

**CMCP/Oakland City Attorney's Office Program**  
**Land Use & Environmental Law - Shaping Our Community**  
**March 26, 2014**

**SAMPLE #1: Premises Pollution Liability Portfolio Insurance**  
**(From ACE USA)**

The Premises Pollution Liability Portfolio Policy offers pollution coverage for owners, operators and managers of commercial property, including habitational, commercial, hospitality, recreational, educational and real estate portfolios.

PPL Port combines coverage for traditional, new and pre-existing pollution exposures with built-in coverage options for non-owned disposal sites, contingent transportation, fungi, legionella and off-site operational pollution liability.

**Benefits:**

- Underwriting and due diligence of multiple locations in client's environmental management program vs. underwriting each location
- Solutions that help insureds manage the complexities of global insurance programs
- Robust global insurance network in more than 170 countries, personnel skilled in effective multinational program execution, including underwriting, claims, risk control, efficient premium sessions and servicing
- Potential coverage gaps eliminated with one policy and multiple-coverage approach
- Experienced and responsive underwriting specialists with demonstrated expertise in environmental coverage
- Dedicated claim and risk control services

**Coverage:**

- Coverage for premises, operations, completed operations,
- Bodily Injury/Property Damage from pollution conditions, pollution clean-up - all under one policy
- Off-site Operational Pollution Liability coverage on claims-made basis; ability to match existing retroactive coverage
- Natural resource damages
- Non-owned disposal, and contingent transportation
- Mold/Fungal and legionella coverage
- Unscheduled locations
- Automatic Acquisition and divestiture coverage
- Illicit Abandonment coverage
- Optional Catastrophe Management coverage
- Non-Auditable Policy
- Optional Business Interruption coverage offered by endorsement
- Minimum self-insured retention: \$25,000
- Minimum premium: \$10,000
- Limits available up to \$50M/\$50M inclusive of defense

**Policy Terms**

- One, two, three and five-year policy term options

## **SAMPLE #2 Pollution Liability Insurance (From Chubb Group of Insurance Companies)**

Pollution Liability insurance policy features flexible language, broad definitions and flexible limits. Issued by one of our admitted member insurance companies, our policy gives you the peace of mind that comes from knowing that we will be there when you need us. Spills. Leaks. Explosions. Pollution incidents are a significant risk that can result in serious harm not only to your operations, but to public health and safety as well as to the environment. Environmental pollution risks are complex and new hazards can emerge unexpectedly.

- A storage tank for a backup generator leaks and fuel oil contaminates a drainage ditch, an owner's property and an adjacent site
- A manufacturing company is sued by neighbors who allege sickness from fumes
- A Hazmat team is dispatched to an elementary school due to a small mercury spill

An industrial processing facility is sued by an environmental group claiming an illegal discharge into streams

### **Product Highlights**

Chubb's new Pollution Liability insurance policy features flexible language, broad definitions and flexible limits. Because the policy is issued by one of our admitted member insurance companies, you gain the confidence and peace of mind that comes from knowing that we will be there when you need us. The policy includes:

- **A separate limit for pollution claims.** With the Pollution Liability insurance policy, a pollution claim will not impair your general liability limit.
- **A broad trigger.** The policy responds to events that are gradual in nature as well as those that are sudden.
- **Offsite and onsite pollution liability coverages.** Includes separate coverage grants for bodily injury, property damage and clean-up costs that happen on an insured site or off an insured site.
- **Insurance for emergency expense.** The policy offers insurance for emergency expenses incurred when responding to an imminent and substantial threat to public health, safety or welfare or to the environment.
- **Supplemental Extended Reporting Provisions (SERP)** - An insured can purchase up to one year of additional time to report a claim made after the policy expires. The SERP is available even if the insured chooses to cancel the policy.
- **Comprehensive loss control services.** With Chubb, the customer has access to premiere loss control services. This includes expert evaluation and review of critical facilities and spill prevention plans.
- **Insurance for underground storage tanks**