

STREET/ROAD AND HEAVY HIGHWAY



From a contractor's pollution perspective, street/road and heavy highway contractors face exposures which may not be covered by a general liability policy.

These contractors perform the following operations:

- Asphalt Paving
- Concrete Paving
- Highway Construction
- Site Preparation (excavation/grading of land)
- Road Maintenance and Repair
- Erosion Control
- Line Striping
- Guard Rail Installation
- Concrete Forms

Contracting exposures associated with this type of contractor:

1. Construction equipment can leak oil, fuel, hydraulic fluid as well as emit exhaust
2. Impacting bodies of water due to silt and sedimentation run off
3. Exacerbating unknown contamination during excavation and grading
4. Striking an underground utility such as a pipe line during grading
5. Tack coats and oil primers during grading can be washed off of the road due to rain events

Transportation liability:

1. Leaking of oil, fuel and, hydraulic fluid from construction equipment during hauling
2. Upset overturn of a dump truck hauling contaminated soils
3. Upset overturn of portable fuel trailers

Non-owned location (disposal) liability:

1. Used oil and hydraulic fluid sent to an improperly licensed facility
2. Contaminated soil sent to an improperly licensed facility

Your insured location liability:

- Storage tank used to store oil at the contractors location leaks/ruptures

Claim scenarios:

- **Property Damage Costs and Natural Resource Damages: \$150,000**
A street and road contractor was building a new road along a river when heavy rain washed soil into the river, killing fish and plants and clogging a downstream municipal water intake. The state determined that the contractor used inadequate soil erosion control,s and he was held responsible for \$150,000 for municipal water equipment replacement costs as well as restoring the fish and wetlands.
- **Diesel Fuel Spill: \$100,000**
In preparation of paving operations, one of the street and road graders accidentally backed into a portable refueling tank trailer, causing a rupture of the tank and spilling diesel fuel onto the land.
- **Striking an Underground Utility: \$500,000**
A heavy highway contractor was performing excavation in preparation for a bridge abutment. During the course of the excavation, a trackhoe strikes an underground petroleum pipe line causing a spill.

PHLY E&S Solutions offers Contractors Environmental Coverage (CEC) for Street/Road contractors and Heavy Highway contractors. The form provides protection from contamination caused by contracting operations performed by or on behalf of the insured. Additional coverages built into the form: transportation, non-owned location (disposal), your insured location (premises), and full limits for emergency expense.



A Member of the Tokio Marine Group



855.585.6322 | [PHLY.com/ES](https://www.phly.com/ES)



All products are underwritten by Tokio Marine Specialty Insurance Company. Certain risks may not be suitable for excess and surplus lines and/or are required to be written on an admitted basis. Surplus lines companies do not participate in state guaranty funds in any jurisdiction, except New Jersey, and thus, surplus lines insureds are not protected by those funds. © 2019 PHLY E&S Insurance Solutions, Inc., All Rights Reserved.