myDEQ

Arizona Department of Environmental Quality

UST FINANCIAL RESPONSIBILITY USER GUIDE

User Guide Table of Contents

Introduction

This user guide is designed to help the regulated community submit and manage underground storage tank (UST) financial responsibility (FR) in myDEQ | Learn more at azdeq.gov/UST/FR >

Owner/operator options for demonstrating FR:
- Commercial Liability Insurance (most common) | Details at azdeq.gov/FR-insurance-checklist >
- Financial Test of Self Insurance
- Trust Fund
- Standby Trust Fund
- Guarantee
- Surety Bond
- Letter of Credit
- Certificate of Deposit

Details at azdeq.gov/FR-alternatives >

Local government options for demonstrating FR:
- Bond Rating Test
- Bond Financial Test
- Guarantee
- Local Government Fund

Details at azdeq.gov/FR-alternatives-govt >

WHAT IS myDEQ?

myDEQ is the Arizona Department of Environmental Quality's (ADEQ) online web portal, designed to assist customers in meeting their environmental priorities and responsibilities. The portal allows UST owners/operators to easily fulfill annual financial responsibility (FR) reporting requirements. Using myDEQ, UST owners/operators can attach and submit insurance policies or alternative mechanisms of FR for each of their facilities.

How Do I Get a myDEQ Account?

Getting an account is easy:

Step 1: Request an account (completed by the Responsible Corporate Officer - RCO) | More at azdeq.gov/roles >

Step 2: Verify your identity online (also available by mail)

Step 3: Choose a password and security questions

Step 4: Authorize additional users to access the account | More at azdeq.gov/roles >

Request an account at my.azdeq.gov >

LOGIN

Email Address

⚠ Please enter a username

Password

⚠ Please enter a password

☐ Remember me

SIGN IN

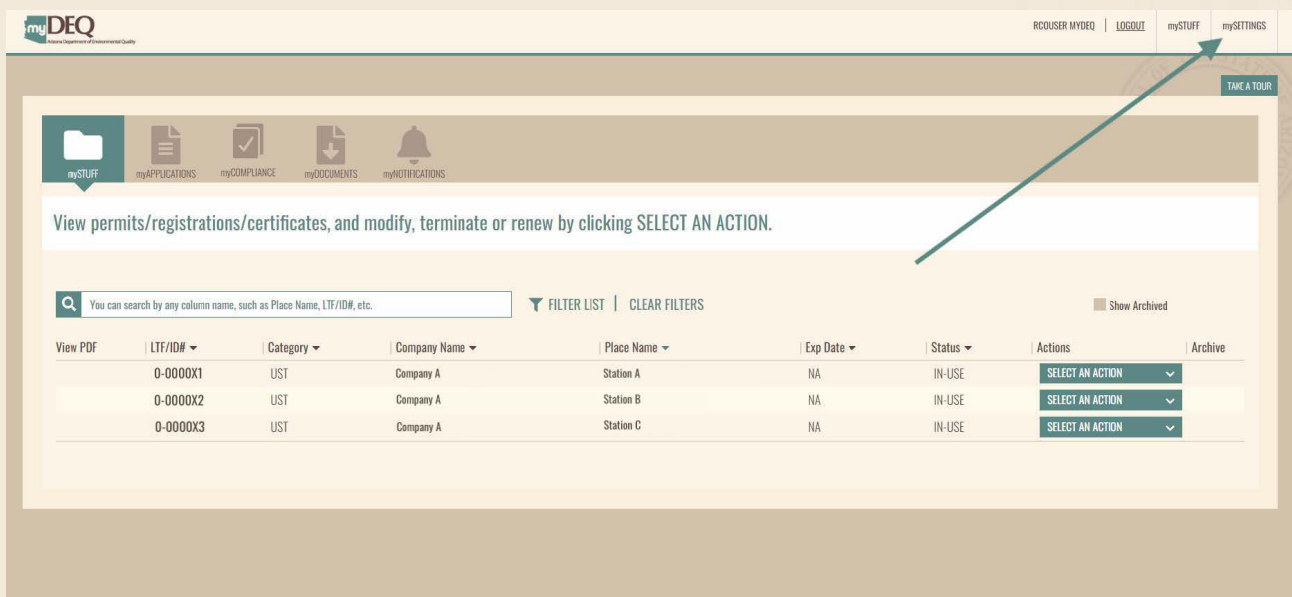Forgot Password? | Request an Account

Login Tips:

