



ACE American Insurance Company

**ACE TANKSAFE®**

**Storage Tank Liability  
Insurance Policy**

**APPLICATION**

**Instructions:**

- Please type or print clearly.
- Answer **ALL** questions completely, leaving no blanks. If any questions, or part thereof, do not apply, print "N/A" in the space.
- Provide any supporting information on a separate sheet using the Applicant's letterhead and reference the applicable question number.
- Check Yes or No answers.
- This form must be completed, dated and signed by a principal of the Applicant.

**Required Attachments:**

- Copies of the Applicant's past two (2) years of audited financial statements and annual reports
- Summary of Environmental Site Assessments/Remediation (past, current, planned) ☐ (check if none)
- Storage Tank Inventory – By Location Document (Attachment I)
- Marina Questionnaire (Attachment II) ☐ (check if no marina exposure)

**NOTICE TO APPLICANT: THE COVERAGE APPLIED FOR IS SOLELY AS STATED IN THE POLICY AND ANY ENDORSEMENTS ATTACHED THERETO. THE POLICY PROVIDES COVERAGE FOR THIRD-PARTY LIABILITY ON A CLAIMS-MADE AND REPORTED BASIS, WHICH COVERS ONLY CLAIMS FIRST MADE AGAINST THE INSURED AND REPORTED TO THE INSURER, IN WRITING, DURING THE POLICY PERIOD OR ANY APPLICABLE EXTENDED REPORTING PERIOD. THE POLICY ALSO PROVIDES COVERAGE FOR FIRST-PARTY REMEDIATION COSTS ON A DISCOVERED AND REPORTED BASIS, WHICH COVERS ONLY STORAGE TANK INCIDENTS FIRST DISCOVERED AND REPORTED TO THE INSURER, IN WRITING, DURING THE POLICY PERIOD.**

1. Name of Applicant: Davis Motor Crane Service Inc

Principal Contact: Keith McKee E-mail Address: keith@daviscraneservice.com

Mailing Address: 1212 N Loop 12, Irving TX 75061

Telephone #: 972-438-1122 Fax #: \_\_\_\_\_

URL: http://daviscrane.com Date Established: 1962

The Applicant is: ☒ Corporation ☐ Partnership ☐ Joint Venture ☐ LLC/LLP

☐ Other: \_\_\_\_\_

Federal Employer Identification Number (FEIN): 75-1245374

2. Details of locations where the insured storage tanks are located:  
(Continue on a separate sheet, if necessary.)

Company Name:	Street Address City, State Zip Code:	No. of USTs at this location	No. of ASTs at this location	Known Pre-existing Contamination Present?*	Facility Type**
Davis Motor Crane Service	1212 N Loop 12	2		NO	Other-Crane Yard

- a. \*If Yes, please provide details on a separate sheet. Include at a minimum:

- Prior Environmental Site Assessments (including date performed)
- Past, current, planned sampling/remediation, etc.

- b. \*\*Facility Type: - Airport - Automobile/Other Motor Vehicle Facility  
 - Convenience Store - Schools/Educational Services Facility  
 - Gasoline Service Station - Petroleum Bulk Station/Terminal  
 - Marina - Other (If "Other", please describe.)

3. Please complete the **Storage Tank Inventory – By Location** form as attached to this application. (If more than one location, please make duplicates of the inventory form and complete a separate form for each location.)

4. The Applicant's total gross revenues in the last filed tax return, excluding recovered expenses:

\$ 27,350,922 [for the period ending: month 12 year 2021]

5. The Applicant's estimated gross revenues for the current fiscal year: \$ 33,000,000

6. Desired effective date of coverage: 5/18/2022

- a. Desired Retroactive Date: ☒ Policy Inception ☐ Other \_\_\_\_\_  
 (In order to obtain retroactive coverage, you must provide copies of all prior policies for the corresponding time period.)

