

A broker guide to selling EIL insurance



EIL Sales Playbook



Bring on tomorrow



Environmental Insurance (more formally known as Environmental Impairment Liability insurance or EIL for short) covers businesses against a range of environmental liabilities and exposures. EIL policies are designed to respond to all types of pollution – sudden, accidental and gradual – and clean-up regulatory obligations that are getting more and more complex.

Environmental insurance offers attractive development opportunities for brokers and is here to stay.

1 AN EMERGING RISK
Environmental exposures have been amplified by a tougher legal environment throughout the EU which introduced new concepts such as damage to biodiversity and more stringent clean-up requirements. This means that even though businesses' operations may not have changed, their potential environmental liabilities have increased.

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2 A BIG, SENSITISED MARKET
Businesses in all industries and of all sizes face environmental liabilities. Obligations for both companies and competent authorities point towards an increase in both number and costs of environmental claims – which combined with attention from the media, have encouraged greater awareness of environmental issues by businesses, investors and customers.

3 STRONG COMPETITIVE POSITIONING
Brokers who are able to have meaningful conversations about environmental insurance with clients are able to differentiate themselves from competing brokers who may not have the same degree of risk and product knowledge. This has exciting possibilities for new business and retention strategies and reaffirms brokers' position as valued and informed risk advisors.

4 DIRECTORS AND MANAGERS ARE PERSONALLY EXPOSED
Following an environmental incident, individuals also face the possibility of personal actions. In fact, some local regulations might hold directors and managers personally liable for the damages. It is worth emphasising the complexity of environmental risks and the high importance of EIL insurance to the directors and managers deciding on the business' insurance coverages.

5 INTERNATIONAL OPPORTUNITIES
Countries have different local environmental legislation and have adopted the European directive on environmental liability in different ways – in several (Spain, Portugal, Slovakia and Czech Republic for example) businesses may need to demonstrate that they have financial assurance in place for their environmental exposures (such as a locally issued EIL policy) in order to operate in that country.

In summary: increasing client exposures and increasing client awareness point to opportunities for brokers to strengthen their positions with clients and increase their revenue. The following sections look in more detail at: the target market for EIL, sales arguments for first-time buyers of EIL, selling AIG to the client as the EIL insurer, servicing aspects for the broker, suggestions for overcoming EIL sales obstacles and finally some claims scenarios.

NOTES

1 Damage to Biodiversity means damage to protected species and their habitats. Hundreds of species of animals, birds, insects, fish and plants are protected at European and national level.

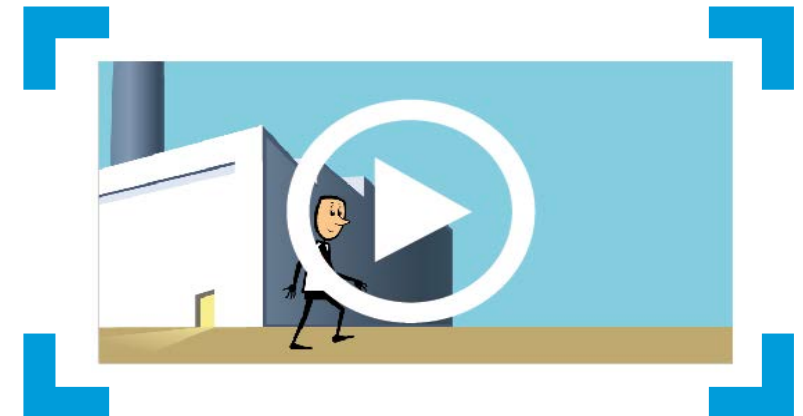
In addition there are Thousands of protected sites across Europe (in fact nearly a fifth of the EU's land area is protected).

[See the Natura 2000 network for more information](#)

2 New forms of clean up such as complimentary and compensatory remediation mean that it could take years for a business to remediate the damage they have caused to land, wildlife and natural habitats.

For example damaged trees and plants may need to be replanted and populations of wildlife and fish may have to be restocked.

The business may also have to make additional improvements to other areas to compensate for the loss of use of the damaged site while it recovers from the damage.



