Number: PEC004627701

Insured: US Ecology, Inc. EQ Holdings, Inc.

By: _____



Name and Title: Joseph Madigan, Vice President

**Filing of this Endorsement is required
by Law (MAC R299.9711)**

Submit one original signed Endorsement to:

OFFICE OF WASTE MANAGEMENT AND RADIOLOGICAL PROTECTION
SOUTHEAST MICHIGAN DISTRICT OFFICE
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
27700 DONALD COURT
WARREN, MICHIGAN 48092-2793