7. Limits of Liability and Deductible requested:

Limits of Liability:		Deductible:
Per Storage Tank Incident:	\$ <u>1,000,000</u>	\$ <u>5,000</u> (per Storage Tank Incident)
Aggregate:	\$ <u>1,000,000</u>	
Aggregate Legal Defense Expense Limit:	\$ <u>1,000,000</u>	

8. Were all of the Applicant's or any other party to the proposed insurance's storage tanks new at the time of installation? ☐ YES ☒ NO
9. Were any of the Applicant's or any other party to the proposed insurance's storage tanks installed prior to 1975? ☐ YES ☒ NO
10. Are any of the Applicant's or any other party to the proposed insurance's storage tanks located within one (1) mile of a body of water?  
 (If "Yes", please complete the **Marina Questionnaire** form as attached to this application.) ☐ YES ☒ NO

11. Are any of the Applicant's or any other party to the proposed insurance's facilities located in the State of Florida? ☐ YES ☒ NO
12. Are Single-Walled Storage Tanks (i.e., Bare Steel Tanks, Steel Tanks with Cathodic Protection, STIP  $\frac{3}{4}$  Tanks or Tanks operating under ACT 100), with or without any form of tank lining, located at the Applicant's or any other party to the proposed insurance's facilities in the State of Florida? (Only applicable if Question 11. is answered "Yes"). ☒ N/A ☐ YES ☐ NO
13. Within the past five (5) years has the Applicant purchased this type of insurance coverage?  
(If "Yes", please provide information regarding any such coverage and all available loss information.) ☒ YES ☐ NO
14. Are there currently, or have there historically been, any hazardous, toxic, or regulated substances stored at any of the locations for which this application for insurance is being made other than these products: Gasoline, Diesel Fuel, Motor Oil, Fuel Oil, or Kerosene? ☐ YES ☒ NO
15. Were any tanks ever removed or closed in placed at the location(s) where the scheduled tanks are currently located? ☐ YES ☒ NO
- a. Will any scheduled storage tank(s) be removed, closed or upgraded at any of the facilities for which coverage is sought under this policy within the next eighteen (18) months? ☐ YES ☒ NO
16. Does the Applicant and any other parties to the proposed insurance maintain a Spill Prevention and Counter Control Plan with regard to any aboveground tanks for which coverage is sought? (If "Yes", please provide a copy of such plan.) ☐ N/A ☐ YES ☒ NO
17. Within the past five (5) years have there been any reportable spills of regulated substances, hazardous waste or any other pollutants, as defined by applicable environmental statutes or regulations, at the facility(ies) where the tanks the Applicant is seeking coverage for are located? ☐ YES ☒ NO
18. Within the past ten (10) years have any repairs or upgrades been performed on any tanks? ☒ YES ☐ NO
- a. Are all underground storage tanks compliant with 1998 regulations? ☒ YES ☐ NO
19. Within the past five (5) years have any claims been made or legal actions (including any regulatory proceedings) been brought against the Applicant or any other party to the proposed insurance? ☐ YES ☒ NO
20. Does the Applicant or any other party to the proposed insurance have knowledge of pollution conditions at any of the proposed covered locations? ☐ YES ☒ NO
21. At the time of signing this application, is the Applicant or any other party to the proposed insurance aware of any circumstances that may reasonably be expected to give rise to a claim against any party to the proposed insurance? ☐ YES ☒ NO
22. Within the last five (5) years before the date of signing this application, has the Applicant, any of its affiliated entities, or any person or entity proposed to be an insured filed or been the subject of any proceeding related to bankruptcy, receivership, and/or insolvency? ☐ YES ☒ NO
23. At the time of signing this application, do the Applicant, any of its affiliated entities, or any person or entity proposed to be an insured either (a) intend to commence or

(b) know of any plan or threat to commence any proceeding relating to bankruptcy, receivership, and/or insolvency, whether by or against one or more of them?

☐ YES ☒ NO

If "Yes" to Questions 14. through 23., above, provide a description of the information, claim, or circumstance.

**\*IT IS UNDERSTOOD AND AGREED THAT IF ANY SUCH CLAIMS EXIST OR ANY SUCH FACTS OR CIRCUMSTANCES EXIST WHICH COULD GIVE RISE TO A CLAIM, THEN THOSE CLAIMS AND ANY OTHER CLAIMS ARISING FROM SUCH FACTS OR CIRCUMSTANCES ARE EXCLUDED FROM THE PROPOSED INSURANCE UNLESS OTHERWISE AFFIRMATIVELY STATED IN THE POLICY.**