A positive characteristic of EIL insurance for brokers is that there is a wide range of business sectors that we can underwrite. From major international corporations to local SMEs, our flexibility means we can accommodate most sectors, particularly:

- **Manufacturers - from heavy industry and chemical companies to food and beverage manufacturers**
- **Power and Utility**
- **Retail and Warehouses**
- **Haulage and Logistic**
- **Construction projects and blanket cover for companies**
- **Property owners and developers including their tenants**
- **Bulk storage**
- **Waste management and disposal facilities**
- **Environmental Professional Service firms**
- **Multinationals**



ALPHA has been with AIG EIL for over 10 years. It is a global chemical group with more than 30,000 people manufacturing products in more than 50 countries. The company values AIG EIL international network and local capabilities, and it knows that their global operations have reliable and the best possible local support worldwide.



BETA is a small haulage firm, operating in the general road haulage industry for nearly 30 years. Beta has a turnover of £1m per year and counts with a fleet of 20 vehicles. It bought its first EIL policy with AIG in 2008 and has been our client since.



GAMMA is a company operating in the merchandising and DIY retailing markets in Britain and Ireland. Its branches mainly supply trade customers engaged in residential, repair, maintenance and improvement projects. Gamma has been an AIG EIL customer since 2010 after suffering a £1,000,000 pollution loss.



DELTA is a UK Construction company. It purchases EIL insurance because of the possibility of causing new pollution by disturbing pollution which was already present but not evident. This could lead to Delta being held liable for the clean-up costs and potential costs associated to bodily injury, property damage and biodiversity damage.

When pollution and environmental incidents happen, professional, reliable and specialised response matters.

PIER Europe

Unmatched Pollution Incident and Environmental Response network from AIG, helping clients resume normal operations quicker whilst minimising the costs associated to the remediation and potential liabilities.

Introducing PIER Europe



Why use PIER Europe?



POWERFUL, CUSTOMISED RESPONSE

When incidents happen, PIER Europe operators help assemble the most appropriate response team, specific to the business' needs. The network includes experts in environmental spill response and clean-up, disaster recovery and restoration, waste management and disposal, investigative services and environmental consulting.

BIG OR SMALL

Pollution and environmental incidents of all sizes can be supported by the service. PIER Europe can help businesses dispatch specialised responders and coordinate a comprehensive response. No matter how large or small.

ACROSS EUROPE

Accessible in 32 countries* and with operators available 24/7/365 providing support in over 40 languages, the PIER Europe network ensures timely, reliable and comprehensive support for our Environmental policyholders.

CRISIS COMMUNICATION AND PR SUPPORT

Businesses risk damaging their reputation when sensitive incidents hit the headlines. PIER Europe can provide access to professional communication support to help manage the public impact of the incident and minimise reputational damage.

* PIER Europe is available in 32 countries: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lichtenstein, Lithuania, Luxembourg, Malta, Norway, Poland, Portugal, Romania, Russia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the Netherlands and the United Kingdom.

AIG are a world leading multinational insurer, we have been doing it for over 60 years and last year we insured over 30,000 local policies throughout the world for multinational clients.

With this experience we can offer clients three different levels of multinational insurance coverage, depending on their needs and preferences.

FOR A MORE DETAILED INSIGHT INTO OUR MULTINATIONAL CAPABILITIES, VIEW THE AIG EUROPE MULTINATIONAL SALES PLAYBOOK



INDIVIDUAL LOCAL POLICIES IN EACH COUNTRY

The default for many companies with overseas operations

A local policy issued by a locally licensed carrier may be needed to fulfil contractual and other obligations. With the breadth of our operations and expertise throughout the world we are able to issue a local policy or certificate in virtually every country clients operate.



VIEW THE ADVANTAGES AND DISADVANTAGES

FREEDOM OF SERVICES (FOS)

A single policy with simple admin for the businesses with EU operations

Our FOS policy is a single policy wording covering multiple EU locations. It simplifies broker and client administration by having a single premium, a single renewal date and a single contact point in the clients' home territory.



