



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.

FRAUD NOTICE STATEMENTS

NOTICE TO APPLICANTS: "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 MAY SUBJECT SUCH PERSON TO CRIMINAL AND CIVIL PENALTIES."

Named Insured's Signature

Date