



# Pollution Liability Insurance for Contractors

**Protect yourself and your business from environmental risks arising out of your operations.**

Many environmental and non-environmental contractors benefit from the coverage afforded by Victor's Pollution Liability Insurance for Contractors policy. This policy protects contractors against claims for third party bodily injury, third party property damage or third party environmental damage, including cleanup costs, caused by pollution conditions resulting from the performance of their work.

## Why buy this product?

Victor has a unique understanding of Canadian environmental risk exposures through our 50+ years of experience in engineering and construction liability. As a leading provider of Environmental Liability coverage, we bring a long-term commitment to this market and a high level of expertise in both underwriting and claims management.

- Blanket annual basis for all covered operations or project-specific owner-controlled or contractor-controlled policies for specific projects
- \$10,000,000 in-house primary limit
- Dedicated customer service
- Claims-made and reported or Occurrence form (for select operations) is available in both English and French
- Ability to increase limits to align with contract requirements

## Who will benefit?

**General contractors, subcontractors or construction managers** responsible for either environmental or non-environmental operations including:

- General or maintenance contracting
- Construction, demolition and/or environmental remediation or abatement
- Fire and flood restoration
- Electrical, mechanical or HVAC
- Above ground or underground storage tank installation, maintenance or removal
- Street and road construction
- Construction, renovation or rehabilitation of water treatment plants or waste-water treatment facilities
- Brownfield redevelopment or site redevelopment

## What are the coverage agreements?

- Third party liability including cleanup costs
- Emergency remediation costs up to \$250,000 for reasonable and necessary expenses, including legal expenses, that must be incurred within the first 48 hours of the commencement of a pollution condition for the purpose of limiting damage
- Incidental transit coverage
- Supplementary payments are included and do not reduce the limit of liability (for limits up to and including \$2,000,000 and where mould coverage is not included by endorsement)

## What are the coverage details?

- Gradual pollution conditions, subject to retroactive date, including sudden events
- Deductible does not apply to supplementary payments
- If the named insured and Victor agree to use mediation as an alternate form of dispute resolution to resolve a claim and the claim is resolved as a direct result of the mediation, the applicable deductible will be reduced by 50 per cent, subject to a maximum reduction of \$25,000
- Pollution conditions that arise out of losses resulting from products installed in conjunction with covered operations are an exception to the products exclusion
- The other insurance condition stipulates that this insurance is primary and the insurer's obligations are not affected unless the other insurance is also primary, in which case the insurer will follow a contribution method. NOTE: The condition also stipulates that this insurance is excess when there exists a project-specific pollution liability policy
- On the claims-made form, there is a basic extended reporting period, which provides a 30-day automatic extended reporting period at no cost if the policy is cancelled or non-renewed. A 12-month optional supplemental extended reporting period is also available for an additional cost
- The exclusions for non-disclosure of previous pollution incidents and intentional non-compliance apply only if an insured with authority caused the non-disclosure or non-compliance, not just any insured
- No asbestos exclusion

## What are the policy features?

- **Cleanup Costs** include reasonable and necessary costs to repair, replace or restore real or personal property to substantially the same condition it was in prior to being damaged
- **Loss** includes punitive, exemplary or multiplied damages. Loss also includes civil fines, penalties or assessments
- **Property Damage** includes physical damage to soil, groundwater or surface water, or plant or animal life, caused by pollution conditions and giving rise to cleanup costs
- **Insured with Authority** means the manager or supervisor of the named insured responsible for environmental affairs, control or compliance, or any director, officer, partner or member of the named insured

## How are claims handled?

Victor's highly specialized team of claims analysts, adjusters and legal counsel ensures that claims are managed proactively throughout the entire life of a claim.

## What other insurance solutions do we offer?

- Architects & Engineers Professional Liability
- Builders Risk and Wrap-Up Liability
- Commercial General Liability
- Commercial Property Insurance
- Commercial Umbrella Liability
- Crime Insurance
- Directors & Officers Liability
- Employment Practices Liability
- Errors & Omissions
- Fiduciary Liability
- Group and Retiree Benefits
- Technology and Cyber Liability

Visit us at [victorinsurance.ca](https://victorinsurance.ca) to learn more.