VIEW THE ADVANTAGES AND DISADVANTAGES

CONTROLLED MASTER PROGRAMME (CMP)

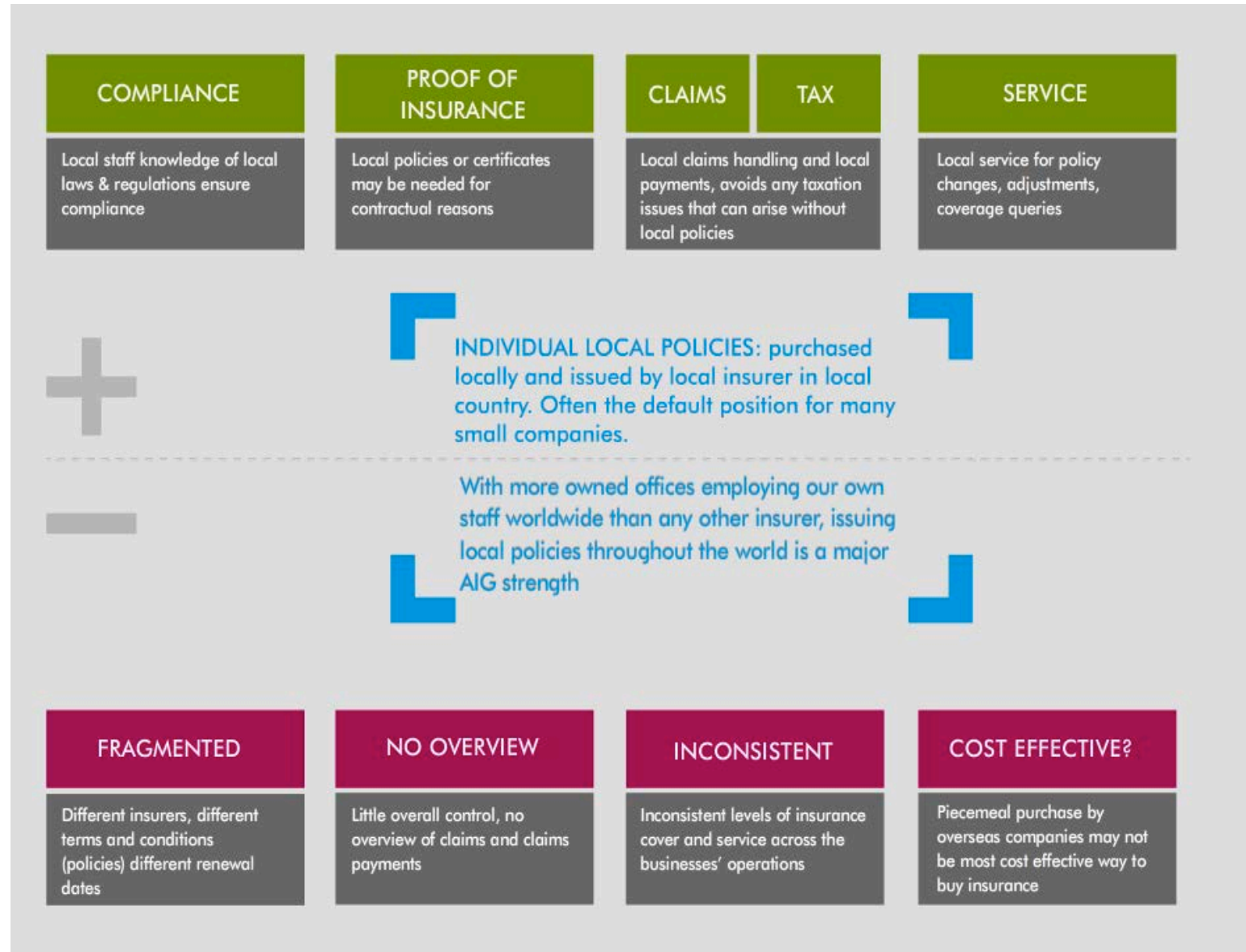
A global insurance programme combining locally issued policies with central control

With such a large AIG global owned network the vast majority of clients' policies in a CMP will be issued by a local AIG office. This ensures clients comply with local regulations whilst maintaining coverage and service consistency across their operations.