BY SIGNING THIS APPLICATION, THE APPLICANT REPRESENTS TO THE INSURER THAT ALL STATEMENTS MADE IN THIS APPLICATION, INCLUDING ANY ATTACHMENTS THERETO, ABOUT THE APPLICANT AND ITS OPERATIONS ARE TRUE AND COMPLETE, AND THAT NO MATERIAL FACTS HAVE BEEN MISSTATED IN THIS APPLICATION OR CONCEALED. COMPLETION OF THIS FORM DOES NOT BIND COVERAGE. THE APPLICANT'S ACCEPTANCE OF THE INSURER'S QUOTATION IS REQUIRED BEFORE THE APPLICANT MAY BE BOUND AND A POLICY ISSUED.

**NOTICE TO APPLICANTS:** Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

**NOTICE TO ALABAMA APPLICANTS:** Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to restitution fines or confinement in prison, or any combination thereof.

**NOTICE TO ARKANSAS, LOUISIANA, RHODE ISLAND and WEST VIRGINIA APPLICANTS:** Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

**NOTICE TO COLORADO APPLICANTS:** It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

**NOTICE TO DISTRICT OF COLUMBIA APPLICANTS:** WARNING: It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.

**NOTICE TO FLORIDA APPLICANTS:** Any person who knowingly and with intent to injure, defraud or deceive any insurer files a statement of claim or an application containing any false, incomplete or misleading information is guilty of a felony of the third degree.

**NOTICE TO KENTUCKY APPLICANTS:** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance 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.

**NOTICE TO MAINE APPLICANTS:** It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purposes of defrauding the company. Penalties may include imprisonment, fines or a denial of insurance benefits.

**NOTICE TO MARYLAND APPLICANTS:** Any person who knowingly or willfully presents a false or fraudulent claim for payment for a loss or benefit or who knowingly or willfully presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

**NOTICE TO MINNESOTA APPLICANTS:** A person who submits an application or files a claim with intent to defraud or helps commit a fraud against an insurer is guilty of a crime.

**NOTICE TO NEW JERSEY APPLICANTS:** Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

**NOTICE TO NEW MEXICO APPLICANTS:** Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to civil fines and criminal penalties.

**NOTICE TO NEW YORK 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 shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each violation.

**NOTICE TO OHIO APPLICANTS:** Any person who, with the intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.

**NOTICE TO OKLAHOMA APPLICANTS:** WARNING: Any person who knowingly, and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.

**NOTICE TO OREGON APPLICANTS:** Any person who knowingly and with intent to defraud or solicit another to defraud an insurer: 1) by submitting an application, or 2) by filing a claim containing a false statement as to any material fact may be violating state law.

**NOTICE TO PENNSYLVANIA 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 subjects such person to criminal and civil penalties.

**NOTICE TO TENNESSEE, VIRGINIA and WASHINGTON APPLICANTS:** It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.



\_\_\_\_\_  
Signature of Authorized Applicant

Kristan Medina

\_\_\_\_\_  
Print Name

Chief Accounting Officer

\_\_\_\_\_  
Title

3/31/2023

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Broker/Agent

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed by Licensed Resident Agent  
(Where Required By Law)



# ACE TANKSAFE® ATTACHMENT I

## Storage Tank Inventory By Location

Facility Name Davis Motor Crane Service Inc Facility Address \_\_\_\_\_ Facility ID # \_\_\_\_\_

(Complete schedule with symbols below)

	1	2	3	4	5	6
Tank #	Diesel	Unleaded				
UST/AST	UST	UST				
Install Date Year	1993	1993				
Capacity (Gallons)	12,000	12,000				
Contents	Diesel	Unleaded				
Tank Construction Material	FCS/J	FCS/J				
Overfill/Spill Protection	YES	YES				
Tank Leak Detection	YES	YES				
AST Diking & Base Construction	N/A	N/A				
Piping Construction Material	SW/B	SW/B				
Piping Leak Detection	F	F				

### Contents

A. Unleaded Gasoline  
B. Gasohol  
C. Diesel  
D. Kerosene  
E. Waste Oil/ Used Oil  
F. Fuel Oil  
G. Generic Gasoline  
H. Pesticide  
I. Ammonia compound  
J. Chlorine compound  
K. Haz. Substance (CERCLA)  
L. Mineral Acids  
M. Grades 5&6 bunker 'C' oils  
N. Petroleum-base additive(E85)  
O. Misc. petroleum-base  
P. Heating Oil  
Q. Other, please identify

