

Clarification from DNREC on the Risk Evaluation and Financial Assurance Work Group charge

After review of the Risk Evaluation and Financial Assurance Work Group's discussion at its September 5, 2018 meeting, the charges initially set forth by DNREC, and a decision by the RAC at its September 12, 2018 meeting, the Work Group should focus its discussions on the items in the revised Initial Scope of Work (dated September 14, 2018). Any discussion the Work Group would like to have on the following three topics should be held off until the rest of the Initial Scope of Work is addressed:

- Financial assurances and incentives (e.g., matching investment in development to financial assurances, requiring financial assurances to re-pay incentives provided to the developer in the event of certain incidents, indemnity financial assurance models)
- Third-party liability and compensation (e.g., accident liability insurance that ensures sufficient funds to compensate third parties that are either physically harmed or have property damaged upon the event of an incident)
- Financial assurance for offset project success

Dated: September 14, 2018