

DAY OF LEARNING

2026



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WELCOME 2026 DAY OF LEARNING ATTENDEES!



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Heather Boyd

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Heather Boyd currently serves as a divisional vice president and national underwriting director with Great American's Environmental Division. In her role, Heather works to provide best-in-class environmental insurance products and services to current and prospective clients. She manages the entirety of the underwriting team, including implementation of business development strategy and sound underwriting techniques. With 30+ years of environmental and insurance experience, Heather has taken on a valuable leadership role within the division. Prior to joining Great American, Heather began underwriting environmental exposures with a global insurance company, drawing from her extensive prior experiences which include environmental compliance and environmental impact assessments. Heather obtained her Bachelor of Science in environmental affairs with an English minor from the University of New Hampshire. She is based out of the Boston office.



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The Environmental Market in Motion: 2026 Trends Shaping Risk, Coverage & Claims

Presented by Heather Boyd



... HOW DID IT START?

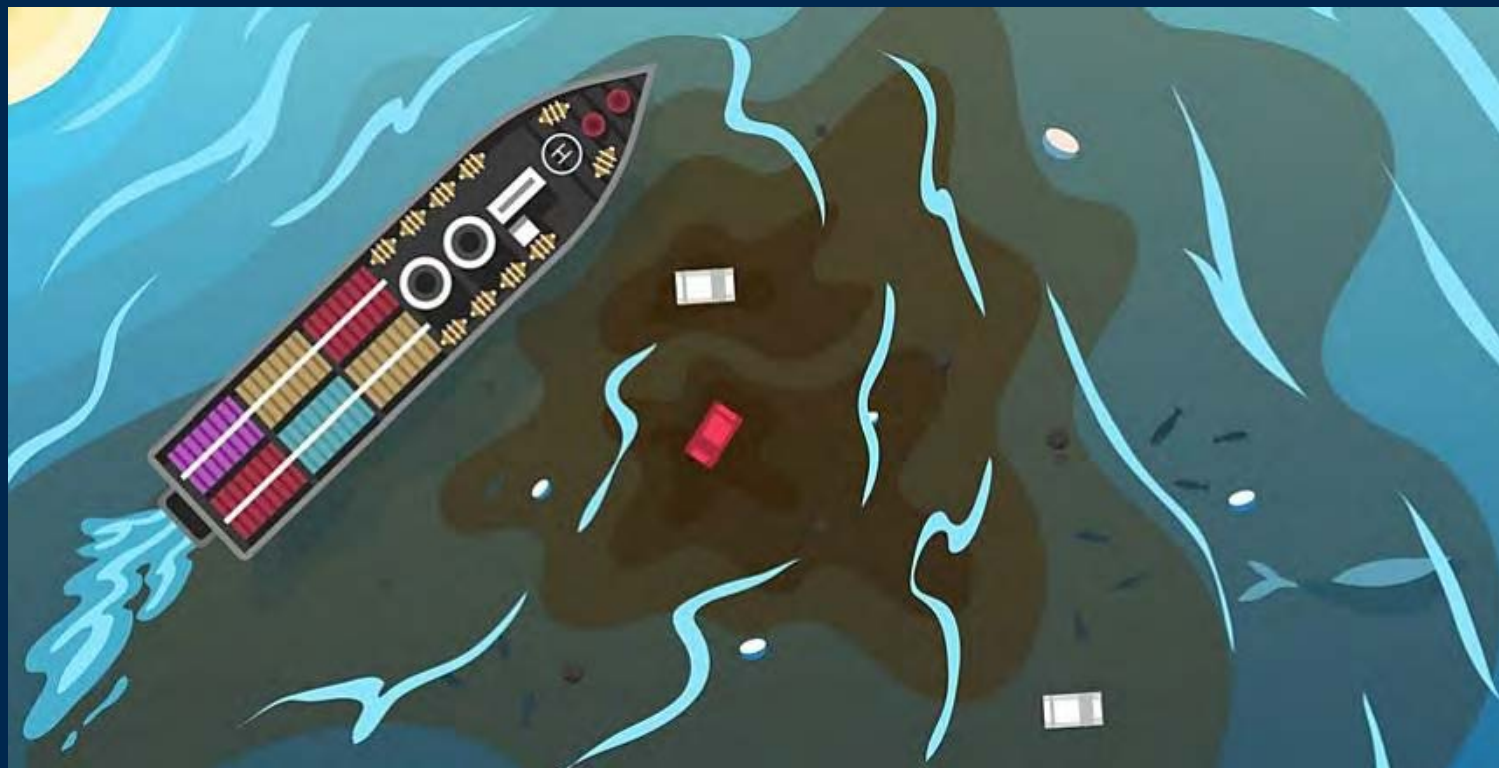
1970s

Pollution Exclusion Coverage Gap

“The evident purpose of this exclusion was to protect the insurer against claims arising from pollution resulting from a gradual and/or continuous exposure to contaminants.”

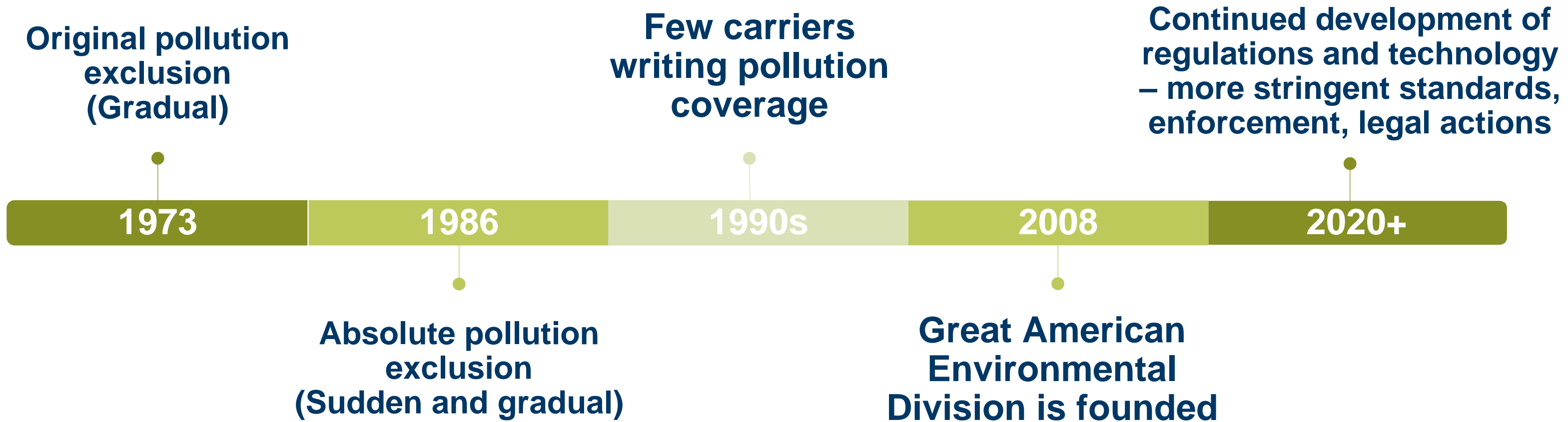


Heightened awareness of environmental pollution in response to the Torrey Canyon disaster, Santa Barbara off-shore oil spill, and other major pollution incidents! As a result, the insurance industry introduced a **pollution exclusion endorsement to the standard CGL policy**, which excluded coverage for bodily injury and property damage.



ENVIRONMENTAL INSURANCE: A BRIEF HISTORY

37 Years of Evolution within Environmental Insurance



General Liability and Property Policies:

~~Pollution Losses~~

Environmental Policies:

- ✓ Comprehensive
- ✓ Fill the coverage gaps

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WHO NEEDS IT?



COMMERICAL FACILITIES



REAL ESTATE PROPERTIES



HEALTHCARE FACILITIES



INDUSTRIAL FACILITIES



MUNICIPALITIES & UTILITIES



ENVIRONMENTAL FACILITIES



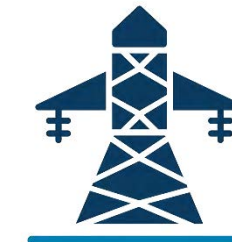
CHEMICAL & PETROLEUM FACILITIES



ALTERNATIVE ENERGY CONTRACTORS



HVAC CONTRACTORS



UTLITY CONTRACTORS



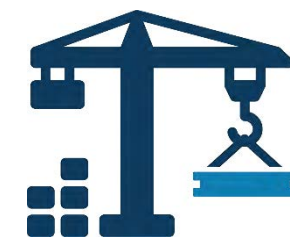
PLUMBING CONTRACTORS



EXCAVATION CONTRACTOR



PAINTING CONTRACTORS



DEMOLITION CONTRACTORS



GENERAL CONTRACTORS & CONSTRUCTION MANAGERS



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ENVIRONMENTAL INSURANCE MARKETPLACE TRENDS

Consistent Market Trends from a Carrier Perspective



- ✓ New market entrants
- ✓ Soft market (competitive pricing)
- ✓ Coverage considerations
- ✓ Combined GL



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TOP TRENDS OF 2026 (SO FAR)



Regulatory Pressure

Social Inflation

Data Centers

Renewable Energy

Contracting Coverage

Legionella



Questions?

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Underwriting Sites: Emerging Exposures

Presented by Austin Connell





Austin Connell

Production Underwriting Specialist

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Austin Connell currently serves as a production underwriting specialist with Great American's Environmental Division. In his role, Austin is responsible for evaluating environmental risk to determine comprehensive coverage options for his clients, while managing broker relationships and fostering new business opportunities. Prior to joining Great American, he worked at Ramboll where he served as a senior environmental consultant. With his extensive technical and underwriting experience, Austin quickly established himself as a specialist in the environmental industry. He was invited by the Society for Environmental Insurance Professionals (SEIP) to speak at its annual conference, a premier gathering of leaders and innovators in the field. In 2025, Austin was honored with Insurance Business America's Rising Star award, recognizing early-career insurance professionals who demonstrate exceptional leadership and innovation in the industry.

Austin earned his Bachelor of Science in Environmental Engineering with a minor in environmental economics and policy from University of Connecticut. He is based out of our Boston office.



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2026 ENVIRONMENTAL UNDERWRITING TRENDS

- 1 Data Centers
- 2 BESS Units
- 3 Microplastics



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DATA CENTERS

Development/Construction Considerations



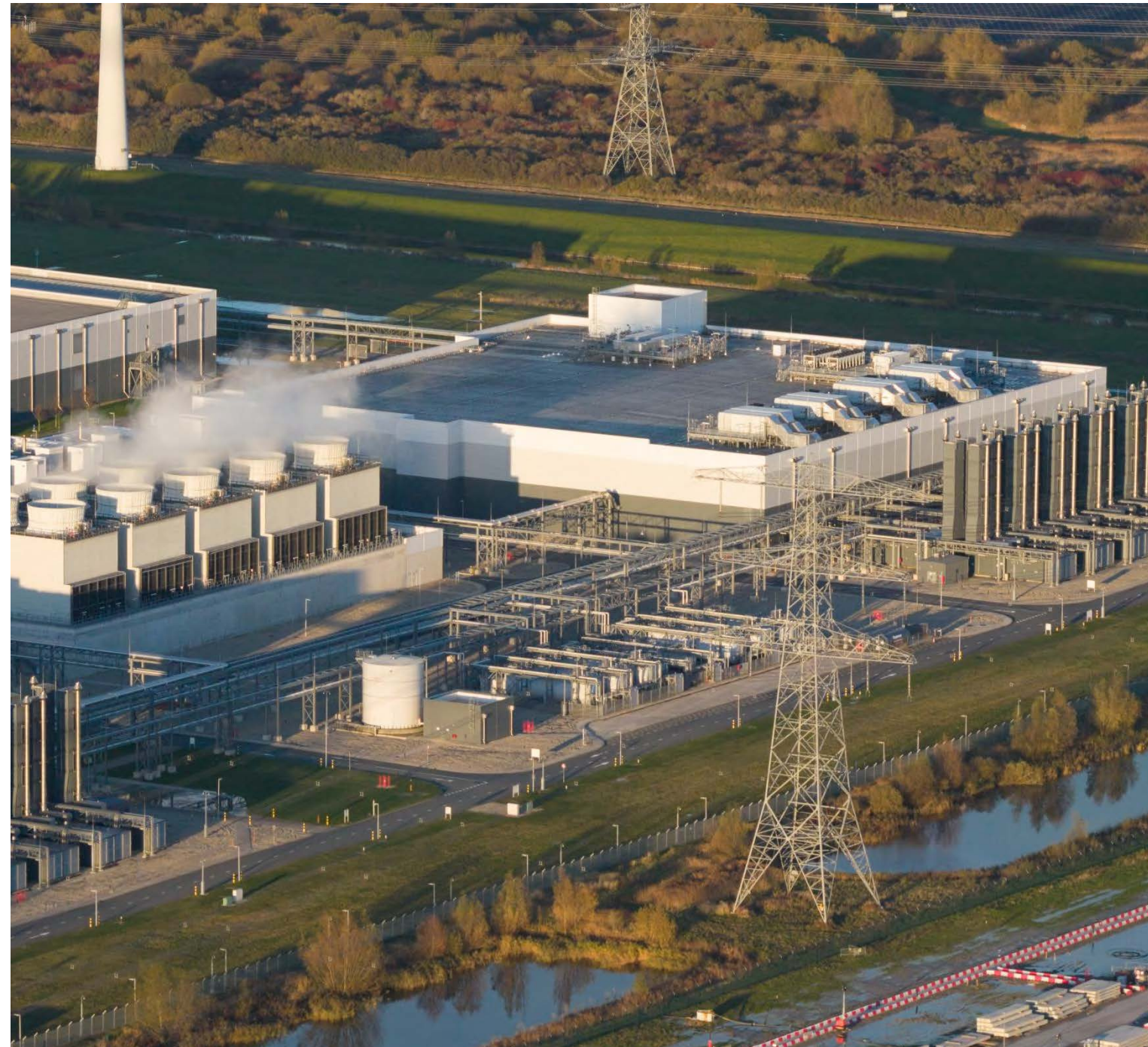
- **Potential Risks**
 - ✓ Significantly larger construction values
 - ✓ Sediment runoff
 - ✓ Groundwater contamination
 - ✓ ASTs onsite (fueling for contractors' equipment)
 - ✓ Public opinion/opposition