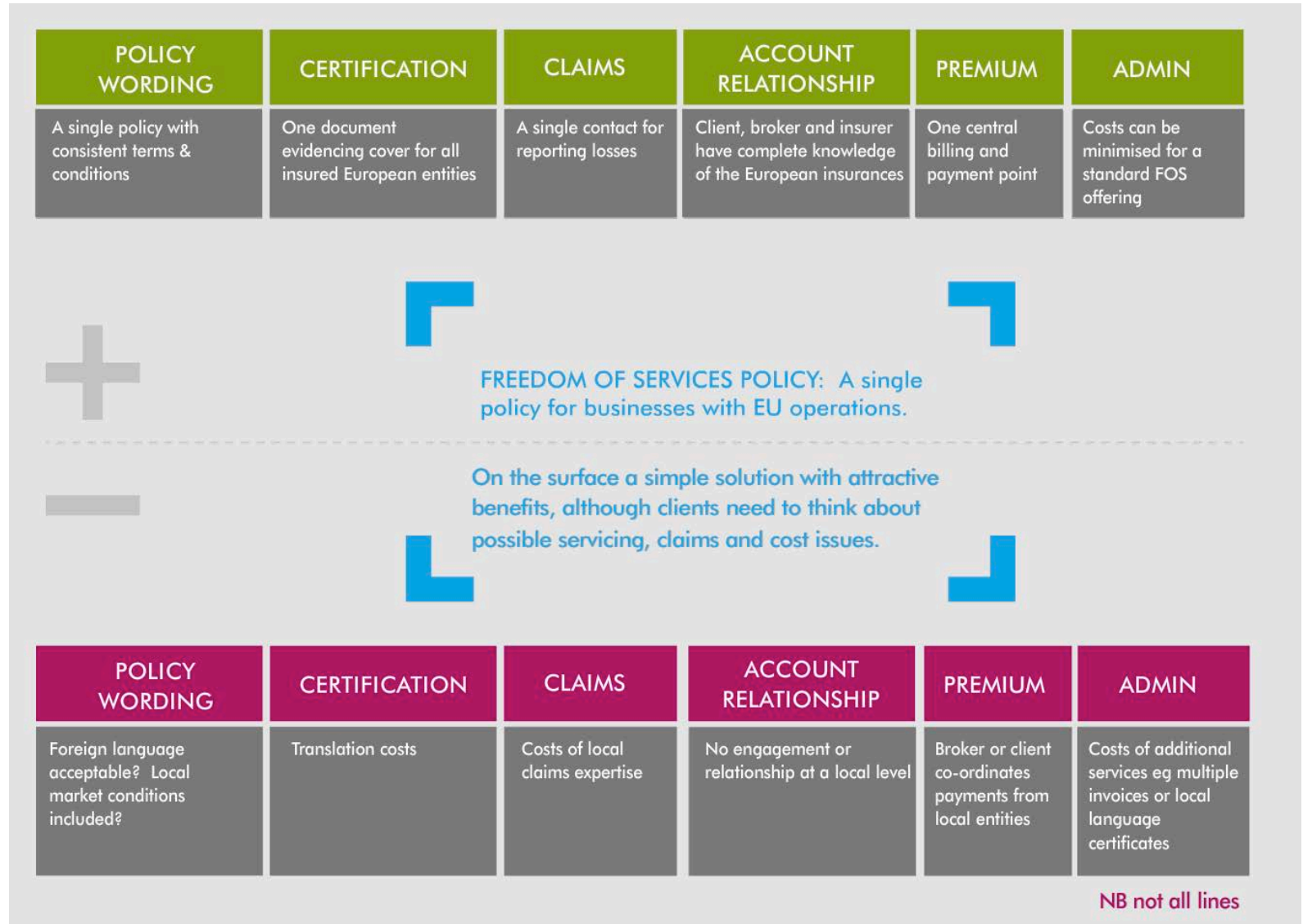


VIEW THE ADVANTAGES AND DISADVANTAGES

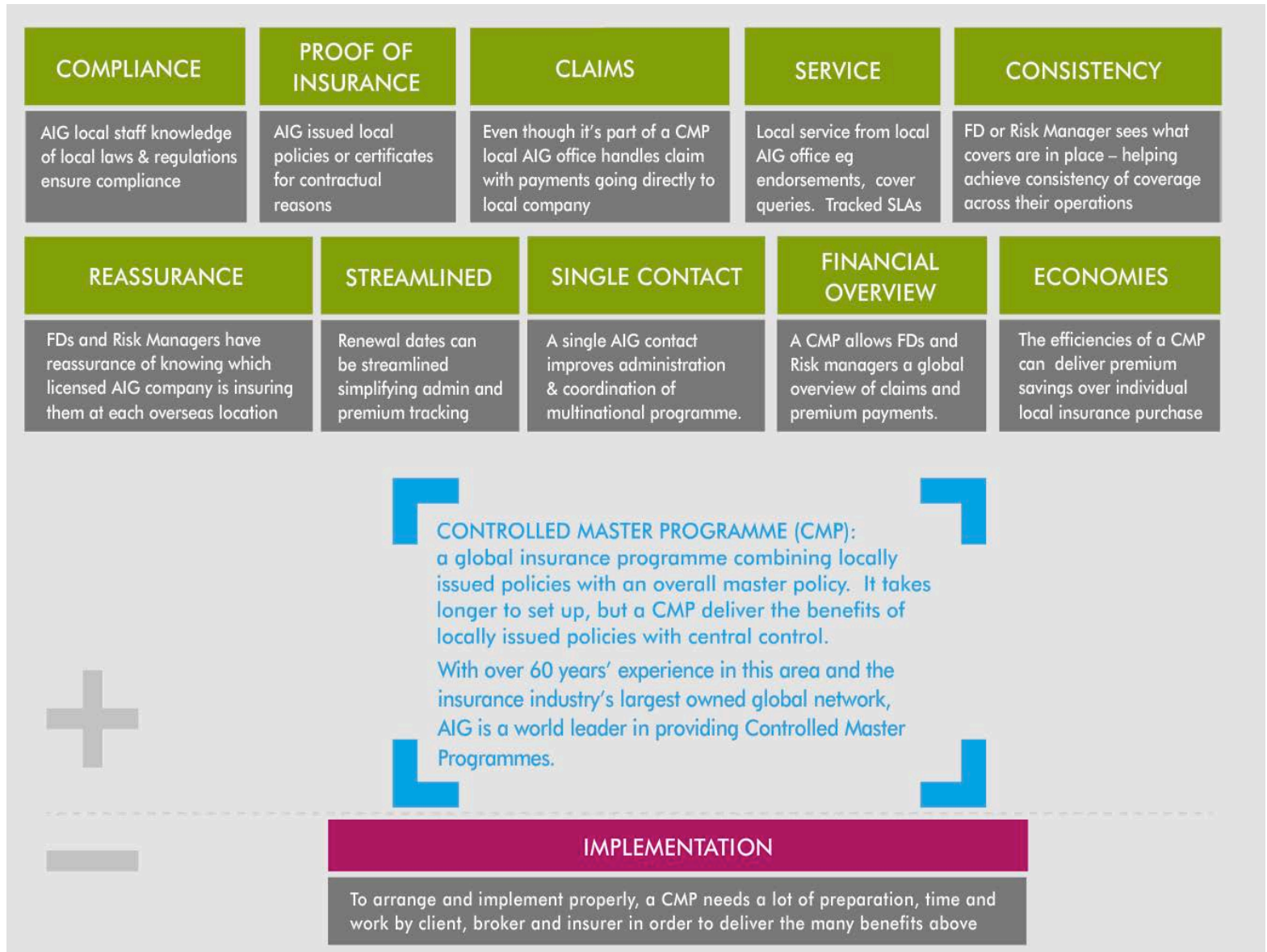
The advantages and disadvantages of locally purchased insurance policies



The advantages and disadvantages of FOS policies



The advantages and disadvantages of a Controlled Master Programme



CLICK ARROWS FOR MORE

Clients who are “first time buyers” not having yet made the decision to purchase EIL insurance, need to understand at least in general terms the extent of their potential exposures and the protection offered by the insurance.

Here are some suggested discussion points.

THEMES 1

IS THE BUSINESS AWARE THAT GENERAL LIABILITY COVERAGE FOR ENVIRONMENTAL EXPOSURES IS VERY LIMITED AND DOES NOT COVER THE BUSINESS FOR DEVELOPMENTS IN LEGISLATION, GRADUAL, 1ST PARTY OR HISTORICAL POLLUTION?

