



Washington State  
**Department of Ecology**  
Spill Prevention, Preparedness, and Response Program  
P.O. Box 47600, Olympia, WA 98504-7600  
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## **Proof of Financial Responsibility Chapter 173-187 WAC**

### **Certificate of Deposit Form**

Date of Certificate of Deposit:
Maturity Date:
Certificate of Deposit number:
Issuing institution name:
Issuing institution address:
Purchaser (name of facility or vessel):
Owner or operator name:
Owner or operator address:
Certificate of Deposit amount:

We hereby establish this Certificate of Deposit, which must be irrevocable in favor of the state of Washington, at the request and for the account of the above-named owner or operator. We certify that the amount of the certificate is payable pursuant to regulations issued under authority of Chapter 88.40 RCW, Transport of Petroleum Products – Financial Responsibility, as amended. The issuing institution meets the following criteria:

- (a) Financial institution has the authority to hold a certificate of deposit;
- (b) Regulated and examined by state and federal banking agencies;
- (c) Member of the Federal Deposit Insurance Corporation or National Credit Union Administration.

This certificate of deposit may be drawn on to cover the costs and damages of oil pollution claims and the unlawful discharge of oil caused by an oil spill to the navigable waters of Washington State arising from operating the facility(ies) or vessel(s) identified below:

The certificate of deposit may not be used as collateral or be drawn on to cover any of the following:

(a) Any obligation of the Purchaser under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(b) Bodily injury to an employee of the Purchaser arising from, and in the course of, employment by the Purchaser;

(c) Bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft other than bodily injury or property damage arising from a contract or agreement with a third-party entered into to meet the requirements of Chapter 173-187 WAC;

(d) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by the Purchaser;

(e) Bodily injury or property damage for which the Purchaser is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of Chapter 173-187 WAC.

(f) Legal defense costs of any kind.

In the event that Ecology determines that the Purchaser has failed to pay for costs and damages of oil pollution claims and the unlawful discharge of oil caused by an oil spill to the navigable waters of Washington State in accordance with Chapter 173-187 WAC, the amount of the certificate of deposit must be deposited by the issuing institution directly into the standby trust fund of the owner or operator in accordance with written instructions from Ecology.

This certificate of deposit is automatically extended for a period of (enter number of years) \_\_\_\_\_ on the maturity date, and on each successive maturity date. This certificate of deposit cannot be cancelled or terminated unless there is written agreement by the purchaser, the issuing institution, and the state of Washington.

We certify that the wording of this certificate of deposit is identical to the wording provided in Ecology's Proof of Financial Responsibility Certificate of Deposit Agreement as such regulations were constituted on the date shown immediately below.

**Date:**

**Signature(s) and title(s) of official(s) of issuing institution**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Title

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Title

**Submitting Party Information**

Company Name:	
Contact Name:	
Address:	
Phone Number:	Fax Number:
Email:	Website:

**Responsible Party Information**

Company Name:	
Contact Name:	
Address:	
Phone Number:	Fax Number:
Email:	Website: