Site Pollution
Claim Examples

Discovery of impact during due diligence for pending purchase/sale
The insured has owned and operated a site since 1993. In December 1998, during a site assessment conducted in anticipation of the pending sale of property, arsenic contamination was discovered. Subsequent investigation confirmed that the soil and groundwater on the site had been impacted. The historic use of herbicides on the site likely caused the arsenic contamination. The agency required the insured to conduct a cleanup. Cleanup costs associated with arsenic contaminated soil and groundwater on the insured property are estimated to be $825,000.

Impact caused during redevelopment activities
Construction debris containing friable asbestos material was found in the soil during grading activities at an industrial park. The contractor, prior owner of the site, neglected to remove asbestos containing material present in the buildings prior to demolition. Further, the contractor plowed the construction debris into the ground instead of disposing it at an appropriate hazardous waste facility. The oversight agency ordered the insured to excavate and properly dispose of the hazardous debris and soil. Cleanup costs are approximately $2,300,000.
Historical orchard cause of homeowners finding pesticides in topsoil

An orchard that produced from 1903 until 1988, was sold and became a subdivision. When one new resident had her well water tested, contaminants were detected. Later DDT, lead, and arsenic were found in the soil. Pesticides had been sprayed for decades on the orchard. The EPA has declared the subdivision a Superfund site and has replaced topsoil on 28 lots. More cases like this orchard may await others who build on former agricultural land.

Temporary fuel tank leaks, impacting project site and adjacent properties

The ABC Construction maintains a construction yard with a 5,000 gallon above-ground storage tank used to store diesel fuel, which a worker fails to fully secure. Over the weekend, 800 gallons of diesel fuel drips undetected from the nozzle and onto the ground. The fuel leaks onto the lot of an adjacent business and into a stream running through that property(s).

Transportation Pollution

BC Construction’s tanker trucks are used to transport waste oil. One of their tanker trucks overturns on Highway 50. As a result of the crash, waste oil spills from the vehicle’s 500 gallon storage tank.