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MONTANA CERTIFICATE OF FINANCIAL RESPONSIBILITY

Financial Responsibility requirements apply to owners or operators of all petroleum underground storage tank (UST) systems, except those UST systems that are exempt under ARM Title 17, chapter 56, subchapter 102 or ARM Title 17, chapter 56, subchapter 8.

Non-Compliance with the Montana Underground Storage Tank Act will result in a reduction of the reimbursement amount paid by the Fund. The Owner/Operator is responsible for all cleanup costs not reimbursed by the Fund.

I (Owner or Operator Name) _____, hereby certify that
(Facility Name) _____, (Facility ID#) _____ is in compliance with
the requirements in ARM 17.56.8 by providing the financial assurance coverage below.

The financial assurance mechanism(s) used to demonstrate Financial Responsibility under ARM 17.56.8 is (are)
as follows:

TYPE OF MECHANISM: Check (√) all that apply and provide backup information for each mechanism.
NOTE: If you select the PTRC Fund, you must also choose an additional mechanism or combination of mechanisms (listed below) to cover the \$17,500 Co-payment requirement of the Fund, or certify a tangible net worth of at least \$17,500 on a [form approved by the department](#).

Petroleum Tank Release Cleanup (PTRC) Fund.

- Choose an additional mechanism or combination of mechanisms (listed below) to cover the \$17,500 co-payment requirement of the Fund

Certificate of \$17,500 Tangible Net Worth (can only be used in conjunction with the PTRC Fund)

Insurance and Risk Group Coverage

Trust Fund

Financial Test of Self Insurance

Guarantee (Requires a Standby Trust Fund)

Surety Bond (Requires a Standby Trust Fund)

Letter of Credit (Requires a Standby Trust Fund)

Standby Trust Fund

Local governments (cities, towns, counties, or fire districts) have the option of using four additional financial responsibility mechanisms that have been tailored to their characteristics. (State and federal government entities whose debts and liabilities are the debts and liabilities of a state or the United States are exempt from Financial Responsibility requirements).

Bond Rating Test

Financial Test

Dedicated Fund

Guarantee

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For each financial assurance mechanism selected provide the following information:

If you selected *PTRC Fund* and **only** *Certificate of \$17,500 Tangible Net Worth*, leave this section blank.

- Name of Issuer: _____
- Mechanism: _____
- Amount of coverage: _____
- Effective Period of coverage: _____

Does the mechanism cover:

You must check "Yes" for all financial responsibility methods and mechanisms including the PTRC Fund

- Taking corrective action Yes No
- Compensating 3rd parties for bodily injury and property damage caused by:
 - Sudden Accidental Releases Yes No
 - Non-sudden Accidental Releases Yes No
 - Accidental Releases Yes No

Signature of Owner or Operator _____

Printed Name of Owner or Operator _____

Title _____

Date _____

Signature of Witness or Notary _____

Printed Name of Witness or Notary _____

Date _____

The owner or operator must update this Certificate whenever the financial mechanisms change.

NOTARY SEAL (if applicable):

This Certificate of Financial Responsibility and mechanism backup information must be kept at your facility or place of business where it can be reviewed by your inspector during compliance inspections.

THE PETROLEUM TANK RELEASE CLEANUP FUND (PTRCF) AND YOUR MONTANA CERTIFICATE OF FINANCIAL RESPONSIBILITY

There is a difference between choosing the PTRCF as your coverage mechanism and being eligible for coverage by the Fund. Your Montana Certificate of Financial Responsibility (Certificate) shows your inspector who you are choosing to assist with remediation costs at your site, in the event you have a release. The Fund is not an insurance, nor is it an assurance of complete coverage. At the time you fill out the Certificate, you are indicating how you plan to cover the cost of release remediation, **if** you are in compliance, and eligible for assistance from the Fund.

Here are the types of eligibility submissions you can send into the Petroleum Tank Release Compensation Board (PTRCB), which oversees the Fund:

Eligibility- To apply for Fund assistance, an owner/operator or property owner, must fill out an Application for Petroleum Release Eligibility form, [Form 1R](#). The PTRCB staff review the application, seek compliance information from other agencies, including DEQ Underground Storage Tank Program, DEQ Petroleum Tank Cleanup Section and the Fire Protection Investigation Bureau/Local Fire Marshall or Fire Chief, and recommend eligibility to the Board. ***There is a distinction between choosing the Fund as a coverage mechanism on the Certificate of Financial Responsibility and obtaining eligibility by applying for assistance.*** The submittal of a Form 1R – Application for Release Eligibility is the only way to know if you will receive assistance from the Fund and this application is based on a confirmed and numbered release, identified by the Petroleum Tank Cleanup Section of DEQ.

Voluntary Registration -The owner/operator may submit a [Form 1V](#)-Voluntary Registration to obtain an understanding of what their eligibility would be at the point in time of submittal. This application is used when there is no known release at the site, but the owner/operator would like to know their eligibility status. Eligibility recommendations are always based on continued compliance at the facility and the eligibility of the tank system to be covered by the Fund. The PTRCB staff review the application, seek compliance information from other agencies, including DEQ Underground Storage Tank Program, DEQ Petroleum Tank Cleanup Section and the Fire Protection Investigation Bureau/Local Fire Marshall or Fire Chief.

It is important to recognize, if a regulatory agency has reported non-compliance regarding the operation and management of the petroleum storage tank systems at a facility, and that facility is in the process of seeking eligibility or has already been acknowledged to be eligible, the Board may reduce the owner/operator's reimbursement amount, due to the type and severity of the non-compliance.

For specific questions regarding PTRCF call 406-444-9710.