

Filing Environmental Claims due to Hurricane Dorian Losses

Aon is monitoring Hurricane Dorian and its impact on the southeastern coastline of the U.S. For those in the likely trajectory, the focus right now is and should be on preparedness.

In the aftermath of the storm, Environmental insurance is one component of an insurance program that can respond to Hurricane Dorian losses. Once the storm conditions are over and local regulatory authorities have deemed it safe to return to your property, we offer the following recommendations:

Initial Inspection:

- Before entering, be certain of the structure's integrity — your personal and personnel safety is the utmost priority;
- Make sure that you are adequately protected — protective glasses, hard hat, closed (steel tipped) footwear, long pants and long sleeved shirts, and face mask and gloves — and other reasonably available protective gear;
- Have your environmental health and safety (EH&S) team or building management conduct an assessment — including the environmental conditions inside and outside:
 - Document (photographs/video) any pollution conditions such as chemicals, liquids, or other hazardous materials or contaminants that may have released from storage tanks, drums, or other containment in the indoor or outdoor environment, or any other conditions such as visible mold growth;
 - If the conditions present an “imminent and substantial threat to human health or the environment” (emergency) contact Aon immediately so we can assist you in getting emergency response resources to your facility — many insurance companies have a network of environmental specialists that can be called upon to assist you — with approved vendors — so you don't have to worry about unfair, deceptive and unscrupulous practices;
 - If the situation is not an emergency, do not incur any costs, make any payments or settle any matters related to the pollution conditions without the carrier's consent. Instead, contact Aon to assist you in reporting the pollution conditions to all applicable carriers (pollution, general liability, marine, other) so we can assure that coverage is not jeopardized and is coordinated among all applicable insurance;

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If there are Claims to Report:

- Once the matter is reported and the claim is assigned to an adjuster, provide information and timely respond to any information requests – good communication with the carrier is essential. Set up clear lines of communication with the adjuster and ensure that all personnel understand the functions of the adjuster, experts, broker and other supporters;
- Internal expenses (remediation work done by you or your personnel) will not be covered without the carrier's consent. Prepare a summary of activities that you or your staff can perform to submit to the carrier;
- Gather and keep documentation – such as requests for remediation proposals, scopes of work for various remediation vendors, as well as the invoices that will necessarily include detailed back up documentation of those charges (e.g., field notes for on-site remediation, receipts for any equipment purchases, travel, etc.);
- Keep detailed records of any loss of business income that results during any interruption of your business during the remediation activities. Coverage may also be available for any activities that you undertake to mitigate the suspension of your operations (“extra expense”) so record those activities and any associated documentation to support those expenses;
- If reasonably possible, and without threat to you or the environment, take precautions to secure the property. You have an affirmative obligation to mitigate your loss – whether or not such costs are ultimately recoverable under insurance;
- Crisis management – although a natural disaster – there may be circumstances that warrant public relations communications – many of the environmental carriers have resources – including professional advisors – that can provide guidance on external communications.

Your Aon environmental brokers will be happy to assist you with any questions you may have regarding your environmental insurance policy and filing a claim against it. It might also be helpful in this situation to review our article [Top 10 Technical Fouls to Avoid When Filing Environmental Claims](#). In addition to your Aon Environmental Broker you can also contact our environmental leadership team for assistance. In particular, Claire Juliana is the director of our environmental claims advocacy and her contact information is: claire.juliana@aon.com.

In addition, all of our environmental leadership are available to discuss any environmental questions and concerns.