- Use Chrome

- Use (and bookmark for future use): **my.azdeq.gov**

- Enter the email address and password you used when you registered for myDEQ

Adding a Company

To submit financial responsibility, the myDEQ RCO or DRO must first add the company that owns the UST to their account | More at azdeq.gov/roles >
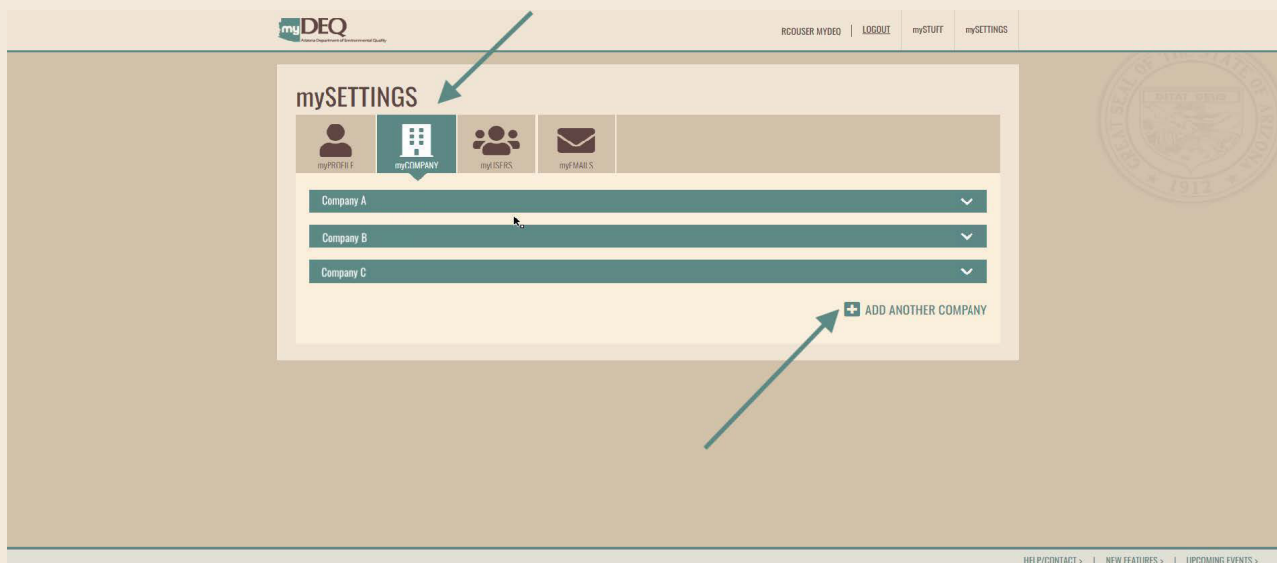
Step 1: Go to **mySETTINGS,** located in the upper right corner of your myDEQ dashboard.

Step 2: Click on the **myCOMPANY** tab and then select **ADD ANOTHER COMPANY.**

Step 3: You will be prompted to select whether you are a company or a government agency and click **CONTINUE.**

Adding a Company (cont.)

Step 4: Enter all the company details, including ACC File Number |
Find ACC File # at ecorp.azcc.gov/entitysearch/index >

NOTE: You can add more than one company in one request by clicking **ADD ANOTHER COMPANY.**

Step 5: Once you have clicked SAVE to submit the request, you will see a notification that the request is pending.

Adding New FR

What to Know About Submitting FR

- FR must be submitted in the myDEQ portal (not via email or mail).

- The complete policy needs to be uploaded. If you have not received the complete policy from your carrier, then you may submit the certificate of insurance and tank schedule if available. The policy may be supplemented at a later date via myDEQ.

- Submission is not complete until you reach the confirmation page and receive an FR number.

- If you have FR in draft status, you will need to edit or delete the draft to add a new FR for the same tank.

Step 1: On the **mySTUFF** tab (under mySETTINGS), locate your Facility ID # and click the **SELECT AN ACTION** drop-down. Then choose **Review UST Financial Responsibility.**

Step 2: In the top-right corner, choose **ADD A NEW FR.**

Adding New FR (cont.)

Step 3: Complete each section with the status "Not Started," starting with Section 1 by clicking the pencil

Section 1: Company - Select the company associated with the FR. If the company isn't listed, add the company to your account. If another RCO already has the company associated with their account, you may need to reach out to the company's RCO to add you as a user under their myDEQ account.

Section 2: Facilities & Tanks - Refer to the tank schedule to verify which facilities and tanks are covered by the FR, and select the facilities and tanks from the list. Click the boxes "Select all USTs on this page" or "Select all USTs for this facility" as applicable.

Section 3: Mechanism - Select mechanism type. Insurance is the most commonly used, however, several alternative mechanisms are acceptable proof of FR | Learn more at azdeq.gov/FR-alternatives > In the less common case you have a certificate of deposit in conjunction with the selected mechanism, answer "Yes" before continuing.

Adding New FR (cont.)