HAS THE BUSINESS ASSESSED ITS RISK EXPOSURES? IS IT AWARE THAT ITS ENVIRONMENTAL EXPOSURES HAVE INCREASED?

DOES THE BUSINESS UNDERSTAND THAT FOR ENVIRONMENTAL DAMAGE IT MAY BE GUILTY UNTIL PROVEN INNOCENT

HAS THE BUSINESS CONSIDERED THE REPUTATIONAL IMPACT OF A POLLUTION INCIDENT

RELEVANCE OF EIL

SUDDEN & ACCIDENTAL (S&A) VS GRADUAL POLLUTION

Sometimes it is difficult to establish if a pollution incident was caused by a S&A or gradual pollution incident. EIL insurance is designed to cover all pollution conditions, and it makes no distinction between gradual and S&A pollution.

OWN SITE CLEAN-UP

General Liability policies do not cover own site clean-up or mitigation measures. EIL can provide the business with onsite coverage for clean-up costs, 3rd party bodily injury and property damage associated to the pollution incident.

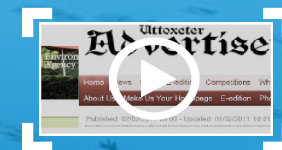
HISTORICAL POLLUTION

Pollution can be present on sites even though there is no current operational risk and businesses may face historical contamination from a site's previous uses. EIL policies can provide businesses with coverage for historical pollution present on and off-site.

New forms of clean up introduced by regulations increase business's potential environmental liabilities. EIL insurance covers this (and future) legislation.

A company suspected of causing environmental damage is 'guilty until proven innocent'. EIL covers defence and investigation costs, provides specialist environmental support to liaise with different authorities on the company's behalf.

Media and public sensitivity to local pollution incidents can impact the business's image. EIL insurance is clear evidence of the precautions that the business has taken with its environmental responsibilities.



[MORE THEMES >](#)

CLICK ARROWS FOR MORE

SALES THEMES CONTINUED

THEMES 2

RELEVANCE OF EIL

DOES THE BUSINESS KNOW WHO TO TURN TO?

When an environmental loss happens, it is important to involve the right people early. Most companies haven't dealt with an environmental loss before and may not know who to turn to. We provide our EIL clients with technical and legal experts and an extensive professional network with decades of experience.

DOES THE BUSINESS UNDERSTAND WHAT IMPLICATIONS A LONG TERM REMEDIATION PROJECT COULD HAVE ON ITS BUSINESS?

Businesses that cause environmental damage have to restore the site to its original condition. This can be complex and take many years. Our EIL covers the costs and provides the environmental expertise to do this.

**DOES THE BUSINESS KNOW THAT INDIVIDUAL EMPLOYEES CAN BE HELD PERSONALLY LIABLE?**

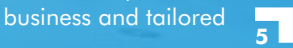
Following an environmental incident, individuals face the possibility of personal actions. Our EIL can cover investigation and defence costs and settlements for pollution or environmental damage caused by the business and its employees.

IS THE BUSINESS AWARE THAT EMERGENCY WORKS CARRIED OUT BY REGULATORS CAN BE CHARGED BACK TO THE BUSINESS THAT CAUSED THE POLLUTION?

EIL covers clean-up costs incurred by third parties or governmental authorities' carrying out emergency works on behalf of the business.

**IS THE BUSINESS AWARE THAT RECENT STRINGENT REGULATIONS IMPOSE STRICT LIABILITY TO CERTAIN CLASSES OF BUSINESS?**

Some activities have strict liability under EU environmental regulation and are fully subjected to the strength of the liabilities and duties it imposes. Our EIL insurance provides cover for these classes of business and tailored solutions to their needs.

**DOES THE BUSINESS UNDERSTAND IT CAN BE LIABLE FOR ENVIRONMENTAL DAMAGE EVEN IF IT HASN'T CAUSED ANY POLLUTION?**

Environmental Damage can also be caused without contamination. Fire or damage by heavy machinery could trigger environmental obligations and result in significant costs, which are covered by our EIL insurance.



