



Food & Beverage: Claims Solutions

Commercial bakery tank leak causes creek contamination

The claim

A large commercial bakery had a tanker truck load of corn syrup delivered. The aboveground storage tank into which the syrup was being delivered had a complete valve failure and was not equipped with secondary containment. This resulted in the immediate release of 8,000 gallons of syrup that eventually contaminated an adjacent creek.

AXA XL responds

Our environmental claims counsel and a technical consultant worked with the insured to coordinate and manage the clean-up of the corn syrup from the insured's location and the impacted creek. A hazmat contractor was retained to remove contaminated soil and address natural resource damages to the creek and creek sediments.

The solution

The technical consultant worked closely with the insured to ensure that the remediation response was timely, performed properly and that the impacted property and creek were returned to their pre-release condition. As a result of the release, AXA XL paid \$45,000 under our insured's Pollution and Remediation Legal Liability Policy to clean up the release.

Who we are

When a pollution incident occurs, you want a carrier with exceptional people. We're engineers, consultants and attorneys who have dedicated our careers to managing environmental risks. Our environmental team has 35+ years of experience in responding to and remediating pollution incidents. We are experts at handling environmental litigation and interacting with regulators. We helped build the environmental insurance market. More than three decades later, we're still making strides. Developing new products. Finding new ways to address our client's environmental risks.

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Contact

AXA XL's Environmental Team

505 Eagleview Boulevard, Suite 100, Exton, PA 19341

800 327 1414 axaxl.com/insurance

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Wastewater from food processing plant leads to lawsuit

The claim

A food processing plant washed down its floors each day for several decades. The wastewater entered floor drains which eventually led to an on-site septic tank. Over the years, the septic tank leaked into the surrounding soils and groundwater, increasing nitrate levels. A residential neighbor of the plant identified elevated nitrate levels in their drinking water well. As a result, the neighbor abandoned his drinking water well and connected to a municipal water supply. The resident filed a lawsuit against the plant to recover his connection costs and claimed diminution in property value.

AXA XL responds

Our environmental claims counsel and a technical consultant worked with the insured in monitoring site investigation and response activities performed by a third party environmental consultant. Site investigations were performed to assess impacts to soil and groundwater. Excavation of contaminated soil was performed and groundwater monitoring for natural attenuation of nitrate contamination was completed.

The solution

The insured's Pollution and Remediation Legal Liability Policy paid over \$320,000 for costs and expenses associated with the investigation, site remediation and resolution of third party legal liabilities associated with the incident.

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Ammonia release at a food manufacturing facility

The claim

The release of ammonia used for refrigeration at a meat processing plant resulted in the evacuation of several hundred residents living near the facility. Physical damage to the ammonia refrigeration system resulted in the sudden release of thousands of pounds of toxic gas into the air creating a vapor cloud covering residential homes near the release.

AXA XL responds

Industrial refrigeration systems commonly require the use of liquefied ammonia under pressure. When damaged or lacking maintenance, these systems can allow for the rapid release of significant quantities of gaseous ammonia into the air. Our environmental claims counsel and technical consultants worked with the insured to coordinate and manage third party and business interruption elements of the claim as well as the disposal of contaminated food product..

The solution

The insured's bodily injury and business interruption claims totaled \$1,800,000 in associated costs and expenses with respect to the release, which was paid on behalf of the insured.

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Mold contaminates vegetable processing operations

The claim

A vegetable canning operator performed maintenance on older process piping and concealed HVAC equipment in the vicinity of active food production areas. After several days of inspecting and replacing equipment, employees of the industrial plumbing and HVAC contractor exhibited signs of eye, nose and throat irritation. Industrial hygiene wipe sampling revealed high levels of mold on removed equipment, insulation, ceiling and wall materials. Food manufacturing at the plant was halted for several weeks and recently packaged product was quarantined.

AXA XL responds

Our environmental claims counsel and a technical consultant worked with the insured to coordinate and manage elements of the claim. The plumbing/HVAC contractor employees were provided with medical examinations, but did not require any special medical treatment for mold exposure. A licensed mold abatement contractor was retained to assess and remediate remaining mold contaminated equipment and building areas before work could resume. The mold abatement contractor also ensured proper containment and disposal of removed waste materials. Potentially contaminated food product was also disposed. Food production areas required disinfection followed by air and surface clearance sampling at the conclusion of the project.

The solution

The insured's Pollution and Remediation Legal Liability Policy paid over \$950,000 for costs and expenses associated with the assessment, abatement, disposal, and decontamination of the food production facility.

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Listeria contamination at a food production facility

The claim

Following production recalls involving listeria, a bacterial pathogen present in food processing operations, a Midwest gourmet food manufacturer was forced to close in order to decontaminate food processing and packaging equipment within the plant. Initial testing identified several pieces of equipment that were positive for the pathogen along with two floor drains.

AXA XL responds

Environmental claims counsel and a technical consultant worked with the insured to coordinate and manage elements of the claim. Decontamination was performed using an oxidizing agent combined with cleaning processing and packaging equipment with a disinfectant and food contact surface sanitizer. Confirmation sampling revealed no evidence of listeria within the plant.

The solution

The insured's Pollution and Remediation Legal Liability Policy paid over \$275,000 for assessment/cleaning costs and expenses associated with the assessment, decontamination, and business interruption expenses.

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