Chubb Environmental

Contractor Pollution Exposure Examples

Silt/Sedimentation Exposure

A Subcontractor is hired by a General Contractor to construct a new office building on vacant, undeveloped land. During the initial clearing/grading phase, the Subcontractor improperly installs silt fencing. Heavy rain occurs for a one week period resulting in runoff of silt/sedimentation to an adjacent property and stream. This results in a monetary award to the adjacent property owner for property damage/loss of use and State Agency civil penalties for silt/sedimentation run-off into the stream.

Contaminated Soil Exposure

A General Contractor is hired to construct a building in an urban area. During excavation activities at the construction site, dump trucks are loaded with dirt to be hauled to a nearby construction site for fill. The dump truck operators opted not to utilize their truck tarps during transit because the receiving facility was roughly three quarters of a mile from the subject site. The trucks pass by several residential homes on the way to the receiving facility. A child is playing in her front yard during these activities and is subject to inhalation of the dust coming from the dump trucks. Several days later the child has become severely ill and is losing her hair. Her parents take her to the hospital and she is diagnosed with toxic, heavy metal poisoning. The originating construction site is contaminated with Thallium, a heavy metal, and the inter-facility release results in monetary awards for bodily injury and property damage.

Exacerbation Exposure

A Subcontractor is hired by a General Contractor for site development and grading of former gas station site to be redeveloped into a fast food restaurant. During grading activities, the Subcontractor spreads soils contaminated with chlorinated solvents from a previously unknown dry cleaner at the site. The grading activity spreads the once isolated contaminated soils over the entire site, thereby resulting in significant costs to remediate the contamination. Additionally, adjacent property owner files a claim for business interruption due to the interruption of ingress onto his property during the associated remediation activities.

Asbestos Exposure

A General Contractor is hired by a commercial building owner to renovate an existing building in phases. During the renovation activities, the General Contractor inadvertently disturbs asbestos covered piping, which releases asbestos fibers into the ambient air within the building. Tenants of the building in adjacent areas to the renovation are notified and asked to evacuate. This results in thirdparty damages for business interruption suffered by the commercial tenants, and allegations of bodily injury resulting from asbestos inhalation, including associated legal defense expenses.

Mold Exposures

A General Contractor is hired to construct mixed-use building. During the construction activities, the General Contractor improperly installs flashing around certain of the buildings windows and doors. Five months after the certificate of occupancy is issued for the building, heavy rains infiltrate into the exterior wall cavity of the building resulting from the improperly installed flashing, which is followed by associated mold growth. This results in significant costs to remediate the building, business interruption, legal defense expenses, as well as costs for third-party bodily injury and property damage.

A General Contractor is hired to construct a hotel. The project is near completion when it was discovered that an air handler unit needed to be installed on the top floor. The unit is too large for to fit through the designated opening, so the General Contractor is required to open a hole in the roof to allow installation of the air handler. The General Contractor takes precautions to prevent any rain water from entering the building during the installation, but a heavy rain event overwhelms their water prevention controls and the resulting water damage ends up creating a significant mold condition in the building. This results in significant costs to remediate the mold.

Indoor Air Quality/Dust/ Silica Exposure

A General Contractor is hired to renovate a structure. During the construction, concrete is demolished and the General Contractor appears to have addressed indoor air quality concerns by identifying intake vents that could possibly be affected by the work, and those portions of the HVAC system are turned off. Due to a breakdown in communication between the General Contractor and owner/ property manager, as well as between the owner/property manager and other third-party vendors, a third-party vendor arrives at the site and turns the dormant HVAC units back on, thereby spreading concrete dust into the remainder of the building. Concrete dust can contain harmful amounts of silica. This results in third-party damages for business interruption, bodily injury and property damage, and also requires an extensive clean-up effort.

Post-Construction Clean-Up Exposure

A General Contractor is hired to renovate a structure around on-going business operations. The construction is completed on-time and within budget. During the final walk through, the General Contractor uses a chemical cleaner to remove label/tag adhesive from newly installed equipment. Unfortunately, a building occupant has an adverse reaction to the chemical cleaner and suffers injury harmful reaction. This results in legal defense expenses, the need to bring in an Indoor Air Quality expert to conduct air sampling, and third-party bodily injury.

Excavation/Grading Contractor Exposure

An excavation/grading contractor is hired to install a new parking lot and ruptures a historic, unknown/ unmarked petroleum storage tank causing a release into the surrounding soil. This results in remediation costs and third-party business interruption.

Utility Contractor Exposure

A utility contractor is hired to upgrade sewer lines in a residential neighborhood. Incorrect grading of the new line results in a sewer line back-up in the basements of the several homes. This results in third-party property damage, legal defense expenses associated with multiple claimants, and third-party bodily injury.

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