

Product Profile

Contractors Pollution Liability Insurance

Customized Coverage for Contractors

Contractors of all disciplines and sizes can create or worsen a pollution condition when performing operations. Whether an environmental contractor causes a pollution release during an excavation or a utility contractor hits an underground pipeline, contractors can be held liable in the event of a pollution condition. Contractors Pollution Liability Insurance is specifically designed to address a wide range of these environmental insurance needs.

Coverage Highlights

- Provides limits as low as \$300,000
- Minimum Premium \$1,500
- Applies to pollution conditions caused by contractors' operations
- Underwritten on a blanket or project-specific basis
- Project policies available on a contractor-controlled or owner-controlled basis
- Offers the pollution legal liability coverage to contractors that most standard general liability programs specifically exclude
- Coverage can be expanded to include Microbial Matter (mold & fungus), Non Owned Disposal Site Coverage, Worldwide Coverage, and Terrorism Coverage
- Optional contractor's insured property endorsement is available for owned sites for uses such as equipment storage yards, contractor fueling facilities, as well as company headquarters and offices
- Transportation coverage is automatically included
- Natural resource damage is covered within the definition of property damage
- Includes coverage for the Insured's Emergency Response Costs incurred as a result of new pollution conditions that require immediate action, up to the amount of \$250,000

Value-Added Policyholder Advantages

These highly-sought programs are included with all policies:

- **Pollution Incident and Environmental Response (PIER):** Supporting a swift, sure response to environmental incidents, PIER provides our policyholders with access to pre-screened crisis management specialists who respond in a timely manner to environmental incidents at pre-negotiated rates, regardless of a claim. Call PIER: 1-877-PIER-NOW (743-7669)
- **Claims:** Our pollution claims operation, with 80+ claims specialists, is the largest in the industry. The depth and breadth of our operation means we can devote expertise to environmental claims of all types, such as mold, transportation spills or large toxic tort cases.
- **SCANSM (Specialty Claims Assistance Network):** The Specialty Claims Assistance Network (SCAN) provides policyholders with access to a specialist to swiftly address indoor air quality issues, helping insureds mitigate water and mold damage.
- **eDelivery:** Our online policy delivery system, makes issued policies and endorsements available via a secure Web site within 24 hours of issuance.

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Contractors Pollution Liability Insurance

Unique Coverage Details

- Available on either a claims-made or an occurrence basis, the Contractors Pollution Liability Insurance policy helps protect contractors against pollution conditions caused by covered operations including work performed by subcontractors. Covered losses include third-party claims for bodily injury, property damage, and environmental damage resulting from pollution conditions caused by the performance of covered operations. Third-party claims against the Insured alleging improper supervision of subcontractors for both on-site pollution conditions and those migrating from the job site are also covered. Coverage is also provided for those emergency response costs incurred by the Insured in response to pollution conditions requiring immediate action.

Claims Scenarios

- Three months after renovations were completed at an elementary school, a teacher became ill allegedly from odors entering her classroom. Further investigation by the school led them to file a claim against the general contractor alleging that the subcontractors created a dangerous environment by failing to prevent water intrusion, install proper equipment to prohibit high humidity levels, prevent high levels of carbon dioxide, provide proper air circulation and prohibit the growth of mold. The teacher was diagnosed with occupational asthma and sought to recover costs associated with bodily injury, lost wages, as well as pre- and post-judgment interest.

Result

The general contractor was insured through Chartis with a Contractors Pollution Occurrence (CPO) policy providing mold coverage via endorsement. Although the work in question was performed by subcontractors, the general contractor was liable for the work. Under the CPO policy, the contractor was covered for work performed by subcontractors. The initial claim was mediated from several hundreds of thousands of dollars down to just over \$100,000.

Soil Erosion Eats Away At Job Profits

- During the development and construction of a residential community, excessive soil erosion and site run-off from the work site contaminated a local creek. Several local groups filed suit against the general contractor and development owner alleging the defendants violated the Clean Water Act and state water statutes. In addition, it was alleged that the defendant's method to control soil erosion contaminated the site with phosphates and caused excessive algae to grow. The development owner then sued the general contractor for breach of contract.

Result

Site run-off is one of the leading causes of water contamination during construction. Fortunately for this general contractor, it was the policyholder of a Contractors Pollution Occurrence policy issued through Chartis. The run-off and subsequent contamination that was caused by the operations were covered under the policy. The claim was settled for less than \$100,000 and with a full release of liability for the general contractor.

New business submissions:

Email: geenvironmental@chartisinsurance.com

Fax: 1.866.741.2874

To learn more:

1.877.TO.SERVE

e-mail:

geinfo@chartisinsurance.com

or visit:

www.chartisinsurance.com/growthenterprises



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The claims scenarios summarized herein are offered only as examples. Coverage depends on the actual facts of each case and the terms, conditions and exclusions of each individual policy. Anyone interested in the above product(s) should request a copy of the policy itself for a description of the scope and limitations of coverage.

Platform/online system availability and response time are subject to maintenance and possible unscheduled outages. Any and all use of, and access to platforms/online systems may be subject to a signed eCommerce Password and Site Use Agreement.