

ASARCO LLC, And
SILVER BELL MINING LLC
PURCHASING DEPARTMENT

Please be advised that ASARCO LLC requires your Certificate of Insurance before a purchase order can be issued. Certificates are needed for all **ASARCO LLC** locations, and **Silver Bell Mining LLC**.

Attached please find a copy of Asarco's requirements concerning vendor's/contractors insurance coverage. The following address is to be used for all locations. **5285 E. Williams Circle Suite 2000, Tucson AZ 85711.**

Please note Asarco **Incorporated** is now **ASARCO LLC**. Please be sure this change is made on your current certificates. The certificates in scope are...

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| <ul style="list-style-type: none">• Both Expiration & Affectivity Dates• General Liability• Automobile Liability | <ul style="list-style-type: none">• Worker's Comp/Employer's Liability• Additional Insured Statement• Waiver of Subrogation Statement |
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Our purchase order terms require a current copy of the Certificate of Insurance on file in order that vendors/contractors become eligible to enter onto our mine sites. Therefore, please have your authorized insurance company representative complete a new Certificate of Insurance with the liability amounts shown on the attachment and forward it to the Purchasing Department at ASARCO LLC, 5285 E. Williams Circle Suite 2000, Tucson, Arizona, 85711.

Additionally, please be aware that the following two statements are required by **ASARCO LLC** and must be included on each policy and shown on the Certificate of Insurance.

1. **ASARCO LLC** and Silver Bell Mining LLC are named as an additional insured as its interest may appear with respect to the above liability policies.

2. Insured hereby waives the insurer's right of subrogation against **ASARCO LLC** and Silver Bell Mining LLC, its subsidiaries, agents and affiliated companies, and their directors, officers, agents and employees.

Thank you for your immediate attention to this matter. Finally, please read & comply with the requirements highlighted on pages 2, and 3.

INSURANCE REQUIREMENTS FOR CONTRACTORS

ASARCO LLC and SILVER BELL MINING LLC

Minimum Scope and Limited of Insurance - The Contractor shall, for the mutual protection and benefit of both Owner and Contractor, procure, pay for and maintain in full force and effect, at all times during the performance of the Services and until final acceptance of the Services, policies of insurance issued by a financially responsible carrier or carriers with Best's ratings of not less than A: VII acceptable to Owner which afford the following coverages:

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| Workers' Compensation | - Statutory |
| Employers' Liability | - Not less than \$1,000,000 each accident |
| Commercial General Liability Policy (ISO occurrence or claims-made form) including bodily injury, property damage, completed operations and products coverages. (Completed operations shall be provided for a period of two (2) years from final acceptance of the Work by the Owner. If a general liability policy is written on a claims-made basis, the Owner's interest must continue to be covered for an additional two (2) year period after policy expiration.) | - Not less than \$2,000,000 per occurrence combined single limit for both bodily injury and property damage |
| Environmental Impairment Liability Policy (WHEN APPLICABLE) | - Not less than \$2,000,000 each accident |
| Business Automobile Liability coverage including Owned, Non-Owned, and Hired Car coverages. | - Not less than \$2,000,000 each accident |

Additional Insurance Provisions - The policies are to contain, or be endorsed to contain, the following provisions:

1. With respect to Commercial General Liability, Automobile Liability and Environmental Liability Coverages, these policies shall:
 - a. Name the Owner, its parents, subsidiaries, agents and affiliated companies, and its directors, officers, agents and employees as Additional Insureds;
 - b. Expressly include a Severability of interest clause; and
 - c. Be Primary insurance as respects the Owner, its parents, subsidiaries, agents and affiliated companies, and their directors, officers, agents and employees.
2. With respect to all coverages, every policy shall contain a Waiver of Subrogation endorsement in favor of the Owner, its parents, subsidiaries, agents and affiliated companies, and its directors, officers, agents and employees.
3. Any failure to comply with reporting provisions of these policies shall not affect coverage provided to the Owner.

Below is an acceptable example statement covering additional insurance provisions above:

With the exception of Workers Compensation, all policies are endorsed to include (a) ASARCO LLC and Silver Bell Mining LLC, its parents, subsidiaries, agents and affiliated companies, and its directors, officers, agents and employees as additional insureds (b) severability of interest and (c) waiver of subrogation. Insurance is primary and non contributory.

Verification of Coverage - Before any equipment or personnel is brought on to Owner's premises, Contractor agrees to deliver to Owner an original Certificate of Insurance evidencing the above coverages. All policy deductibles and/or self-insured retentions must be shown on the Certificate(s) and are subject to approval by the Owner. Certificates shall expressly provide that no less than thirty (30) days prior written notice shall be given Owner in the event of material alteration to or cancellation of the coverage evidenced by such policies. Upon renewal of each policy, Contractor shall provide to Owner a Certificate of Insurance evidencing all of the provisions specified in this Article. Contractor shall maintain the original of all policies and endorsements, and provide Owner with copies of the same upon request of Owner.

Subcontractors - Contractor shall include all subcontractors as insureds under its policies or shall furnish separate Certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.