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NOTES

1 Primary remediation is any remedial measure which returns the damaged natural resources and/or impaired services to, or towards, baseline condition; Complementary remediation is any remedial measure taken in relation to natural resources and/or services to compensate for the fact that primary remediation does not result in fully restoring the damaged natural resources and/or services; Compensatory remediation is any action taken to compensate for interim losses of natural resources and/or services that occur from the date of damage occurring until primary remediation has achieved its full effect;

2 Businesses can be exposed to multiple environmental regulators depending on what damage they caused and where they caused it. This can end up tying up resources and disrupting operations.

3 These costs can be substantial and are not covered by general liability policies but are picked up by an appropriate environmental insurance policy.

4 The Directive introduces new and more stringent liabilities for operators, particularly for those listed in Annex III. Operators have the:

- Duty to prevent damage to the environment
- Duty to take action where there is an imminent threat of environmental damage
- Duty to report an actual or suspected environmental damage to the competent authorities

5 These activities include:

- all operations licensed under the EU Integrated Pollution Prevention and Control Regulations (IPPC)
- Waste management operations
- Mining, quarries extractive industries
- Operations with consents to discharge to water
- Transport of hazardous materials (licensed)

We have outstanding technical expertise, in terms of underwriting expertise and training material to help our brokers develop their environmental insurance accounts. This is supported by a highly experienced EIL claims team to ensure our clients get the best possible support after an environmental incident.

LOCAL EXPERTISE

We have the largest environmental underwriting team in Europe. With environmental underwriters all over Europe we offer brokers access to technical underwriting expertise and expert decision making in their local markets.

CLAIMS EXPERTISE

We have the largest specialised EIL Claims handling team in Europe. The team is experienced in complex environmental claims and can handle most requests in local languages. Benefiting from our extensive global capabilities and knowledge centres, our claims handlers offer strong and dependable customer support during a stressful period for our clients.

CONSTANT INNOVATION

Environmental regulations are volatile and are expected to continue developing further in the years ahead. We are highly sensitive to changes to our clients' exposures and we are constantly enhancing our policy coverage to make sure it keeps up with the environmental risks facing our policyholders.

MULTINATIONAL EXPERTISE

We have the industry's largest owned international network, EIL licenses across the globe and extensive knowledge of sophisticated program structures. This means we can help you design and implement bespoke multinational programs, (locally administered or on a controlled master basis). This can give you a powerful global lead advantage and unmatched service capabilities.

The breadth of our EIL expertise enables us to deliver strong local support for our brokers, including technical training and underwriting clinics – to help you win and retain more EIL business.

AWARD WINNING TRAINING

Our acclaimed online environmental insurance training programme has been written especially for insurance brokers. It is designed to give brokers the knowledge and the confidence to have meaningful conversations with clients about their potential environmental exposures and possible insurance solutions.

The programme provides entry level training covering: environmental fundamentals, legislation, enforcement, practical issues for businesses such as typical clean-up costs and the cover provided for these exposures by environmental insurance. The programme has both won and been shortlisted for various awards and nominations and is freely available throughout Europe.



[CLICK HERE TO VISIT THE WEBSITE](#)

PRE-BIND TECHNICAL SUPPORT

With over 30 specialist environmental underwriters across Europe we can deliver outstanding technical support to our brokers to help them win more business. We can do this over the phone or face to face at our local offices, or via our environmental underwriting clinics which we run throughout the region, often on our brokers' premises.

We know from experience how much our brokers value these discussions. For instance individual cases can be analysed, claims scenarios can be discussed, points of cover clarified, pricing and underwriting criteria explained in order to help the broker anticipate and resolve any client queries.

In fact it's not unusual for brokers staff to spend time in our own offices working side by side with our environmental underwriting teams in order to fast-track their own environmental insurance familiarisation and learning.

HOW ENVIRONMENTAL CLAIMS EXCELLENCE HELPED OUR BROKER GROW CASE STUDY.

