

**Irrevocable Standby Letter of Credit
To Demonstrate Liability Coverage With Standby Trust Agreement**

Director
Division of Waste Management
Department for Environmental Protection
Energy and Environment Cabinet
Frankfort, Kentucky 40601

*(Name and address of
issuing institution)*

Dear Director:

We hereby establish our Irrevocable Standby Letter of Credit No. _____
(insert number)

in the favor of _____, at the request and for the
(insert the name of the trustee of the standby trust fund)

account of _____
(insert owner's or operator's name and address)

for third-party liability awards or settlements up to _____ U.S. dollars
(in words)

(\$ _____) per occurrence and the annual aggregate amount of

(insert amount)

_____ U.S. dollars (\$ _____), for

(in words)

(insert amount)

sudden accidental occurrences and/or for third-party liability awards or settlements up to the amount of

_____ U.S. dollars (\$ _____) per occurrence, and the annual aggregate amount of _____ U.S. dollars

words)

(insert amount)

currence, and the annual aggregate amount of _____ U.S. dollars

(in words)

(\$ _____), for nonsudden accidental occurrences available upon presenta-

(insert amount)

tion of a sight draft, bearing reference to this Letter of Credit No. _____ .

(insert number)

This letter of credit is effective as of _____ and shall expire on _____
(insert date) (insert date at least one year later)

but such expiration shall be automatically extended for a period of _____
(at least one year)

on _____ and on each successive expiration date, unless, at least 120 days before the current expiration
(insert date)

date, we notify you, the Director of the Division, and _____ by certified
(insert owner's or operator's name)

mail that we have decided not to extend this letter of credit beyond the current expiration date.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us.

We certify that the wording of this letter of credit is identical to the wording specified in 401 KAR 39:090 as such regulations were constituted on the date shown immediately below.

(Signature of Official of Issuing Institution)

(Title of Official of Issuing Institution, typed)

(date)

This credit is subject to _____

DWM-6035N, effective 2/22/18

(Note: Use of this wording is required by 401 KAR 39:090)

(Note: This Letter Of Credit must be accompanied by the Standby Trust Agreement for Letter of Credit Demonstrating Liability Coverage, DWM-6035R)

(insert "the most recent edition of the Uniform Customs and Practice for Documentary Credits, published by the International Chamber of Commerce" or "the Uniform Commercial Code).