DATA CENTERS

Site Considerations

- Potential Risks
 - ✓ Water consumption
 - ✓ Light/noise pollution
 - ✓ Business Interruption
 - ✓ Third party claims
 - ✓ Backup battery supply (BESS units)
 - ✓ Bulk Diesel storage
 - ✓ Air emissions
 - ✓ Fire & soot



BESS UNITS



Environmental Concerns

- Fire
- Smoke
- Debris
- Fluid run-off

Pollutants

- Hydrocarbons
- PFAS
- VOCs
- PAHs
- Other fire residuals

Coverages

- Clean-up costs
- Third-party bodily injury
- Third-party property damage
- Business Interruption
- NODS and Transportation
- Emergency Response Program



BESS UNIT UNDERWRITING CONSIDERATIONS

Potential risks, contaminants and mitigation measures are similar to conventional fossil fuel fire risks

Carriers should make underwriting decisions based on fire-fighting procedures:



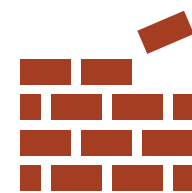
Fire detection and suppression systems



Environment surrounding batteries (concrete pads, gravel, etc.)



Staff training



Construction of site

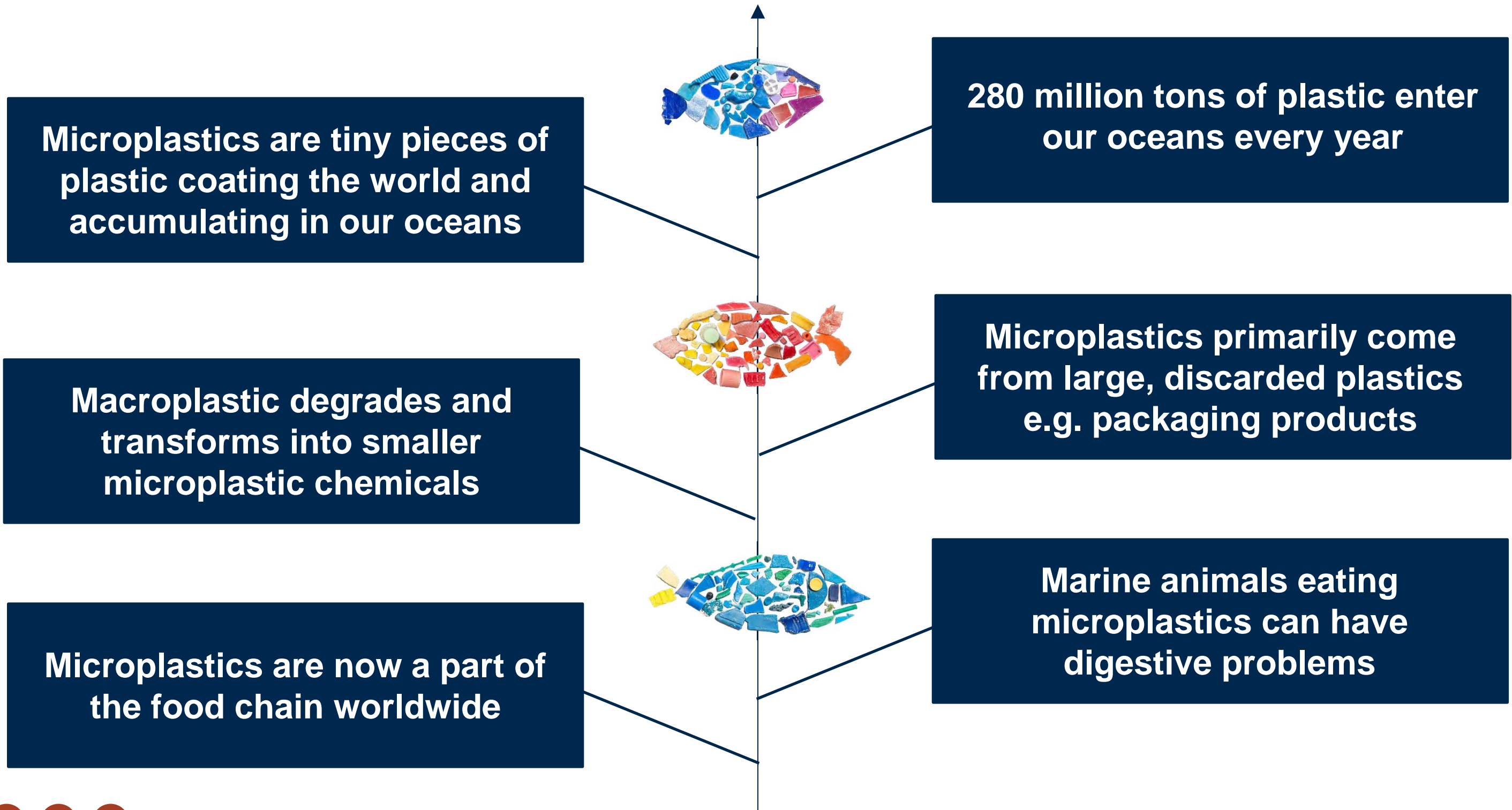


Maintenance plans



MICROPLASTICS

Tiny pieces of plastic, defined as less than five millimeters



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ENVIROMENTAL IMPACT OF MICROPLASTICS



Water sources are the most highly impacted by microplastics (oceans, lakes, rivers, etc.)



At such a small size, the particle properties begin to change, and can be **inhaled, consumed** or **sometimes absorbed** directly through the skin



Top 10 sources of ocean pollution are some of the **largest rivers in the world** with 1.5 metric tons coming from the **Yangtze River** alone.



MICROPLASTIC EXPOSURES

Underwriting Considerations

Class of Business

Does this impact your specific industry?



Geographical Setting

Consider nearby water sources – are there any potential exposures?



Length of Policy Term

What are the time-limits for specific environmental contaminants?



Proper Coverage Structure

Including full exclusion, engineering controls, government triggers, retention size, etc.



MICROPLASTIC EXPOSURES

Underwriting Considerations



Plastic Use or Production

At this point, plastic use can only reduce. How does the insurance industry learn to navigate such a new and widely used resource?

Availability of Microplastic Data

We're learning something new about microplastics nearly everyday. How do we keep up with new data?



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Questions?

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Engineering For Resilience: Managing Site Risk

Presented by Sarah Pong





Sarah Pong

Senior Loss Prevention Consultant

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Sarah Pong is a senior loss prevention consultant with Great American's Environmental Division. In her role, Sarah uses her extensive remediation knowledge to conduct environmental risk evaluations that identify potential exposures to eliminate or reduce loss, provide underwriters with accurate insured history, and administer accident investigation and loss analysis to identify causes. Prior to Great American, Sarah worked in the New York City Mayor's Office of Environmental Remediation as a project manager. In her role, she managed brownfield redevelopment sites by evaluating Phase I and Phase II Environmental Site Assessment reports and appraised proposals of potential vendors and assisted with city affordable housing projects. Later she was promoted to assistant director where she supervised staff on redevelopment project and lead engineers to research and work with industry experts.

Sarah earned her Bachelor of Science in Engineering Science from Smith College. She is EIT and OSHA 40-Hour HAZWOPER certified. She is based in our New York, New York office.

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2026 SITE TRENDS: RISK ENGINEERING

- 1 Legionella
- 2 Lead



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Legionella



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LEGIONELLA

- Legionella is a bacterium with over 50 species
- Legionella pneumophilia accounts for majority of diseases
- Two most common diseases include:
 - Pontiac Fever – mild illness
 - Legionnaires' Disease – type of serious pneumonia, death rate 5-10%



LEGIONNAIRE'S DISEASE



First discovered in 1976 at a convention in Philadelphia



Aspiration of water contaminated with Legionella



Inhalation of aerosols dispensed from contaminated water



Exposure to Legionella does not necessarily mean you contract a disease



Certain factors can increase the chance of Legionnaire's Disease:

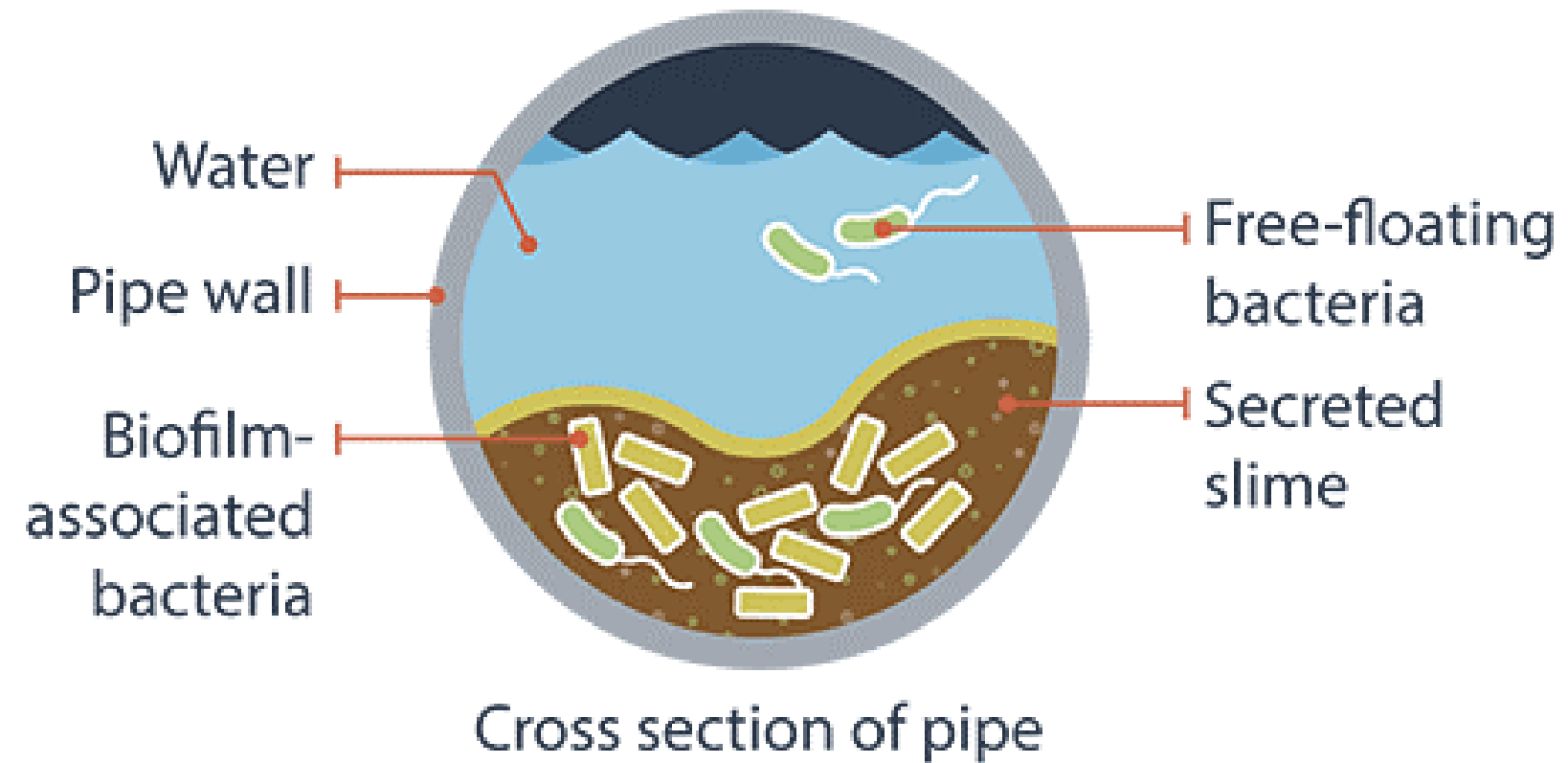
- 1 The **LEVEL** of contamination in the water source must be sufficient to transmit disease
- 2 A **HIGH-RISK** individual (smokers, elderly, preexisting health issues or conditions)
- 3 **LOCATIONS** with higher risk individuals or large complexes with centralized systems
- 4 Buildings with **COOLING TOWERS, HOT TUBS OR SPAS, DECORATIVE FOUNTAINS**, etc.



WHERE IS LEGIONELLA FOUND?