### Tank Construction

A. Steel  
B. Fiberglass  
C. FRP Clad Steel  
D. Concrete  
E. Polyethylene  
F. Other EPA/DEP Approved  
G. Cathodic Protection  
Sacrificial Anode  
H. Cathodic Protection -  
Impressed Current  
I. Double Walled(DW) -  
Single Material  
J. Double Walled (DW)-  
Dual Material  
K. (DW)Synthetic Liner in  
Tank Construction  
L. (DW)Pipeless UST with  
Secondary Containment  
M. Internal Lining **STI**. STI-P3

### Overfill/Spill Protection

A. Ball Check Valve  
B. Spill Containment Bucket  
C. Flow Shut-off  
D. Tight Fill  
E. Level Gauges, High Level Alarms  
F. Other EPA/DEP Approved  
Protection Method

### Piping Construction Material

A. Steel  
B. Fiberglass  
C. Double walled  
D. Approved Synthetic Material  
E. Other EPA/DEP Approved  
Piping Material  
F. External Protective Coating  
G. C/P with sacrificial anode or  
impressed current

### Tank Leak Detection

A. Groundwater Monitoring Wells  
B. Interstitial Monitoring  
C. Vapor Monitoring Wells  
D. Visual Inspections of AST Systems  
E. Other EPA/DEP Approved  
F. SPCC Plan - AST  
G. Interstitial Space -Double Walled Tank  
H. Manual Tank Gauging - UST  
I. Statistical Inventory Reconciliation -  
(SIR)(USTs)  
J. Automatic Tank Gauging System (USTs)  
K. Interstitial Monitoring of AST tank bottom  
L. Annual Tightness Test with Inventory -  
(USTs)

### AST Diking & Base Construction

A. Concrete, Synthetic Material, clays  
B. Other EPA/DEP approved secondary  
containment system  
C. Dirt/Earth

### Piping Leak Detection

A. Electronic Line Leak Detector  
with Flow Shutoff  
B. Interstitial Monitoring – Piping Filter  
C. External Monitoring  
D. Mechanical Line Leak Detector  
E. Interstitial Monitoring of  
double wall piping  
F. Suction Pump Check Valve



## **ACE TANKSAFE® ATTACHMENT II**

### **Marina Questionnaire**

***Answer the following questions in relation to any facility identified as a “marina” or any storage tank(s) located within one (1) mile of a body of water:***

1. Please provide the facility name, full address and photo of the storage tank(s) and associated piping and appurtenances connected thereto.
2. Has a Spill Prevention, Control and Countermeasure Plan been completed within the past five (5) years? (If “Yes”, please provide a copy of the report.)
3. What is the distance from the storage tank to the nearest body of water? Also, please provide a description of the environment surrounding the tank?  

<input type="checkbox"/>	Less Than 2000 feet
<input type="checkbox"/>	Less Than 1 mile
<input checked="" type="checkbox"/>	More than 1 mile
4. What is the distance from the facility to the nearest recreational swimming area on this body of water?  

<input type="checkbox"/>	Less Than 2000 feet
<input type="checkbox"/>	Less Than 1 mile
<input checked="" type="checkbox"/>	More than 1 mile
5. Is all piping associated with the storage tank double-walled?
6. Is the piping associated with the storage tank UV Resistant?
7. What year was the piping associated with the storage tank installed? Has the piping ever been tested? (If “Yes”, provide a copy of the test results.)
8. Does the facility have piping that extends under the water? (If “Yes”, please describe and provide the Spill Prevention, Control and Countermeasure Plan in place for this piping.)
9. Does the facility have piping that extends over the water, including along bulkheads, docks or floating docks? (If “Yes”, please describe and provide the Spill Prevention, Control and Countermeasure Plan in place for this piping.)
10. Does the facility have a shut-off valve located on land that will stop the flow of product in the event of a release? (If “Yes”, please describe the placement of the valve and shut-off process.)
11. Are all dispensers associated with the storage tank protected from impact from boats or watercraft? (If “Yes”, please describe how.)
12. If the facility has aboveground storage tanks, do they have secondary containment? (If “Yes”, please describe.)