"The local authority found tracks of chrome inside a private water flap, and our client was involved. The intervention of our environmental incident response service was crucial for meeting the authority requirements and allow the client business continuity. The broker was so satisfied of our intervention that they decided to organize with our support a workshop based on this case history to promote our product between their clients and new important prospects. "

AIG EUROPE (Milan)

CLICK ARROWS FOR MORE

Our experience suggests that most purchase obstacles raised by clients relate to their uncertainties about their environmental exposures and resulting reservations about the pricing to gain specialised EIL coverage.

All of these obstacles can be effectively countered.

POTENTIAL OBJECTION

I'VE NEVER HAD A POLLUTION LOSS SO WHY DO I NEED TO BUY THE INSURANCE NOW?

IT DOESN'T SEEM WORTH THE PREMIUM SPEND

WE JUST DON'T NEED EIL INSURANCE, WE'LL TAKE CARE OF ANY LOSSES OURSELVES

POSSIBLE DISCUSSION POINTS

Businesses are more likely to have a loss now than they were 5 years ago because regulations have increased businesses' environmental exposures and obligations. The trend towards tougher regulations and increasing EIL claims is expected to continue.

It is even more dangerous for businesses that have strict liability under environmental regulations including those that need an environmental license to operate. **1**

It's possible that the business has been having pollution losses for years without realising it as at times these are dealt with as operational costs. Management need to be aware of this and realise the true extent of their environmental exposures. **2**

Some environmental claims, particularly those involving environmental damage to protected species, their habitats and protected sites can be very severe and potentially disrupt businesses operations for years.

EIL insurance premiums are a small percentage of what the losses businesses could incur. Defence costs alone can add up to 7 figures.

Environmental regulations have developed and become stricter on businesses. If the company is found guilty, it might be liable for the remediation and clean-up of a site for many years, tying up business resources and disrupting operations.

Environmental claims are highly technical and often require skilled resources to manage them. Following a claim, companies might end up paying more in consulting fees and engineering support than they would have in insurance premiums. And this does not include any of the direct costs related to the environmental claim itself.

NOTES

1 Any business that stores fuel or emits discharges needs an environmental license to operate, which embraces a huge range of business activities from a power plants at one extreme to a small ice-cream, manufacturer at the other.

2 This is particularly true for larger companies. For instance, fuel leaks onto adjacent land may be cleaned up and paid for by out of the site manager's budget, any resulting fines may be handled by the legal department, but none of these costs are communicated as potentially insurable losses to the risk manager/ insurance buyer.

Here are a number of scenarios illustrating how clients' EIL policies have been triggered and responded to a variety of businesses' needs and environmental exposures.

The scenarios are all based on actual cases.

OUTLINE OF CIRCUMSTANCES COMMENT

1

CONSEQUENCES THAT LAST FOR YEARS

A pipeline ruptures in a protected area leaking oil into a nature reserve. Authorities force the business to carry out not only primary remediation and clean-up, but also to indemnify the environment for the damage caused to the natural habitats and species affected. This environmental damage to a protected site entails complex, long term planning obligations for the business that could last many years.

2

UNKNOWN CONTAMINATION DISCOVERED DURING INSPECTION

A gradual leak from an underground fuel storage tank was discovered by the competent authorities during a site inspection. The business was required by the regulator to carry on-site clean-up and remediation. Heating oil release from a wastewater treatment station damaged the facility and rendered it unable to treat the wastewater. The business's operations were interrupted until the plant was cleaned and filters were replaced.

3

CONTAMINATION CAUSING BUSINESS INTERRUPTION

A chemical storage tank collapsed and contaminated neighbouring installations as well as the nearby river. The industrial park was shut down for clean-up and remediation works, forcing businesses to interrupt their operations until these were completed.

4

PROXIMITY TO CONTAMINATION CAN IMPLICATE THE BUSINESS

A business is suspected of causing pollution. The Environment Agency requested the suspected company to take action to mitigate and remediate the pollution. It was later proved that the suspected company was not the actual polluter.

5

SUSPICION ALONE CAN CREATE COSTS

After a fire at a metal recycling facility, investigations of pollutant levels revealed that the water runoff from the fire and fire suppression materials had affected the wastewater treatment plant at the Insured's facility.

6

CONTAMINATION CAUSED BY FIRE FIGHTERS

The business had to pick up all the costs related to the clean-up of the plant.



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Bring on tomorrow

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