- Legionella is naturally occurring in freshwater environments but doesn't lead to disease
- Found in building water systems
- Poses health risk when it gets into systems and grows
- Factors that promote growth:
 - ✓ Biofilm
 - ✓ Warm temperature (77-113 F)
 - ✓ Slow or stagnant water
 - ✓ Insufficient disinfectant

Legionella can live and grow in biofilm



WHO REGULATES LEGIONELLA?



- Different federal agencies **involved**
 - ✓ **ASHRAE** standard for water management followed by healthcare facilities
 - ✓ **CDC** prevention and responds to outbreaks
 - ✓ **EPA** guidance on water safety (non-enforceable in drinking water)
- **No federal regulation** or standard
- European countries have more cohesive national regulation



NEW YORK STATE AND NEW YORK CITY

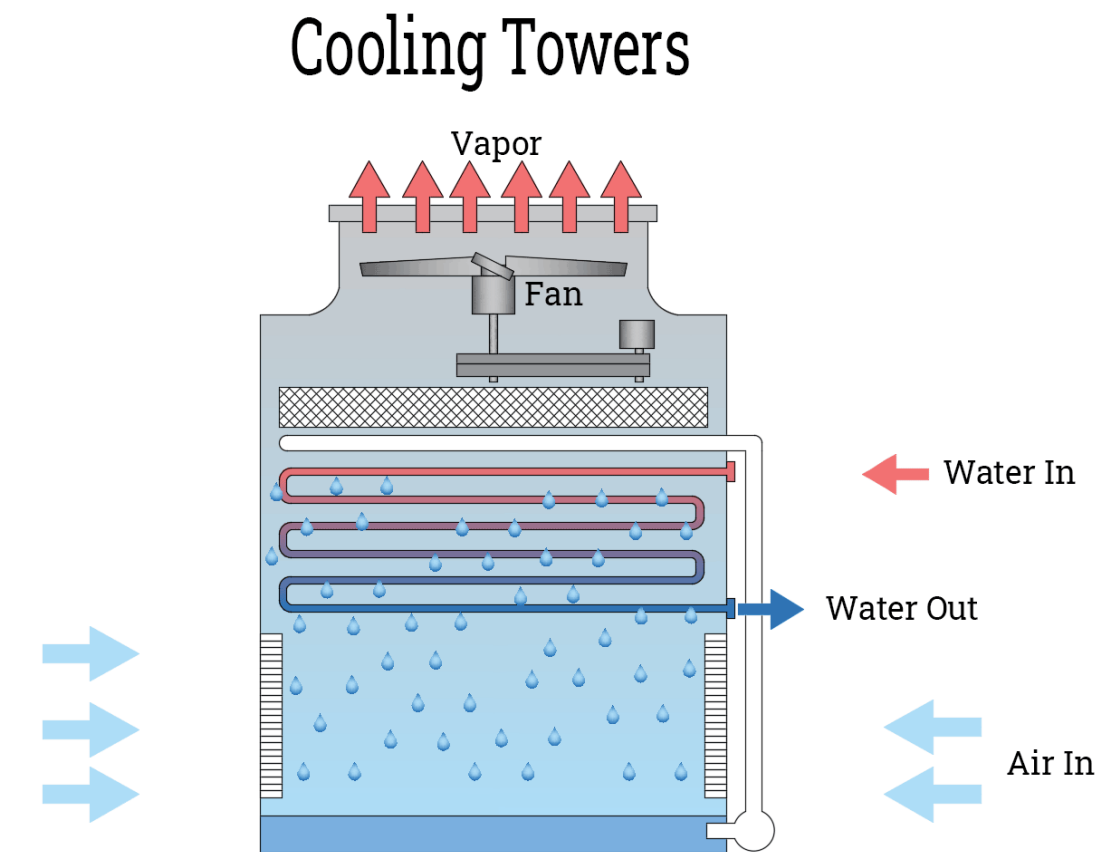
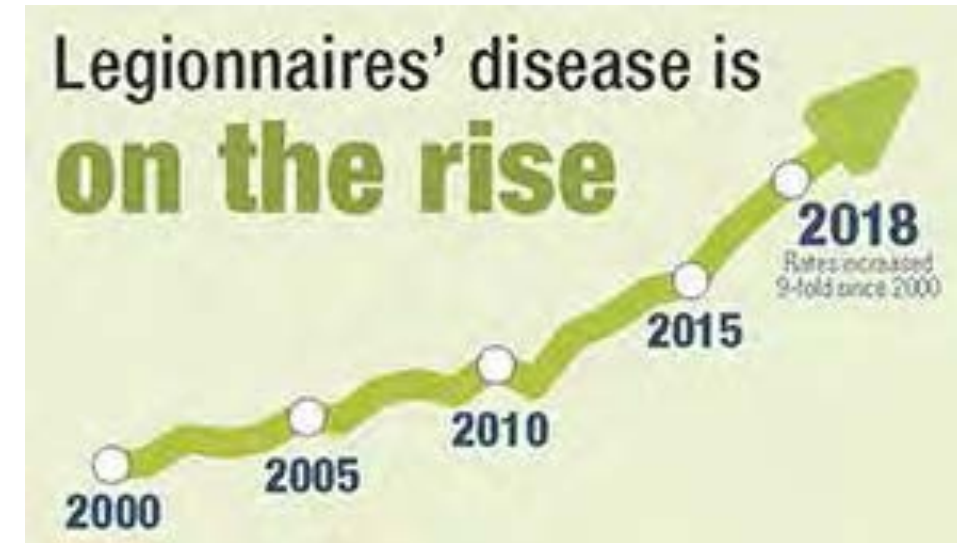
- Most developed local requirement comes from New York
- New York State (NYCRR Subpart 4-1 Cooling Towers)
 - Requires cooling towers to be registered with NYS DOH, test and report results, clean and disinfect system
- New York City (Local Law 77)
 - Enacted in 2015 after outbreak
 - Requires cooling towers to be registered with NYC DOHMH, develop Maintenance Program and Plan, disinfect, test for Legionella (90 days -> 30 days), submit certification, etc.



TRENDS – WHY NEW YORK?

Cooling Towers

- ✓ Heat exchanger used to remove excess heat
- ✓ Commonly found in NYC as it is most efficient means of providing air conditioning
 - Highest concentrations in Manhattan (high rises) then Brooklyn, Queens and Bronx
- ✓ Conditions conducive to Legionella
 - Recirculated warm water (77-113F), complex aging infrastructure, population, seasons
- ✓ Laboratories and clinicians must report to Health Department
- ✓ Cooling towers responsible for over 20% of outbreaks



IQSdirectory.com



NOT JUST NEW YORK

- Legionella not only found in cooling towers or humid areas
- Highest reported cases in Northeast and Midwest, summer and fall months


Nevada


- Large density of travel accommodations

Florida

- Vulnerable population

Most Recent Outbreaks

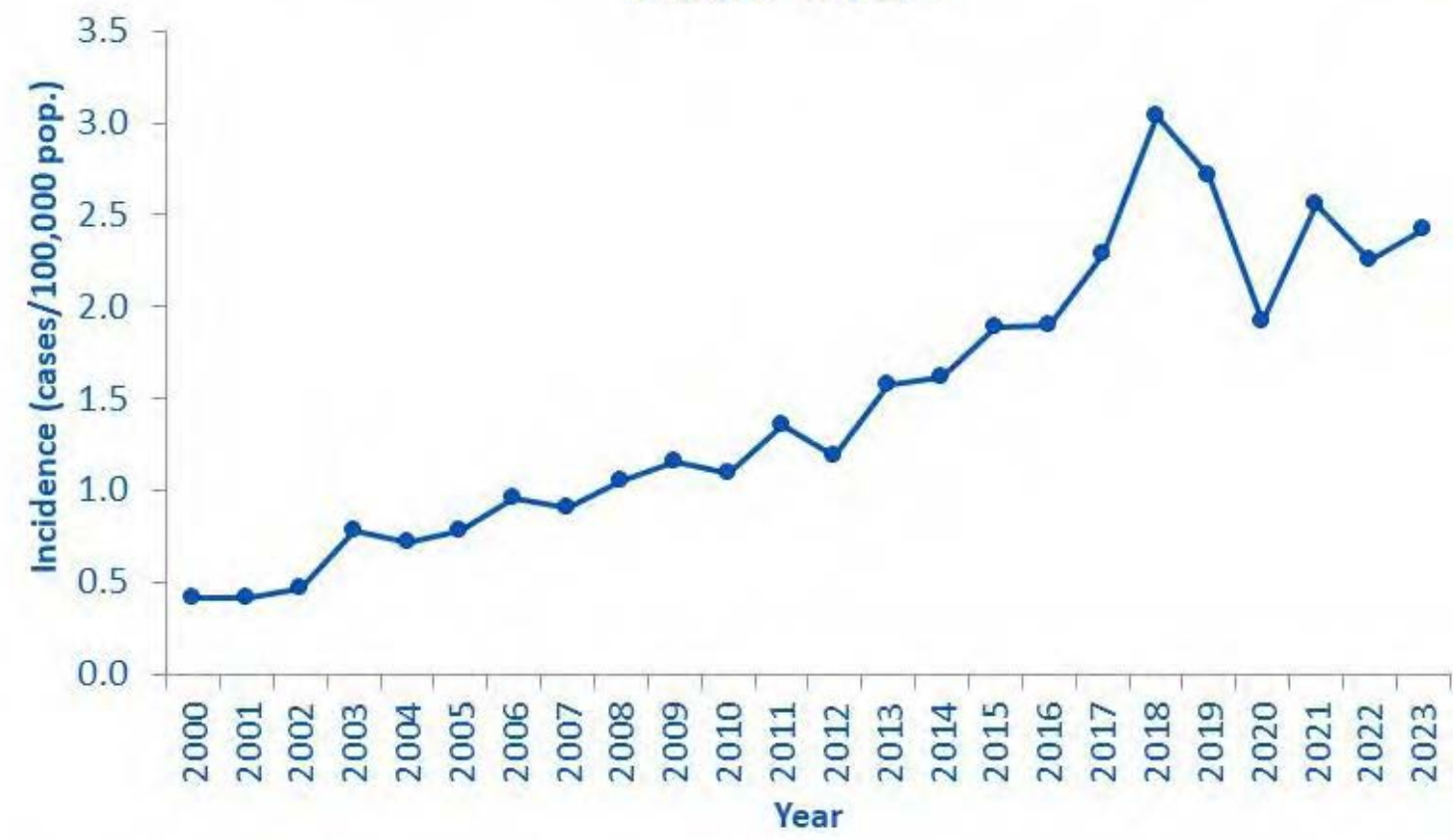
 Harlem, NYC – hospital cooling tower, 114 cases, 7 deaths (2025)

 Marshall, IA – community cooling tower, 74 cases, 2 deaths (2025)

 Fletcher, NC – state fair hot tub display, 141 cases, 4 deaths (2019)



Legionnaires' Disease in the United States 2000-2023*



*National Notifiable Diseases Surveillance System

LEGIONELLA IN TEXAS

- 2025-2026 outbreak reported in Ector County
 - 12 cases of Legionnaires' disease resulting in two deaths
 - No specific location or common source identified
 - Still investigating potential sources
- 2023 outbreak reported in Fulshear
 - Occurred in a 55+ community with four cases and one death
 - Linked to clubhouse pool and hot tub
 - Wrongful death lawsuit
- 2019 outbreak in Tyler
 - State fair resulted in seven cases
 - One death linked to a hot tub display
- Legionella is a reportable condition in Texas
 - Doctors and labs must report cases to State Health Department
 - From 2010 to 2019, cases reported increased from 111 to 421 cases



LEGIONELLA IN THE NEWS



**Legionnaires' Disease Surveillance
Summary Report, United States**

2018–2019

Expert Analysis
**Is There A Legal Standard Of Care For
Legionnaires' Disease?**

By Thomas Bernier (October 23, 2019, 5:15 PM EDT) -- Since it was first identified and named following the 1976 outbreak in Philadelphia, Legionnaires' disease has quietly grown into a major health threat in the United States....

Legionellosis - Argentina

**57 'probable' Legionnaires' cases tied to
Sheraton Atlanta; 11 confirmed**

of severe pneumonia, including four deaths, have been reported in San Miguel de Tucuman, Argentina. *Legionella* spp. was isolated in the samples from four cases that varies in severity from mild febrile illness to a serious and fatal form of pneumonia. Cases were initially reported as being pneumonia of unknown cause. *Legionella* was identified as the causative organism on 3 September.

**Two Nursing Home Residents Die
After a Legionnaires' Outbreak**

The New York State Department of Health announced today that two residents of a nursing home in Westchester County died of Legionnaires' disease. The cases of infection related to the outbreak were first reported in late August.