Section 4: Coverage - Enter the amount of coverage (no commas) and what the coverage includes as indicated by your mechanism (e.g., certificate of insurance). Mechanisms must cover both corrective action and compensation for injury and property damage. Most FR mechanisms cover all three types of releases, so you would select all three.

Insurance Example:

CERTIFICATE:

1. Insurance Company, the "Insurer", as identified above, hereby certifies that it has issued liability insurance covering the following underground storage tank(s):

Per the attached Scheduled Location(s) and Scheduled Storage Tank(s) Systems

for taking corrective action and/or compensating third parties for bodily injury and property damage caused by either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases" in accordance with and subject to the limits of liability, exclusions, conditions, and other terms of the policy arising from operating the underground storage tanks identified above.

The limits of liability are $1,000,000 Each Occurrence and $2,000,000 Annual Aggregate Policy Limit, exclusive of legal defense costs which are subject to a separate limit under the Policy. This coverage is provided under Policy Number XXXXXXXX. The effective date of said policy is 12/05/2017.

2. The "Insurer" further certifies the following with respect to the insurance described in Paragraph 1:

a. Bankruptcy or Insolvency of the insured shall not relieve the "Insurer" of its obligations under the policy to which this certificate applies.

b. The "Insurer" is liable for the payment of amounts within any deductible applicable to the policy to the provider of corrective action or a damaged third-party, with a right of reimbursement by the insured for any such payment made by the "Insurer". This provision does not apply with respect to that amount of any deductible for which coverage is demonstrated under another mechanism or combination of mechanisms as specified in 40 CFR 280.95-280.102.

c. Whenever requested by a Director of an implementing agency, the "Insurer" agrees to furnish to the Director a signed duplicate original of the policy and all endorsements.

Self-Insurance Example:

Subject: **Petroleum Underground Storage Tanks Financial Responsibility**

I am the Chief Financial Officer of ▮▮▮▮▮▮▮▮▮▮▮▮. This letter is in support of the use of the financial test of self-insurance to demonstrate financial responsibility for taking corrective action and compensating third parties for bodily injury and property damage caused by sudden accidental releases and non-sudden accidental releases in the amount of at least $1,000,000 per occurrence and $2,000,000 annual aggregate arising from operating underground storage tanks.

Underground storage tanks at the following facilities are assured by this financial test or a financial test under an authorized State program by this owner or operator:

See list of facilities attached, Attachment 1

A financial test is also used by this owner or operator to demonstrate evidence of financial responsibility in the following amounts under other EPA regulations or state programs authorized by EPA under 40 CFR Parts 271 and 145:

EPA Regulations		Amount
Closure	(§§ 264.143 and 265.143)	
Post-Closure Care	(§§ 264.145 and 265.145)	
Liability Coverage	(§§ 264.147 and 265.147)	
Corrective Action	(§ 264.101(b))	
Plugging and Abandonment	(§ 144.63)	
Closure		
Post-Closure Care		
Liability Coverage		
Corrective Action		
Plugging and Abandonment		
Total		

Adding New FR (cont.)

Section 5: Supporting Information & Documents - Upload required documents for insurance or alternative mechanisms as proof of FR. For insurance, you will need the (1) Certificate of Insurance, (2) tank schedule and (3) copy of the complete policy. *You may upload the Certificate of Insurance and tank schedule until you receive the policy from your carrier.* Providing premiums and deductibles is optional for ADEQ data purposes. These can be found on the declaration page of your insurance policy.

Certificate of Insurance Example (Insurance):

Adding New FR (cont.)

Tank Schedule Example (Insurance):

Insurance Company Storage Tank Application
Schedule of Locations and Storage Tanks

Effective as of December 05, 2017

Attached to and forming part of Policy #XXXXXX

		Storage Tank System(s)				
Tank#	Insured Site	Retroactive Date	Tank Installation Date	Tank Capacity	Deductible	Tank Type
1	Gas Station 555 Gas Lane Phoenix, AZ 85210	12/05/2013	1986	12,000	$25,000	UST
2	Gas Station 555 Gas Lane Phoenix, AZ 85210	12/05/2013	1986	12,000	$25,000	UST
3	Gas Station 555 Gas Lane Phoenix, AZ 85210	12/05/2013	1986	12,000	$25,000	UST

If a retroactive date is not listed in the tank schedule, it must be listed on another official policy document (e.g., Certificate of Insurance) and compliant with statute. A retroactive date is the date from which you have held uninterrupted professional indemnity insurance coverage (even if you changed insurers during this time) | **Learn more at azdeq.gov/retrodates >**

Complete Policy Example (Insurance):

Complete policies are typically around 30 pages and include a declaration page, coverage agreements, coverage exclusions and claim reporting guidelines. If you have PMMIC Insurance, visit: **pmmic.com/upl/downloads/content-blocks/pmmic-ust-full-coverage-policy-for-arizona.pdf.**

Adding New FR (cont.)

