

Wrong place, wrong time!

Be ready when life happens. These industry-trend situations illustrate the variety of environmental exposures that could affect your customers!

Increased frequency of citizen suits and agency enforcement using Environmental Justice concerns to focus on specific communities and responsible parties. Consider this...



A state filed suit against a manufacturing facility which is located nearby a community which is considered one of the most disadvantaged areas in the state. Neighborhoods and surrounding schools have reported noxious fumes and dangerous scrap metals piling in the area. The state's suit alleged that the disadvantaged community shouldered the primary burden of the environmental hazards created by the manufacturing facility.

Redevelopment professionals may encounter environmental risk that are often unknown and may results in costly fines. With the infrastructure bill passing in 2021, and project funding expected to increase in 2023, we are likely to see an increase in construction related claims. Consider this...



A contractor was demolishing a small overpass as part of a roadway expansion project when he encountered asbestos-containing materials (ACM). Proper controls and air monitoring were put in place, but a neighbor later complained that ACM dust had entered the HVAC system of their home. Testing of the HVAC system revealed small amounts of ACM dust. To remove it, filters at the neighboring property had to be replaced and the ducts required cleaning at a significant cost. A claim was made for the clean-up expenses and considerable legal fees were incurred.

Insureds are experiencing increased PFAS claim activity associated with site investigation, discovery and third-party litigation. Discovery is likely to increase as more states and federal government promulgate regulations and new monitoring requirements are developed. Consider this...



An insured located in an industrial region with many other companies – has been sued by a municipality that claims its drinking water supply was contaminated with PFAS as a result of the insured's operations.

To address the PFAS damage, the municipality demanded material compensation be paid for clean-up costs as well as installation fees to upgrade its water treatment system. Although the insured asserted that it did not use or involve any PFAS chemicals in its processes, unfortunately, extensive legal expenses to defend against litigation were incurred.

Right place. Right time.

Industry Trends 2023

Claims Scenarios



Environmental Main Office
397 Eagleview Blvd., Ste 100
Exton, PA 19341

888-828-4320
GAIG.com/Environmental



Great American
Insurance Company

110+ years
with an **A** or better
rating by
AM Best



Mold litigation continues to be an issue throughout the country, resulting in costly verdicts against contractors, property owners and insurers. Consider this...



A few years after construction of the upscale apartment community, tenants complained about discovering mold in the bathrooms. Several tenants moved and filed claims for alleged bodily injury and property damage. An extensive investigation revealed that construction defects associated with shower installation caused severe water intrusion and moisture build-up. Damages to the property owner included loss of rent, clean-up cost and settlements with injured tenants.

The above claim scenarios are provided to illustrate the variety of potential environmental exposures faced by your clients. The facts of any situation which may actually arise and the terms, conditions, exclusions and limitations in any policy in effect at that time are unique. Thus no representation is made that any specific insurance coverage applies to the above claim scenarios.

Coverage description is summarized. Refer to the actual policy for a full description of applicable terms, conditions, limits and exclusions. Policies are underwritten by Great American Insurance Company, an authorized insurer in all 50 states and the DC and Great American E&S Insurance Company, an OH domiciled surplus lines insurer eligible to underwrite surplus lines insurance in all 50 states and the DC. This is not intended as a solicitation or offer to sell an insurance product in a jurisdiction in which the solicitation, offer, sale or purchase thereof would be unlawful.
© 2023 Great American Insurance Company, 301 E. Fourth St., Cincinnati, OH 45202. All rights reserved. 4190-ENV (01/23)