**Economic burden of just 1 year of
Legionnaires' disease cases to
\$835 million**

**Lawsuit: Negligence Caused Legionnaires'
Outbreak at Hotel**

By Kate Brumback | August 13, 2019

HEALTH >
**Legionnaires' disease outbreak traced to two
more Napa County sites**

PREVENTION

- Building owners/managers should maintain systems
- Reduce risk of growth and spread by following Water Management Plan to help control Legionella
 - ✓ Clean, flush, disinfect system prior to operation or restart of system
 - ✓ Keep systems at colder or hotter temperatures
 - ✓ Chlorine alone is not effective
 - ✓ Monitoring and routine sampling
- CDC investigations showed **9 in 10** outbreaks are preventable

Water Management Program

(Legionella prevention)



Lead



LEAD



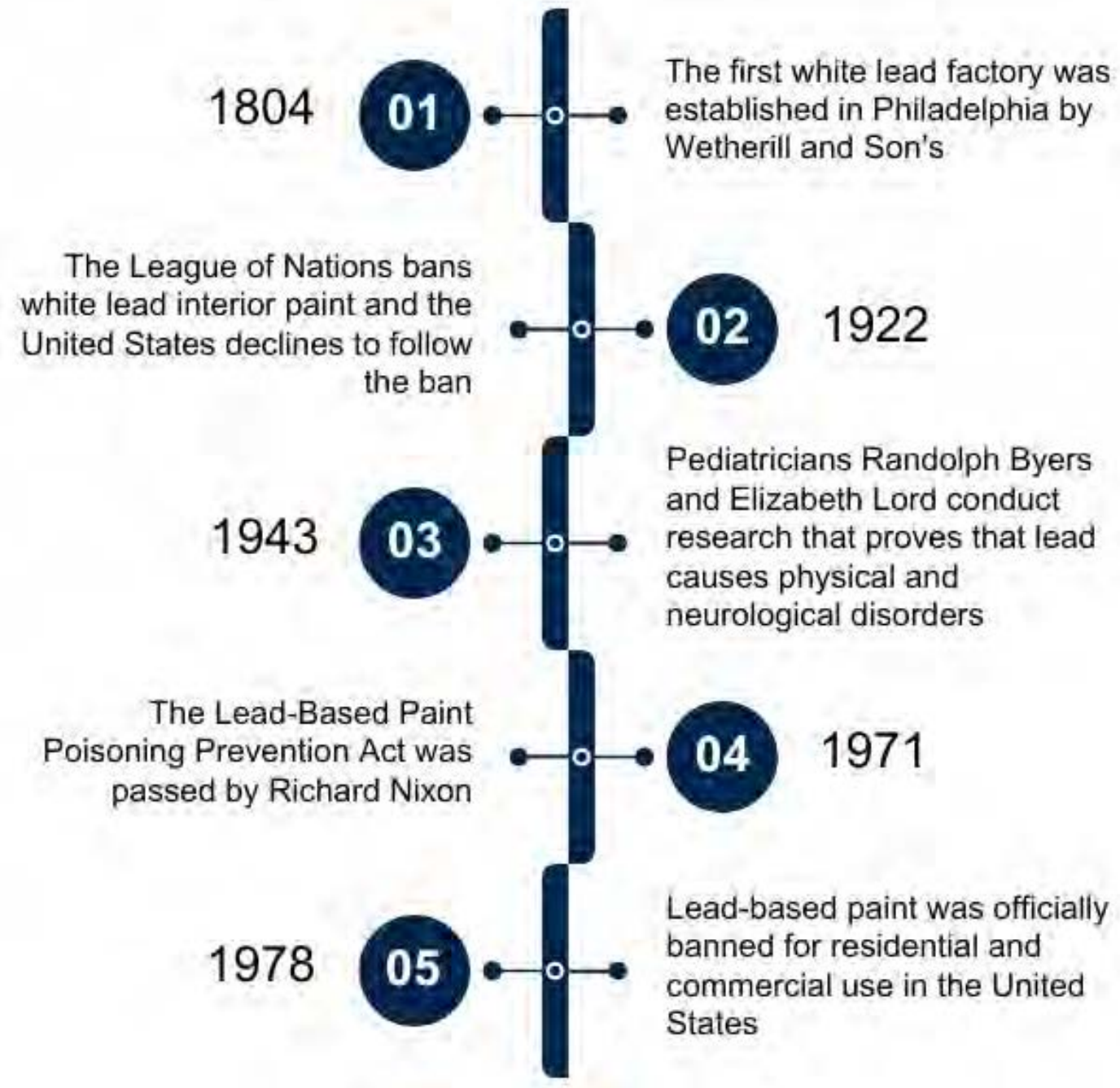
- Lead is naturally occurring metal
- Not an issue at low levels until processed and exposed to environment
- Due to its properties, commonly used in products:
 - ✓ Paint
 - ✓ Gasoline
 - ✓ Batteries
 - ✓ Ammunition
 - ✓ Pesticides



LEAD IN RESIDENTIAL SETTINGS

- Can be found across wide variety of properties
- Focus on residential settings
 - Used in paint since 1800s
 - Durable, affordable, color
- Health concern, banned in residential lead-based paint in US 1978

Lead Regulation Milestones



LEAD: UNDERSTANDING THE RISK



- Still found in millions of homes today
- Old paint can chip, peel, be disturbed
 - Creates lead dust, the main exposure for humans
 - Exterior paint can contaminate soils
- Surrounding uses can also impact soil
 - Leaded gasoline
 - Industrial emission deposits



REGULATIONS

- Several federal agencies involved
- 1992 Residential Lead Based Paint Hazard Reduction Act
 - Disclosure requirements and reduction in housing
- 2001 federal hazard standards for dust and residential soil (pre-1978 homes and childcare facilities)
 - Floor dust: 40 $\mu\text{g}/\text{ft}^2$
 - Interior window sills: 250 $\mu\text{g}/\text{ft}^2$
 - Soil (play area): 400 ppm
 - Soil (all other): 1200 ppm



DUST STANDARDS UPDATED



- Rules updated in 2019, 2021, and 2024
- Final Rule in 2025 “Reconsideration of the Dust-Lead Hazard Standards and Dust-Lead Post-Abatement Clearance Levels”
 - Replaced dust-lead hazard standards (DLHS) and dust-lead clearance levels (DLCL) with dust-lead reportable levels (DLRL) and dust-lead action levels (DLAL)

2001 LBP Hazards Rule			2019 Rule	2021 Rule	2024 Reconsideration Rule	
µg/ft ²	DLHS	DLCL	DLHS	DLCL	DLRL	DLAL
Floors	40	40	10	10	Any reportable level by an EPA-recognized laboratory	5
Sills	250	250	100	100		40
Troughs	no standard	400	no standard	400		no standard



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NEW SOIL GUIDELINES



- 2024 EPA lowered residential soil screening levels for lead after 30 years
 - 400 ppm to 200 ppm
 - Using 100 ppm if multiple sources of exposure
- Screening level, not cleanup standards though states adopted
- Not the same as the regulatory hazard levels from 2001 for pre-1978 homes

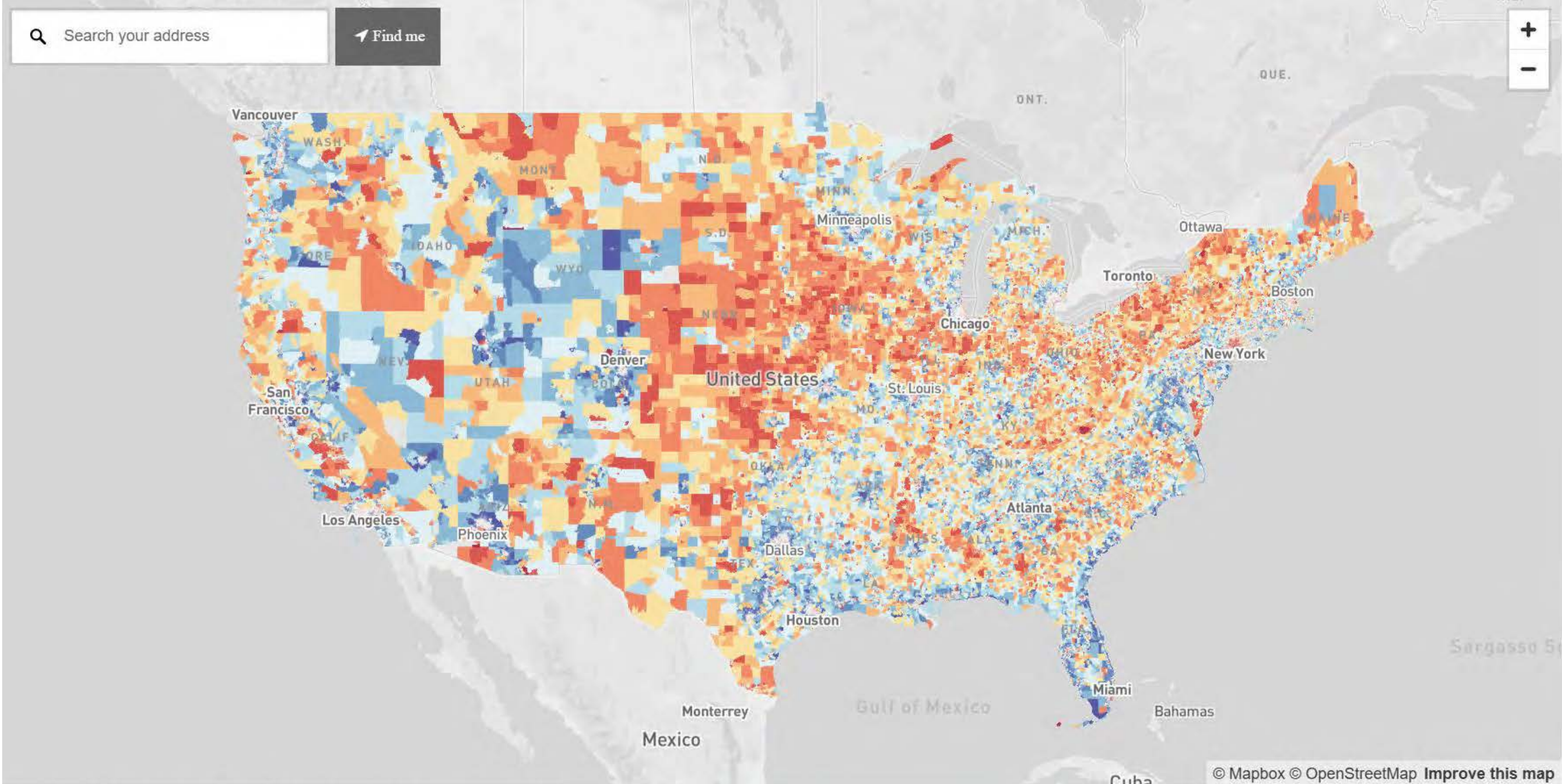


LEAD RISK MANAGEMENT CONSIDERATIONS

- **Assess the property:**
 - ✓ Age of building — pre-1978 properties are primary targets
 - ✓ History of renovations, repairs, and maintenance activities
 - ✓ Condition of painted surfaces — peeling, chipping, or deteriorated paint increases hazard
 - ✓ Occupant population — children under six present the highest liability exposure
- **Verify contractor compliance:**
 - ✓ EPA-certified renovation firms and trained renovators
 - ✓ Proper lead-safe work practices and documentation
- **Insurance considerations:**
 - ✓ Professional liability coverage for lead evaluation work (inspections, risk assessments)
 - ✓ Pollution liability coverage for bodily injury or property damage during renovation and abatement
 - ✓ State-specific regulations may impose stricter requirements — check local codes



LEAD RISK



Source: Rad Cunningham, Washington State Department of Health



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Questions?

Sarah Pong

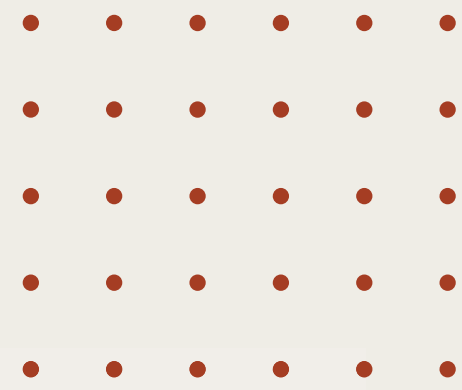
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Break



Litigation Trends & Terms Making the Headlines

Presented by Trish Shippee





Trish Shippee

Divisional Vice President, Claims

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Trish Shippee is a divisional vice president of claims with Great American's Environmental Division. In her role, Trish provides technical expertise and specialized claim service to sophisticated environmental clients within the insurance industry. During her time at Great American, Trish has handled high exposure pollution, professional and contracting liability claims. Trish is often called upon to provide training to her claim colleagues, as well as the underwriting department of the division. Prior to joining Great American, Trish spent seven years as managing claims counsel in the environmental division of another large insurance company. She also has experience working in private practice.

She received her Bachelor of Science in Chemical Engineering from the University of Connecticut and her Juris Doctorate from Villanova University School of Law in Villanova, Pennsylvania. She is based out of our Exton, Pa., office.