Performance Bond Example (Alternative Mechanism):

Section 6: Contact Information - Select a contact from the drop-down or enter new contact information.

Step 4: Once all sections are marked as complete, you will be able to certify and submit the FR.

Step 5: Review the summary (click the pencil icon to edit information) and click to certify your submission. Your FR submission is complete once you reach the confirmation page.

Updating or Renewing FR

What to Know About Updating or Renewing FR

- FR must be updated or renewed in the myDEQ portal (not via email or mail).

- The complete policy needs to be uploaded. If you have not received the complete policy from your carrier, then you may submit the certificate of insurance and tank schedule if available. The policy may be supplemented at a later date via myDEQ.

- Submission is not complete until you reach the confirmation page and receive an FR number.

Step 1: On the **mySTUFF** tab (under mySETTINGS), locate your Facility ID # and click the **SELECT AN ACTION** drop-down. Then choose **Review UST Financial Responsibility.**

Step 2: Beside the applicable FR, select **Update/Renew FR** from the Actions drop-down

Updating or Renewing FR (cont.)

Step 3: Complete all sections that need to be updated (typically only Section 5 for renewals) by clicking the pencil icon beside each applicable section. In most cases, coverage information does not change from one FR reporting period to another. Previously submitted information will be autopopulated in each section. Refer to Pages 6 - 10 for more information about each section.

NOTE: The mechanism cannot be changed in the update path. If the update or renewal is not for the same mechanism, then you must submit as a new FR.

UPDATE FINANCIAL RESPONSIBILITY (FR)

Which section(s) do you need to complete?
To complete a section, click the EDIT icon. Once finished modifying that section, repeat as needed until all sections are updated and click CONTINUE TO CERTIFY.

Section	Status	Edit
① Company	Completed	✏
② Facilities & Tanks	Completed	✏
③ Mechanism	Completed	✏
④ Coverage	Completed	✏
⑤ Supporting Info & Documents	Completed	✏
⑥ Contact	Completed	✏

⚠ **CERTIFY AND SUBMIT**
Click CONTINUE TO CERTIFY to submit the application.   **CONTINUE TO CERTIFY >**

About Updating Section 5 (Insurance): Review the autopopulated information and make any necessary edits. Insurance policy numbers typically change from year to year (except PMMIC policies). Adjust coverage start and end dates as appropriate.

ADD NEW FINANCIAL RESPONSIBILITY (FR)

What is the company's insurance information?
Provide the requested information and click SAVE & CONTINUE.

Insurer/Company Name: Example Unified School District

Insurance Policy#:   01-23456

Effective Coverage Start Date: 📅 06/30/2022

Effective Coverage End Date: 📅 06/30/2023

< BACK   SAVE & CONTINUE >

Updating or Renewing FR (cont.)

For commercial liability insurance, enter the retro date found in your **tank schedule.** Providing insurance premium and deductible information is optional and for ADEQ data purposes. Premiums and deductibles may be found on the declaration page of your insurance policy.

The FR mechanism effective dates change from each FR reporting period, and you will need to enter the current FR reporting period's dates. For alternative mechanisms, we request that you enter the FR end date, though marked as optional.

NOTE: Fiscal year end refers to the completion of a one-year (12-month) accounting period.

Updating or Renewing FR (cont.)

Provide revised supporting documents as needed, ensuring the selected file from your computer completed upload. Delete the previous year's file by selecting the trash can icon.

Once all required documentation is uploaded, click **SAVE & CONTINUE** to proceed. If your screen says **"No Digital Document on File,"** this means the previous FR was submitted via a paper form. Please upload required documentation for each renewal.

Step 4: Once all sections are marked as complete, you may proceed to review a summary of the information, certify its accuracy and submit the FR update or renewal. Your FR submission is complete once you reach the confirmation page.

Accessing a Draft FR

What to Know About Accessing a Draft FR

- If you try to add a new FR and have a draft for that FR already in progress, myDEQ will alert you.

- Edit or delete any existing drafts to prevent the system from creating several drafts for the same submission.

- If you select the same tanks as in a draft in progress, myDEQ will alert you that you have draft or overlapping coverage for the tanks. To proceed, you will need to select tanks that don't have FR in draft, edit the existing draft, or delete the draft in myCOMPLIANCE.

Step 1: On the **myCOMPLIANCE** tab (under mySETTINGS), locate the FR in Draft status on the list and click to **EDIT** the draft under the Actions drop-down or select the **trash icon** to delete extra drafts.