

## **XL INSURANCE COMPANY LIMITED**

XL Insurance Company Limited  
100 Yonge Street  
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[www.xlenvironmental.com](http://www.xlenvironmental.com)

## **REAL ESTATE LENDERS POLLUTION APPLICATION**

### **APPLICANT INSTRUCTIONS:**

1. Answer all questions; leave no blank spaces.
2. If any questions do not apply, or the answer is “no”, please elaborate.
3. If multiple locations, please use the Facilities Pollution Portfolio Application.
4. The following information must accompany this application, if available:
  - Past five (5) years loss runs history.
  - Past two (2) years audited financial statements for the borrower.
  - Commercial Mortgage Loan Documents plus any applicable Environmental Indemnity.
  - Copies of all Environmental Site Assessments.

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**REAL ESTATE LENDERS POLLUTION APPLICATION**

**This Application Is For A "Claims-Made and Reported" Policy**

**PLEASE READ IT CAREFULLY AND FILL IT OUT COMPLETELY**

1. **APPLICANT NAME/LENDER:** \_\_\_\_\_  
Address: \_\_\_\_\_  
Contact: \_\_\_\_\_ Title: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Web Site: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_
2. **Borrower Name:** \_\_\_\_\_  
Address: \_\_\_\_\_
3. **Firm is:**  Partnership  Corporation  Joint Venture  Other  
 Public or  Private
4. **Property Address/Description (Include Acreage):**
5. **What structures are currently on this property (i.e. building type, square footage, age, etc.)?**
6. **List the current occupants and the current operations on this property:**
7. **How long has present owner controlled or owned this property?**
8. **What were the past uses of this property?**
9. **What are the intended uses of this property?**

**10. Record:**

- a. Have you ever been investigated, cited and/or prosecuted for contravention or violation of any standard or law relating to any release of pollutants?  
 Yes  No  
If Yes, give details:
  
- b. Have you ever had any pollution claims including, but not limited to, claims by private persons, entities, government agencies or other third parties?  
 Yes  No  
If Yes, please describe:
  
- c. Are you aware of any past or present contamination on-site or emanating from the site(s), or any circumstances which may reasonably be expected to give rise to a claim or generate a request for coverage under this policy?  
 Yes  No  
If Yes, please explain:

**11. Current Pollution Coverage Provided Under Other Policies**

Whether full pollution coverage or sudden/accidental named peril coverage, please provide a copy of the policy and/or endorsements.

<u>Current Carrier</u>	<u>Term</u>	<u>Limits or Sublimits</u>	<u>Self-Insured Retention</u>	<u>Premium</u>

- a. Has any insurance company denied, canceled or nonrenewed pollution liability coverage?  
 Yes  No  
If Yes, give details:

**12. Property Setting: (Attach Plot Plan)**

- a. Provide a description of adjacent land use:

North: \_\_\_\_\_  
\_\_\_\_\_

South: \_\_\_\_\_  
\_\_\_\_\_

East: \_\_\_\_\_  
\_\_\_\_\_

West: \_\_\_\_\_  
\_\_\_\_\_

- b. Are there any nearby surface water bodies (i.e. streams, lakes, wetlands)?  
 Yes  No  
If Yes, please explain:
  
- c. Are there any protected environments in the area (parks, wildlife reserves, etc.)?  
 Yes  no  
If Yes, please explain:
  
- d. Are there any surface or groundwater uses in the area (drinking wells, etc.)?  
 Yes  No  
If Yes, please explain:

- e. Is public water and sewer used on site?  
 Yes  No  
 If No, identify what is used in its place:
- f. Has a private well or septic system ever been used on-site?  
 Yes  No  
 If Yes, please explain:
- g. Is the property located within a 100-year flood plain?  
 Yes  No  
 If Yes, have you obtained flood insurance coverage?  
 Yes  No
- h. Is the property located in an Earthquake Zone 1, 2, or 3 as defined by ISO or an otherwise seismically active area?  
 Yes  No  
 If Yes, have you obtained earthquake coverage on your property insurance?  
 Yes  No
- i. If the property is located in an Earthquake Zone 1, 2, or 3 as defined by ISO or an otherwise seismically active area, please describe any special precautions or emergency response procedures used to protect site equipment, tankage, containment, chemical/waste storage areas, etc.

**13. Tank Storage:**

Does this property have any aboveground or underground storage tanks?

Yes  No

If Yes, please complete chart below.

<u>Tank#</u>	<u>Contents</u>	<u>Construction</u>	<u>Capacity</u>	<u>Age</u>	<u>AST/UST</u>	<u>Secondary Containment</u>
Example:	Diesel	Bare Steel	5,000 gal	5 yrs	AST	110% Volume - Poured Concrete

Explain any tank inventory control and/or testing methods used (Attach latest tank test results)

**14. Does this property generate, handle, store or dispose of any hazardous waste or materials?**

Yes  No

If Yes, please explain:

**15. Are there any statutes, standards, or other local, provincial and/or federal regulations relating to the protection of the environment which apply to any location with which you cannot at present comply?**

Yes  No

If Yes, please explain:

**16. Have any prior environmental audits or studies been done for this property?**

Yes  No

Copies of all environmental assessments (Phase I, Phase II) must accompany this application.  
Provide full details as to any recommendations made and the status of compliance

**17. Please provide the following information for the below referenced coverage lines:**

<u>Type of Coverage</u>	<u>Current Carrier</u>	<u>Policy Period</u>	<u>Limits</u>	<u>Premium</u>
General Liability				
Directors & Officers				
Property				
Excess/Umbrella				

**18. Loan Information:**

Loan Amount: \$ \_\_\_\_\_ Loan Term:  Yes  No  
 Is the loan a first mortgage?  Yes  No  
 If No, please give details:

Are any of the loan proceeds intended for site rehabilitation or new construction?  Yes  No

What is the collateral for the loan?  Land  Building  Other (Give Details)  
 Loan to Value ratio? \_\_\_\_\_ %

**19. At the time of signing this application, are you aware of any facts or circumstances which may reasonably be expected to result in a claim being asserted against the borrower or your company for environmental clean-up, bodily injury or property damage under the Pollution Liability or General Liability Policy?**

Yes  No  
 If Yes, please give details:

**THE APPLICANT REPRESENTS THAT THE ABOVE STATEMENTS AND FACTS ARE TRUE AND THAT NO MATERIAL FACTS HAVE BEEN SUPPRESSED OR MISSTATED.**

**COMPLETION OF THIS FORM DOES NOT BIND COVERAGE. APPLICANT'S ACCEPTANCE OF THE COMPANY'S QUOTATION IS REQUIRED PRIOR TO BINDING COVERAGE AND POLICY ISSUANCE.**

**ALL WRITTEN STATEMENTS AND MATERIALS FURNISHED TO THE COMPANY IN CONJUNCTION WITH THIS APPLICATION ARE HEREBY INCORPORATED BY REFERENCE INTO THIS APPLICATION AND MADE A PART HEREOF.**

Applicant: \_\_\_\_\_ Title: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Agent/Broker Name: \_\_\_\_\_