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2026 LITIGATION TRENDS

- 1 Class Action vs. Mass Action
- 2 Social Inflation
- 3 Nuclear Verdicts
- 4 Litigation Funding
- 5 Effects for Insurers & Insureds



CLASS ACTION AND MASS ACTION

Class Actions

- Must be certified by a court
- Groups everyone into one unified class, usually involves one lawsuit
- A few lead plaintiffs lead the class
- Single trial, single outcome

Mass Actions

- Do not require court certification, but can be grouped for efficiency
- Treat each plaintiff individually, each can have their own attorney
- May involve multiple trials, separate rulings, multiple outcomes



SOCIAL INFLATION

Refers to the disproportionate increase in LOSS costs on liability claims vs Inflation



Key Drivers:

- Jury demographics
- Corporate mistrust
- Plaintiff tactics (reptile theory (instill fear), advertising)
- Litigation Funding (*more on that in a minute*)
- Legal landscape (judges, erosion of tort reform)

NUCLEAR VERDICTS



- Nuclear verdicts refer to exceptionally large jury awards that greatly surpass standard damage amounts >\$10,000,000
- Thermonuclear verdicts are >\$100,000,000
- Often involve emotional factors: a compelling story for plaintiff that evokes sympathy, put in contrast to a damaging story for defendant (mistrust, corporate greed, intentional or uncaring misconduct)
- Punitive damages play a key role in inflating verdict amounts beyond compensatory damages
- Access to litigation funding enables plaintiffs to pursue aggressive legal strategies and extensive litigation



LITIGATION FUNDING

What is Litigation Funding?

A third party provides capital to a plaintiff for legal costs in return for part of financial recovery.

Purpose and Benefits

Litigation funding helps plaintiffs without resources access justice and balance legal power dynamics.

Aggressive Litigation Strategies

With reduced risk, plaintiffs adopt more assertive strategies in pursuing claims and damages.



EFFECTS ON INSUREDS AND INSURERS

Financial Exposure Increase

Insureds and insurers experience higher financial risks due to *unpredictability* in legal and insurance environments.

Risk Management Changes

These new challenges force *adjustments* in how insureds and insurers manage risk to mitigate potential losses.

Settlement and Pricing Impact

Settlement practices and premium pricing may need to *evolve* to address unpredictable financial liabilities faced by insurers and insureds.



Questions?

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Mind the Gap: Where GL Stops & Pollution Coverage Steps In

Presented by Becky Biermann





Becky Biermann

Environmental Casualty Practice Leader

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Becky Biermann is an Environmental Casualty Practice Leader with Great American's Environmental Division. In her role, Becky is leading the launch of GLIDER, a new combined General Liability and Site Pollution product—an area she has specialized in for the majority of her career. Additionally, she'll assist the division with evaluating environmental risk in order to determine comprehensive coverage options for various policies.

Her underwriting career began at a large finance and insurance corporation in Chicago, and in 2010 she relocated to San Francisco to join another global insurer, where she spent 11 years honing her expertise. Becky is based in Atlanta, GA.



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PRODUCT OVERVIEW

GLIDER provides comprehensive general liability and environmental protection coverage, including pollution, contractor, cargo, and fixed-site facility risks.



- ISO-based GL coverage
- Extensive coverage for Product Pollution, Product Recall Expense, and Worldwide* Products
- NODS Coverage
- Coverage provided for **both** gradual and sudden and accidental events
- Pollution conditions covered both on and offsite. Coverage is triggered by the discovery of a pollution condition or a claim made by third party
- Bodily injury and property damage coverage is triggered by a third-party claim
- Pollution coverage for contracting services performed by the insured can be covered on an occurrence basis and includes a discovery trigger



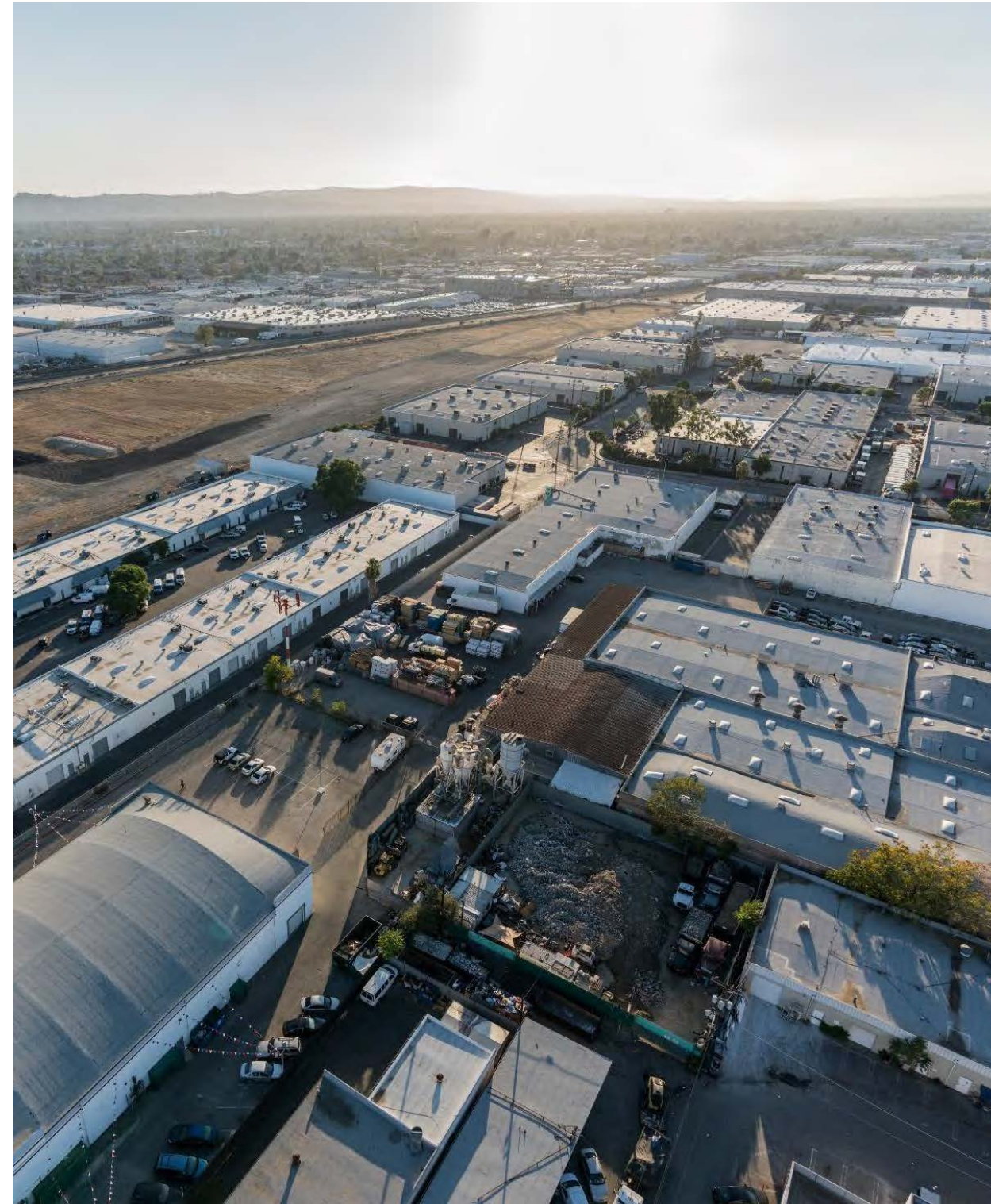
[Watch our GLIDER Video](#)

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GLIDERSM COVERAGE HIGHLIGHTS

- ✓ Standard limits of liability of \$1M/\$2M aggregate
 - **Ability to write up to \$5M per occurrence and aggregate**
- ✓ One (1) year policy term
- ✓ \$15,000 minimum premium
- ✓ First-dollar deductible available for General Liability Coverage
- ✓ Policy form includes many competitive built-in enhancements, such as occurrence transportation, NODS, biological hazard cleanup, broad name insured, and no sublimit on Emergency Response Costs
- ✓ Variety of additional enhancements that can be included to tailor the policy to the Insured's specific needs
- ✓ Dedicated environmental claims handling unit and nationwide network of emergency response firms, remediation contractors and environmental attorneys

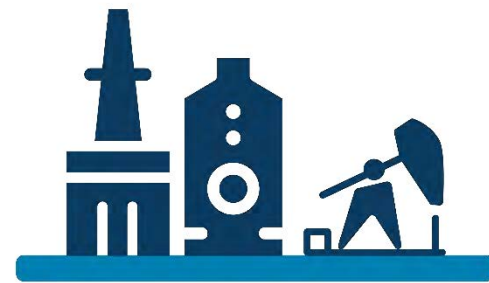


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GLIDERSM TARGET CLASSES

This policy is suitable for many types of manufacturing/distribution facilities and refuse systems, including but not limited to:



CHEMICAL PRODUCTS

- Chemicals and Allied Products
- Rubber and Misc Plastics
- Stone
- Clay
- Glass and Concrete



RECYCLING CENTERS

- Primary and Fabricated Metals
- Industrial and Commercial Machinery
- Storage Tanks & Drums
- Foundries



PRIMARY AND FABRICATED METALS

- Refuse Systems
- Recycling Centers
- Paint and Color Pigments
- Cleaning Agents, Soaps, Detergents and Solvents



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GLIDERSM VS TRADITIONAL GL POLICIES



Coverage Comparison Chart

	GLIDER	ISO GL
Broad Pollution Coverage	✓	✗
Contractors Pollution Liability	✓	✗
Transportation Pollution Coverage	✓	✗
Products Pollution Coverage	✓	✗
Non-Owned Disposal Site Coverage	✓	✗
Limited Product Withdrawal	✓	---
BI from Long-Term Exposure (e.g., mold, asbestos, lead)	✓	✗
BI from pollutants released during normal business operations	✓	✗
Clean-up costs associated with a pollution release	✓	✗
Non-Auditable exposure basis	✓	✗



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Response AND React

Accidents happen! When a chemical, fuel or hazardous substance spill occurs, you need to take immediate action.



It only takes one phone call to initiate the process:

1. Call the R&R Hotline **(800) 340-3399**
2. Describe the situation to the on-call Incident Manager.
3. Feel relief knowing that the contractor best suited to manage your situation will respond to the incident.

Program Benefits

- ✓ Quick response time with contractors and remediation specialists **available 24/7/365!** Prequalified environmental professionals are on stand-by, ready to provide the knowledge and expertise needed to manage a rapid, cost-effective response to your emergency spill.
- ✓ **Save time and money** by leveraging CURA's nationwide network of emergency response specialists and pre-negotiated rates.
- ✓ Can **strengthen relationship with environmental regulators** through timely submission of spill notification, efficient clean-up procedures and thorough closure reports.
- ✓ (R&R) program is administered by CURA Emergency Services – a **five-star emergency service program** and a recognized leader in the environmental and emergency response industry for more than **25 years**.



ADDITIONAL RESOURCES



- [GLIDER Webpage](#)
- [GLIDER Fact Sheet](#)
- [GLIDER Product Video](#)
- [GLIDER Claims Scenarios](#)
 - [Manufacturing](#)
 - [Warehouse](#)
 - [Claims Scenario Video](#)
- [GLIDER FAQ Document](#)
- [GLIDER Riskopolis](#)
- [Discover What We Cover: GLIDER](#)

[**GAIG.com/GLIDER**](https://GAIG.com/GLIDER)



Questions?

Becky Biermann

Environmental Casualty Practice Leader

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Lunch

Optional:

- ProProtect Demos
- CURA Touchpoints



Contracting Services: Underwriting Trends & Challenges

Presented by Bjorn Gundersen &
Melissa Murdock





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Senior Production Underwriter

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Bjorn Gundersen is a senior production underwriter with Great American's Environmental Division. In his role, Bjorn focuses on relationship development and identifying broker needs to craft policies that manage potential environmental risks. Bjorn has played a key role in the success of our Contractors ProProtect product and the rest of our contracting services product suite, contributing his expertise and collaborative approach to ensure their continued growth and effectiveness. His efforts have helped strengthen product offerings, enhance broker relationships, and deliver tailored solutions that meet the unique needs of contractors in the environmental space.

Bjorn obtained his Associate of Science in Business Administration from Rowan College at Gloucester County. He then went on to earn his Bachelor of Science in Business Studies from Stockton University, specializing in finance. Bjorn is based out of our Exton, Pa., main office.

For Agent/Broker Use Only

Classified as General





Melissa Murdock

Senior Production Underwriter

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Melissa Murdock is a production underwriter with Great American's Environmental Division. In her role, Melissa focuses on relationship development and identifying broker needs to craft policies that will manage potential environmental risks across a variety of industries. Additionally, she collaborates internally with our diverse team of industry professionals to drive best-in class, innovative solutions and works on program-related businesses for niche industry sectors. With an environmental education and research background, Melissa brings extensive knowledge and research to our team. Prior to joining Great American, Melissa worked as an environmental research analyst at a business consulting company, where she wrote technical reports and conducted research and analysis for the Philadelphia Water Department.

Melissa obtained her Bachelor of Science in Geoscience from West Chester University and a Masters of Science in Environmental Sciences and Policy from John Hopkins University. She is based out of the Exton, Pa., main office.

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CONTRACTORS POLLUTION LIABILITY (CPL)

Purpose of CPL Insurance

CPL protects contractors from financial losses due to pollution incidents during or after project completion.

