

CHEMICAL INDUSTRY

CLAIMSolutions

Fertilizer Contamination

When a pollution release, spill or other incident occurs, you want to make sure you have the carrier with the most experienced environmental claims counsel and technical consultants handling your claim. XL's Environmental group has 25+ years of environmental expertise. Our environmental claims staff has experience responding to and remediating pollution incidents as well as expertise in managing environmental litigation and interacting with regulators.

The information contained herein is intended for informational purposes only. Insurance coverage in any particular case will depend upon the type of policy in effect, the terms, conditions and exclusions in any such policy, and the facts of each unique situation. No representation is made that any specific insurance coverage would apply in the circumstances outlined herein. Please refer to the individual policy forms for specific coverage details.

"XL Insurance" is the global brand used by XL Group plc's (NYSE: XL) insurance companies. Coverages underwritten by Greenwich Insurance Company, Indian Harbor Insurance Company, XL Insurance America, Inc., XL Specialty Insurance Company and XL Insurance Company Limited—Canadian Branch. Coverages not available in all jurisdictions

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THE CLAIM

Soil sampling activities at an XL insured's facility indicated low levels of fertilizer constituent contamination over a large percentage of the site. Sampling results were submitted to the state regulatory agency which required a corrective action plan (CAP) be submitted for approval, subsequent site excavation and remediation. A toxic tort lawsuit was also filed by local residents claiming bodily injury from the contamination.

THE RESPONSE

XL's environmental claims counsel and a technical consultant worked with the insured in monitoring the site investigation and clean-up activities performed by a third party environmental consultant. Groundwater monitoring wells were installed and soil and groundwater sampling for fertilizer and pesticide constituents was performed. Contaminated soil excavation and disposal and groundwater monitoring for natural attenuation of nitrate contamination was also completed.

Local defense counsel was also retained to defend the insured with respect to the toxic tort lawsuit.

THE SOLUTION

The insured's Pollution and Remediation Legal Liability Policy paid over \$750,000 for costs and expenses associated with the investigation, site remediation and resolution of the toxic tort lawsuit.

For more information on how XL can help you manage your exposures, please contact your environmental underwriter or Sales & Marketing at:

800-327-1414

www.xlinsurance.com/environmental

