



CLAIM SCENARIOS

PREMISES ENVIRONMENTAL (GOLF CLUBS)

\$175,000 Remediation Expense

Above ground storage tank containing fuel oil developed rust and a small leak. A retention pond near the tank had an oil sheen. The tank was found to be the source of the oil. Onsite remediation expense, legal expenses, and investigation expenses. General Liability carrier denied claim based on pollution exclusion were incurred.

\$350,000 Remediation and Liability

Battery storage area caught fire. The fire water dispersed battery acid and lead onto the ground. The state EPA ordered an investigation, removal of contaminated soils, and treatment of groundwater. Onsite remediation expense, and defense of claim for bodily injury from fumes of fire and legal expenses. General Liability carrier denied claim based on pollution exclusion.

\$1,400,000 Settlement

A golfer placed his cigar on the grass in the tee box. The greens had just been treated with a pesticide. The golfer suffered a reaction to the pesticides when he smoked a cigar and died. Wrongful death suit.

\$450,000 Remediation Expense and Liability

A storage house that contained equipment maintenance chemicals, fertilizers, and pesticides had a drain that lead to a dry well. A series of small spills over several years migrated into the drain and dry well. The chemicals seeped to the groundwater and migrated to a neighbor's property. The neighbor sued for remediation and diminution of property value. The state EPA ordered an investigation and clean-up of groundwater and the storage shed area. General Liability carrier denied claim due to the fact that other contaminants than herbicide and pesticides were involved and drove the state EPA's actions.

\$75,000 Defense and Investigation

Heavy rain occurred after the application of pesticide and herbicides to the golf course. The rain washed the pesticide into an onsite pond. Pesticide laden run off impacted protected species and wetlands. State EPA ordered investigation and restoration of wetlands, and assessed natural resource damages to endangered species and wetlands. General Liability carrier denied claim due to the fact third party property damage did not occur and onsite remediation is not covered under the herbicide and pesticide coverage under the General Liability.

\$150,000 Waste Disposal Liability

The course operator hired a licensed waste recycling and disposal firm to dispose of spent solvents and batteries from golf cart maintenance operations. The recycling firm went bankrupt and left behind waste chemicals and spent batteries at its facility. The state EPA ordered all of the waste generators to pay for the clean-up and removal of waste. The golf course owner was a generator and paid legal defense and a portion of waste removal and disposal. General Liability carrier denied claim based on pollution exclusion.

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