Coverage Basis

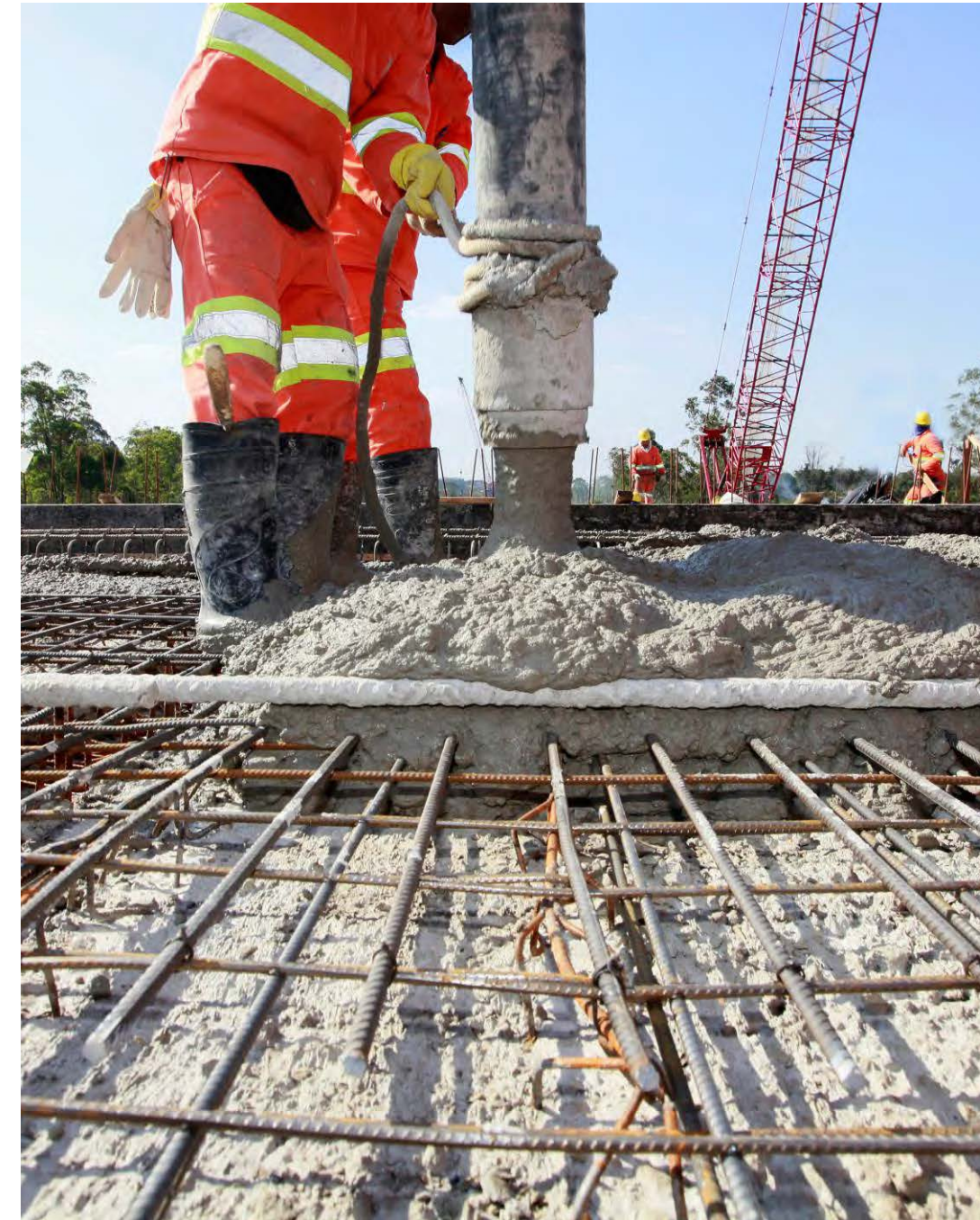
CPL typically operates on an occurrence basis, covering pollution events during the policy period regardless of claim timing.

First-Party and Third-Party Coverage

Includes cleanup costs for your own property (first-party) and damages to others (third-party).

Coverage Structure

CPL can be provided on a project-specific or practice basis. CPL can also be provided on a form that combines CPL with professional coverages.



PROFESSIONAL LIABILITY (PL)



Purpose of PL Insurance

Coverage that protects businesses and professionals against claims alleging mistakes or failures in the services they provide.

Acts, Errors or Omissions

Covers actual or alleged mistakes in professional services.

Claims-Made Coverage

Responds to claims made during the policy period, regardless of when the work was performed.



WHAT IS A “PROFESSIONAL” SERVICE?



The courts have various definitions of what is considered a professional service.

Generally, it is understood that professional activities must involve the use or application of some specialized knowledge or skill that is predominantly intellectual rather than physical, and the exercise of special judgement based upon such knowledge or skill.

Examples: design work, value engineering

PROFESSIONAL PROJECT DELIVERY METHODS

In evaluating these risks, we need to understand the insured's professional project delivery breakdown. Generally, we target contractors with an incidental E&O exposure, tied to their contracting services.

Common delivery methods include:

Construction Only (Responsibilities do not include professionals)

Construction Management at Risk

Construction Management Agency

Design-Build with Design Subcontracted

Design-Build with Design Performed by Your Own Architect/Engineer

Design Only (Responsibilities do not include construction)

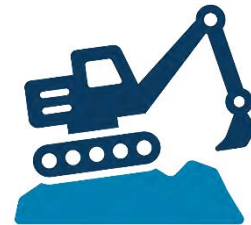


WHO BUYS CPL?

- **Specialty Trade Contractors** – the boots on the ground performing the work. Common examples include:



**HVAC
Contractors**



**Excavation
Contractors**



**Electrical
Contractors**



**Mechanical
Contractors**



**Telecommunicati
ons Contractors**



Plumbing



**Street & Road
Contractors**



...and more!

- **General Contractors (“GCs”)** – the ones who hire the trade contractors
- **Construction Managers** – the ones who hire the trade contractors and manage the construction



RISK MANAGEMENT SOLUTIONS FOR CONTRACTORS



CONTRACTING SERVICES (CSE):

This policy is suitable for construction managers, general contractors, and a variety of specialty trades. Covers bodily injury, property damage, legal expenses and cleanup costs resulting from pollution conditions associated with Contracting Services.



PROFESSIONAL AND CONTRACTING SERVICES (PCM):

This policy provides coverage for liability associated with Acts, Errors and Omissions arising from Professional Services. Covers bodily injury, property damage, legal expenses and cleanup costs resulting from pollution conditions associated with Contracting Services.



CONTRACTING SERVICES PROJECT SPECIFIC (CSP):

Covers bodily injury, property damage, legal expenses and cleanup costs resulting from pollution conditions associated with Contracting Services for a **specific project**. Suitable for construction managers, general contractors, and a variety of specialty trades.



SMALL CONTRACTORS (PCE):

Covers bodily injury, property damage, legal expenses and cleanup costs resulting from pollution conditions associated with Contracting Services for contractors with annual revenues less than \$25 million. Suitable for construction managers, general contractors, and a variety of specialty trades.



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CONTRACTING SERVICES (CSE)

Suitable for general contractors, construction managers, and a variety of specialty trades



CONSTRUCTION MANAGERS



GENERAL CONTRACTORS



[Check out our Contracting Services Claims Scenarios](#)



For Agent/Broker Use Only

Policy Benefits

- Contracting services, including mold, coverage provided on an occurrence basis
- Occurrence non-owned disposal sites coverage on unscheduled basis
- Occurrence in-bound and out-bound first- and third-party transportation coverage
- 100% additional legal expense up to \$5 million limits
- Emergency Response Costs coverage with no sub-limits
- Broad definition of Insured; Definition of Insured includes the client of the insured when required by written contract.
- Punitive, multiplied, or exemplary damages, and civil fines, penalties and assessments, where insurable by law
- On- and off-site sudden and accidental Pollution Legal Liability for a pollution condition at a covered location
- Mediation credit

Coverage Highlights

- ✓ Limits of Liability up to \$50 million each pollution condition/\$100 million aggregate
- ✓ Multi-year terms available
- ✓ Available on admitted and non-admitted paper
- ✓ Covers Contracting Services in the U.S and Canada



CONSIDER THIS...



A **mechanical contractor** installed an **HVAC system** in an assisted living facility for seniors. The system was constructed improperly, which caused **mold growth** in a portion of the residences. The facility was forced to **relocate** several patients during the repair of the system, and the **renovation** of the moldy building materials.



CONTRACTING SERVICES PROJECT SPECIFIC (CSP)

**Suitable for general contractors,
construction managers, and a variety of
specialty trades for a specific project**



**CONSTRUCTION
MANAGERS**



**GENERAL
CONTRACTORS**



[Check out our Contracting Services
Claims Scenarios](#)

For Agent/Broker Use Only

Policy Benefits

- Coverage provided on an occurrence basis; Completed operations coverage
- Occurrence non-owned disposal sites coverage on unscheduled & blanket basis.
- Occurrence in-bound and out-bound transportation coverage.
- Legal Expense is provided along with Limit of Liability for all insuring Agreements.
- First party discovery trigger for a pollution condition at a Job Site.
- Emergency Response Costs coverage; Mold Matter coverage (occurrence basis)
- Definition of Bodily Injury includes building related illness and medical and environmental monitoring.
- Broad definition of Insured; Definition of Insured includes the client of the insured when required by written contract.
- Punitive, multiplied, or exemplary damages, and civil fines, penalties and assessments, where insurable by law; Cumis Counsel where entitled by law

Coverage Highlights

- ✓ Maximum Per Loss Limit: \$50 million/\$100 million aggregate
- ✓ Minimum Premium: \$5,000
- ✓ Policy term of up to 10 years
- ✓ Covers projects in the U.S and Canada



CONSIDER THIS...



An **industrial cleaning contractor** was hired to clean a former **petroleum storage tank** previously used for backup power purposes. Plastic sheeting and an associated dike were placed around the tank to prevent the runoff of contaminated rinse water. The sheeting and dike were not properly placed around the tank allowing a substantial amount of petroleum caused wash water to **migrate** onto an adjacent property.



PROFESSIONAL AND CONTRACTING SERVICES (PCM)

Suitable for general contractors, construction managers, and a variety of specialty trades and provides coverage for Acts, Errors and Omissions arising from Professional Services



CONSTRUCTION MANAGERS



GENERAL CONTRACTORS



SPECIALTY TRADES



[Check out our Contracting Services Claims Scenarios](#)



For Agent/Broker Use Only

Policy Benefits

- Coverage provided on an occurrence basis; Completed operations coverage
- Occurrence non-owned disposal sites coverage on unscheduled & blanket basis.
- Occurrence in-bound and out-bound transportation coverage.
- Legal Expense is provided along with Limit of Liability for all insuring Agreements.
- First party discovery trigger for a pollution condition at a Job Site.
- Emergency Response Costs coverage; Mold Matter coverage (occurrence basis)
- Definition of Bodily Injury includes building related illness and medical and environmental monitoring.
- Broad definition of Insured; Definition of Insured includes the client of the insured when required by written contract.
- Punitive, multiplied, or exemplary damages, and civil fines, penalties and assessments, where insurable by law; Cumis Counsel where entitled by law

Coverage Highlights

- ✓ Limits of Liability up to \$50 million each act, omission or pollution condition \$100 million aggregate
- ✓ Minimum Premium: \$12,500
- ✓ One year policy term for practice policies
- ✓ Covers services in the U.S and Canada



CONSIDER THIS...



The insured, a **general contractor**, was hired by a high school to renovate its outdoor athletic facilities which included the **installation of a track**. To assist in the project, the insured hired a **licensed surveying company** to design and interpret a construction plan for the overall layout of the track. Unfortunately, the licensed subcontractor made an error in the design concept while predicting measurements for staking the track radius area.



SMALL CONTRACTORS PROGRAM OVERVIEW

Contractors ProProtect is intended to provide both professional liability and pollution liability coverage for non-environmental contractors with <\$25,000,000 annual revenue.



CONTRACTORS
PROPROTECTSM

- Provides basic coverage requirements needed to satisfy typical contractual obligations required by project owners
- Several coverage enhancements not typically provided by many other markets for small contractor accounts
- Can be used to provide contractor pollution liability (“CPL”)
- Provides pollution liability coverage for exposures associated with the insured’s non-owned disposal sites (NODS) and transportation



CONTRACTORS PROTECT: SMALL CONTRACTORS PROGRAM

Contractors ProProtect is intended to provide both professional liability and pollution liability coverage for non-environmental contractors with <\$25,000,000 annual revenue.

Limit Structure	\$1mm/\$1mm
Minimum Premium CPL/PL	\$5,000
Minimum Premium CPL Only	\$4,500

Coverage Features

- ✓ Limits of Liability up to \$5 million
- ✓ Policy term of one (1) year
- ✓ SIR ranges from \$5,000 to \$25,000

Classes of Business

- ✓ General contractors
- ✓ Trade contractors
- ✓ Utility contractors



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CONSIDER THIS...



A **drywall contractor** was hanging new drywall at a construction project when an employee accidentally drilled through a small water pipe, which was located behind the wall. The drywall contractor did not realize the **water leak** was occurring and the substantial amount of **mold** grew between the wall before anyone noticed.



TRENDS



CPL is still under the radar

- ✓ Contractually required regardless of exposure
- ✓ Contractors don't think they need it
 - Painting contractors
 - Arborists/Landscaping contractors
 - Flooring contractors

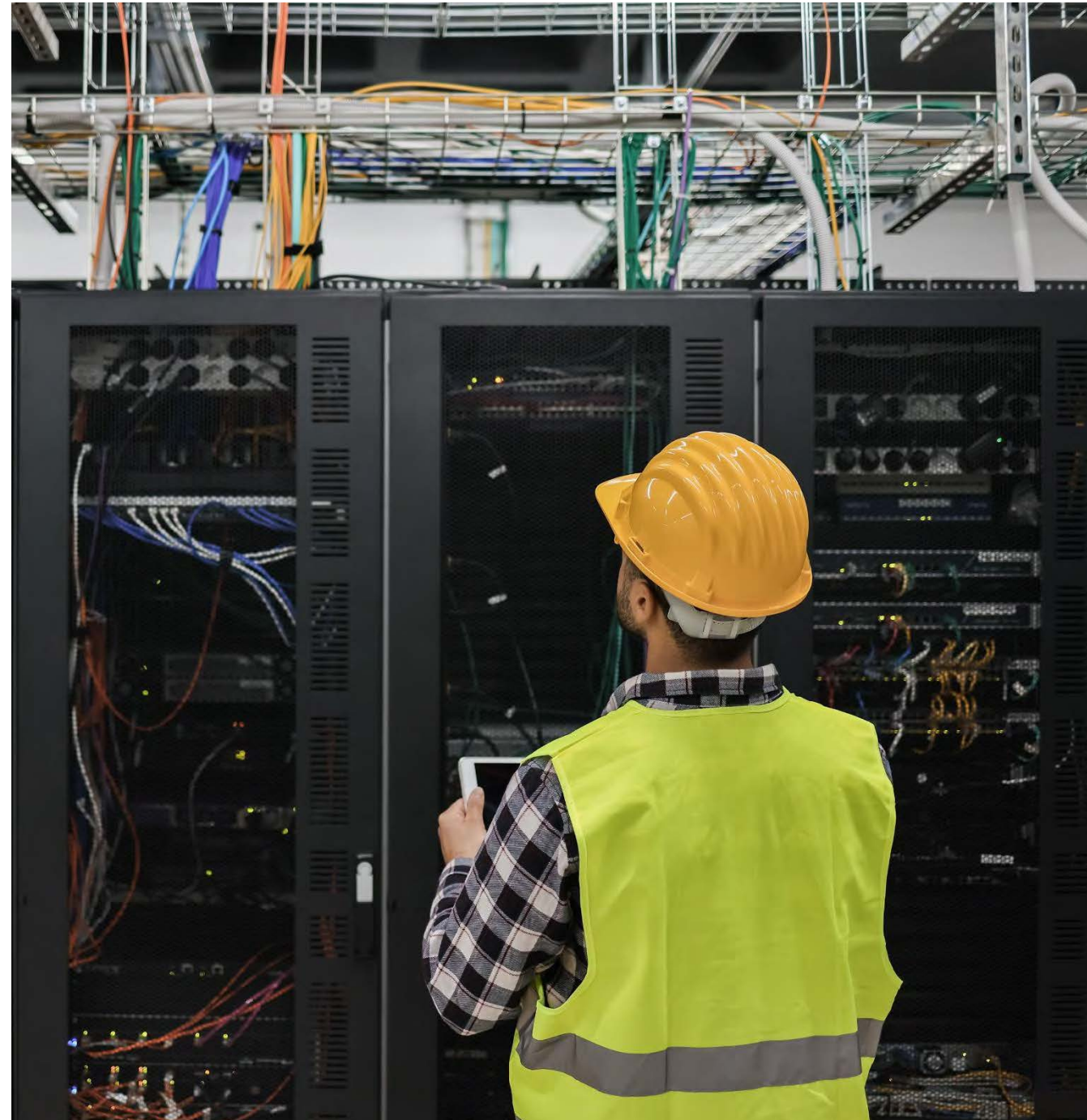
What else are we seeing?

- ✓ Higher limits



CHALLENGES

- ✓ **Unknowns with emerging industries/pollutants**
 - Data centers
 - PFAS
 - AI
- ✓ **Other markets quoting more restrictive terms**
 - PFAS exclusions
- ✓ **New market entrants**
 - Not as experienced
 - Initially very aggressive



Questions?

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What We See: Contractor Risk Through an UW & Risk Engineering Lens

Presented by Sarah Pong and
Jillian Walsh





Sarah Pong

Senior Loss Prevention Consultant

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Sarah Pong is a senior loss prevention consultant with Great American's Environmental Division. In her role, Sarah uses her extensive remediation knowledge to conduct environmental risk evaluations that identify potential exposures to eliminate or reduce loss, provide underwriters with accurate insured history, and administer accident investigation and loss analysis to identify causes. Prior to Great American, Sarah worked in the New York City Mayor's Office of Environmental Remediation as a project manager. In her role, she managed brownfield redevelopment sites by evaluating Phase I and Phase II Environmental Site Assessment reports and appraised proposals of potential vendors and assisted with city affordable housing projects. Later she was promoted to assistant director where she supervised staff on redevelopment project and lead engineers to research and work with industry experts.

Sarah earned her Bachelor of Science in Engineering Science from Smith College. She is EIT and OSHA 40-Hour HAZWOPER certified. She is based in our New York, New York office.

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Jillian Walsh

Production Underwriting Supervisor

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Jillian Walsh is a production underwriting supervisor with Great American's Environmental Division. In her role, Jillian is responsible for evaluating risk and presenting comprehensive and best-in-class environmental coverage to her clients by drawing on her technical background in environmental consulting. She also oversees a production underwriter and an underwriting administrative assistant, providing guidance and support to ensure efficient workflow and high-quality service. Prior to joining Great American, Jillian worked as a geologist for a global consulting and engineering firm where she was responsible for performing environmental due diligence, investigation, and remediation for a variety of industrial sites. Her diverse technical experience includes Phase I and Phase II site assessments, environmental compliance, and brownfield redevelopment.

Jillian is a graduate of the University of Pittsburgh, where she obtained her Bachelor of Science in Geology. She is based out of the Exton, Pa., main office



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What is CPL?



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Exterior Risks



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Interior Risks





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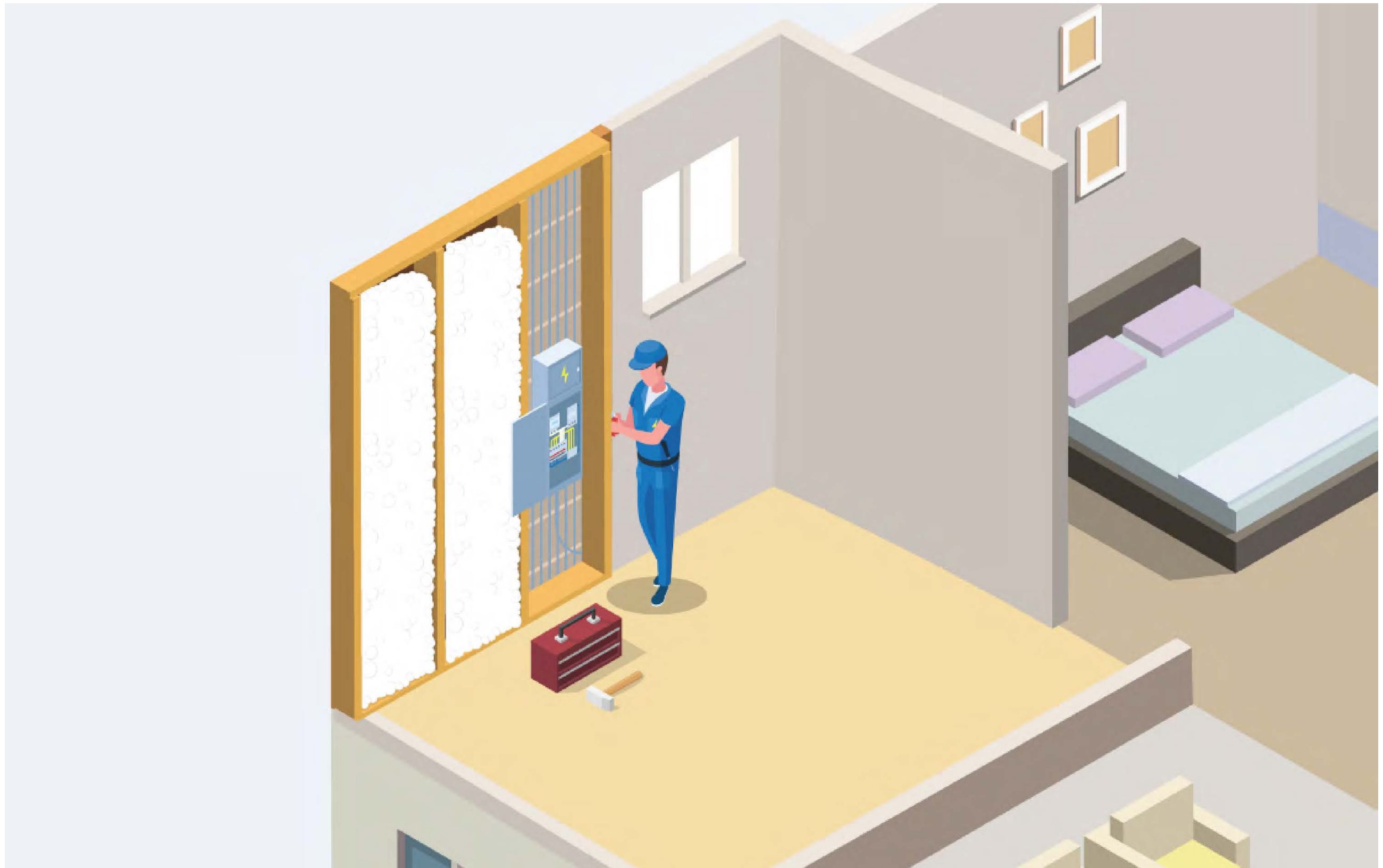
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Questions?

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Break



Claims in Action: Trends & Scenarios to Consider

Presented by Trish Shippee





Trish Shippee

Divisional Vice President, Claims

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Trish Shippee is a divisional vice president of claims with Great American's Environmental Division. In her role, Trish provides technical expertise and specialized claim service to sophisticated environmental clients within the insurance industry. During her time at Great American, Trish has handled high exposure pollution, professional and contracting liability claims. Trish is often called upon to provide training to her claim colleagues, as well as the underwriting department of the division. Prior to joining Great American, Trish spent seven years as managing claims counsel in the environmental division of another large insurance company. She also has experience working in private practice.

She received her Bachelor of Science in Chemical Engineering from the University of Connecticut and her Juris Doctorate from Villanova University School of Law in Villanova, Pennsylvania. She is based out of our Exton, Pa., office.

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2026 ENVIRONMENTAL CLAIM TRENDS

- 1 Broad Allegations
- 2 Inflated Professional Fees
- 3 Claim Trend: Asbestos
- 4 Claim Trend: Reopeners
- 5 Claims Scenarios



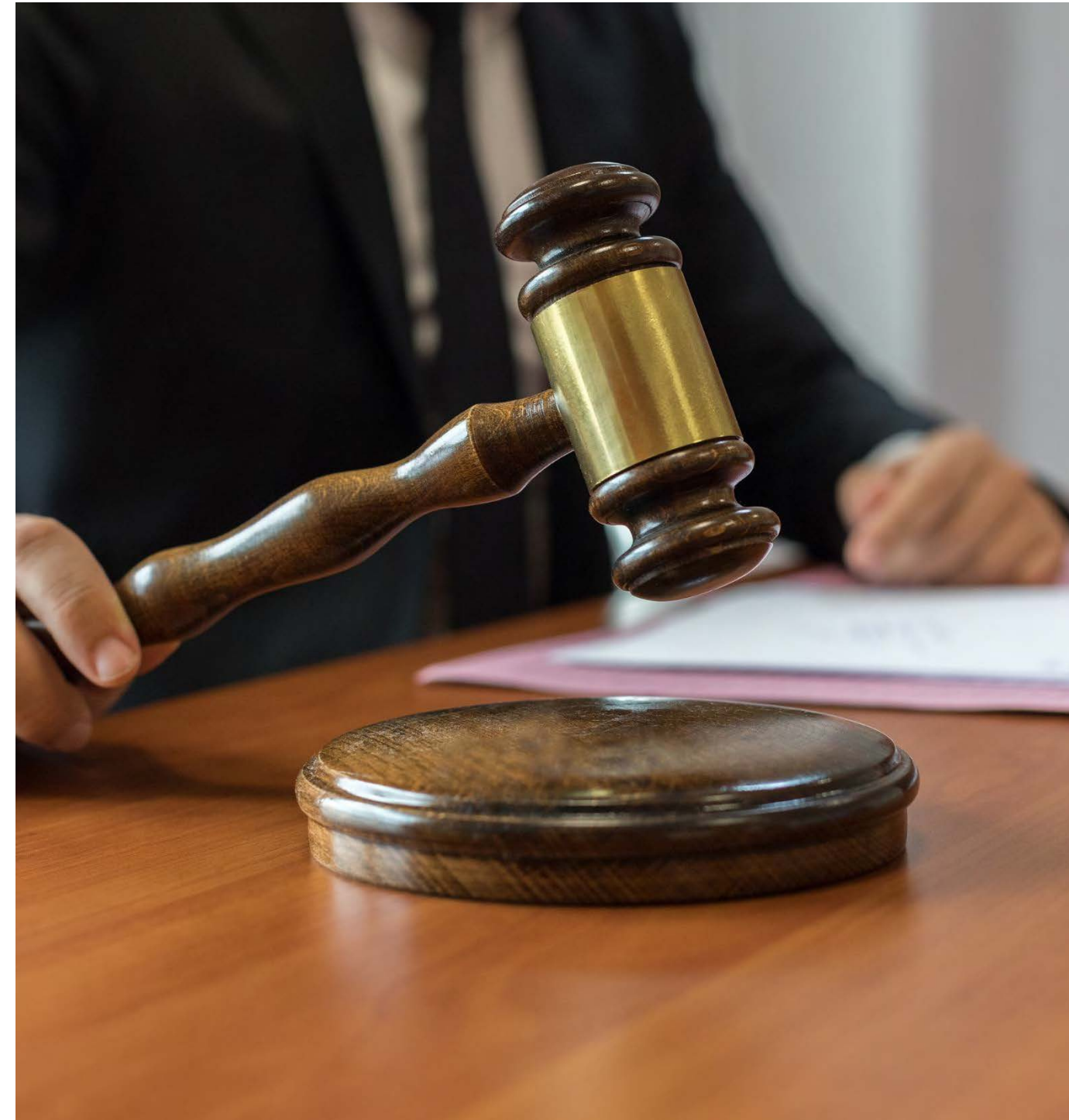
DUTY TO DEFEND VS. DUTY TO INDEMNIFY

Duty to Defend

- An insurance carrier's requirement to provide legal counsel to its insured in the event of a lawsuit

Duty to Indemnify

- An insurance carrier's obligation to pay out on a judgement or settlement against its insured



BROAD ALLEGATIONS

Broad allegations when filing a claim may trigger the insurance carrier's duty to defend

The Four Corners Claims Analysis

- Four Corners Rule is that the Duty to Defend must be decided based ONLY on the allegations in the Complaint (within those four corners). Sometimes referred to the Eight Corners Rule – the duty to defend is determined only by considering the allegations of the Complaint and the terms of the insurance policy at issue.
- The Four Corners Rule prevents an insurer from looking at “Extrinsic Evidence” to decide whether the Duty to Defend is triggered.



INFLATED PROFESSIONAL FEES



- Ongoing increases in lawyer, expert fee rates, as well as litigation vendors (eDiscovery, document management)
- Importance of panel counsel in order to protect insured's SIR



CLAIM TREND: ASBESTOS



- Next Tier Defendants – being sued for asbestos bodily injury for the first time
- Secondary Exposure – aka “take home” exposure



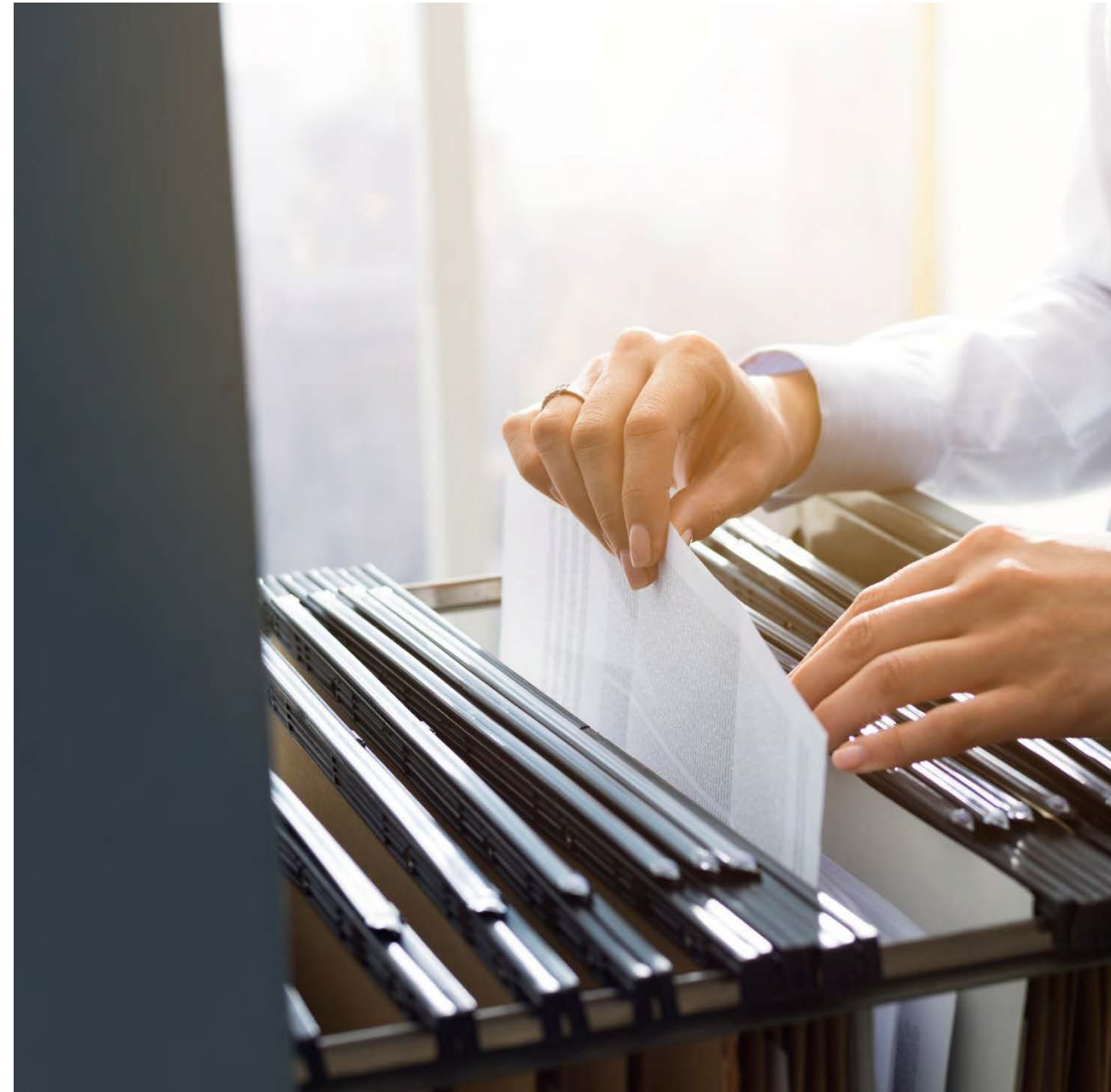
CLAIM TREND: REGULATORY RE-OPENERS

What is a regulatory re-opener?

- A change in regulations cause additional clean-up requirements for a covered location that was previously deemed remediated or “closed”

Common examples

- Vapor intrusion in California
- PFAS that was never sampled for in the past



CONSIDER THIS...



Business Interruption

- **Premises Policy**
- **Covered location: Hotel**
- **Event: Pipe burst leading to water damage and mold**
 - GL or Property policy covers water damage only
 - PRE covers mold remediation/mold-drying costs
 - Business Interruption costs for loss of revenue from closure (split between carriers)

CONSIDER THIS...



Contingent Business Interruption

- **WHAT IS IT?** First party coverage for the insured's own business interruption caused by an interruption at the insured's Covered Location that is required by a government entity and was caused by a Pollution Condition that begins somewhere that is NOT a Covered Location and poses an imminent threat to persons or property at the Covered Location.
- **Premises Policy**
- **Event:** Explosion at a neighboring manufacturing plant triggering a mandatory 1-mile evacuation. Police and fire departments restrict access until the area is deemed safe.
 - Insured is forced to close its business during that time suffering a loss of revenue.



Questions?

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**Building Strong
Broker-Carrier
Collaboration:
What Matters Most**

Presented by BobbiAnn Murphy, Bobby
Watters and Stephanie Story Barnard



ENVIRONMENTAL DAY OF LEARNING
2026

120



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Putting It All Together

Presented by Grant Swenson and
Lauren Coca





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Grant Swenson is a senior production underwriter with Great American's Environmental Division. In his role, Grant evaluates risk profiles to provide innovative insurance solutions to insureds across a variety of industries while collaborating with a diverse team of industry professionals. Prior to working at Great American, Grant was a client advisor for a global insurance broking and risk management firm. During his tenure, he worked with high profile clients to negotiate comprehensive risk transfer solutions for environmental exposures, maintained large books of business, and advised clients in a number of industries including real estate, private equity, energy, healthcare and manufacturing. In 2025, Grant was honored with Insurance Business America's Rising Star award, recognizing early-career insurance professionals who demonstrate exceptional leadership and innovation in the industry.

Grant received his Bachelor of Science in Political Science from University of Connecticut. He is based out of our Boston office.

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Lauren Coca

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Lauren Coca is a production underwriter with Great American's Environmental Division. In her role, Lauren evaluates risk profiles to provide innovative insurance solutions to insureds across a variety of industries while collaborating with a diverse team of industry professionals. After graduating from Millersville University, Lauren joined an environmental consulting firm, where she worked with a wide range of clients from breweries to diaper manufacturers, and became deeply engaged in environmental, social and governance (ESG) initiatives. Lauren's consulting experience also included hands-on fieldwork and extension services, including a role as an on-site support for an environmental safety manager.

Lauren holds a Bachelor of Science in Environmental and Spatial Sciences and a minor in Emergency Management. She is based out of our Exton, Pa., main office.

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LET'S TALK SUBMISSIONS

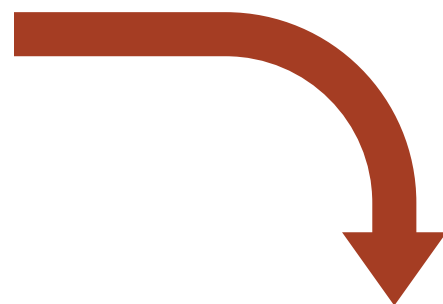


Site Pollution

- Due Diligence and other Env Reports
- Property Condition Assessments
- O&M Plans (mold, other)
- SOV for property/building details

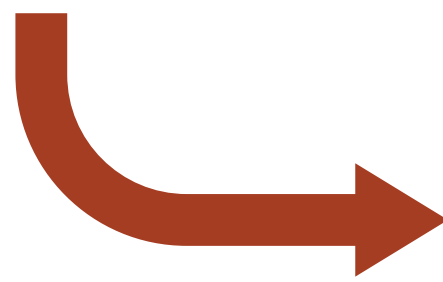
Standard information for any submission

- Specs for coverage, term, limits
- What's the driver for coverage? Contract? Renewal? Acquisition
- Is there expiring coverage, what should we be trying to match/beat?
- Loss runs
- Application



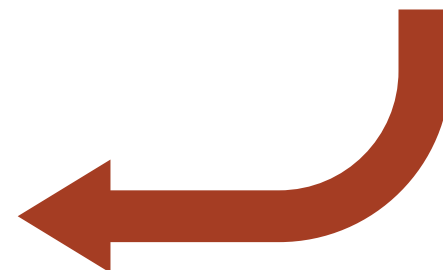
Contractors Pollution

- Services provided
- Revenue
- Any locations to cover



Binding

- Financials
- Surplus Lines if applicable
- Signed app
- Terrorism form if applicable



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CASE STUDY: MANUFACTURING FACILITY



Initial Submission Details

- Looking for PRE coverage for light industrial manufacturing facility
- Basic app with Insured address and name provided
- Loss runs
- Short sentence about manufacturing process

RESULT: Limited coverage, possibly S&A only for new conditions

Broker call!

Final Results

- Received SPCC plans, list of materials used and wastes stored
- Information on aboveground storage tanks
- Loss control report with information about the manufacturing processes
- Permit monitoring report

RESULT: Pre-existing and new conditions coverage with no restrictions.

CASE STUDY: HOTEL WITH HISTORY OF LEGIONELLA CLAIMS



Initial Submission Details

- Request for PRE coverage for a small hotel in NJ
- Loss run showing legionella claim on expiring policy for over \$500K in remediation costs
- Application and an older Phase I provided

RESULT: Full Legionella Exclusion



Broker call!

Final Results

- Coordinated a call with the broker, our risk engineering team, the insured and their consultant.
- Confirmed that, since the claim, the insured installed a new system and began monthly Legionella sampling, with one round completed to date.

RESULT: Legionella exclusion with a giveback after 6 months of clean sampling which we were able to implement. Retrodate of policy inception for the legionella coverage.



CASE STUDY: CONTRACTING & PROFESSIONAL SUBMISSION



Initial Submission Details

- Looking for combined Contracting and Professional coverage
- Initial breakdown of work came over as 100% design/ build
- Insured's website also indicated heavy design/build

RESULT: Declined to quote



Final Results

- Pursued further information and found that the app was not filled out correctly and though website indicated the capability it was not part of their usual business
- Received updated breakdown of work, which indicated that while the Insured often enters into Design Build contracts, they subcontract out the design to a third-party design professional

RESULT: Quote provided



CASE STUDY: KNOWN CONTAMINATION & REMEDIATION



Initial Submission Details

- Request for site coverage for a shopping center with known drycleaning constituent contamination
- Abundance of sampling reports, subsurface sampling data received
- Remediation proposal with regulatory involvement

RESULT: Drycleaning constituent exclusion

Broker call!

Final Results

- Discussion with broker revealed coverage driver to be lender-driven
- Received stellar financials of Insured/Guarantor
- Ability to manuscript Lender-specific givebacks

RESULT: Drycleaning constituents coverage with Lender giveback



Questions?

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Thank you!

See you for happy hour at Angels'
Share and the Topgolf Swing Suites!

