

Site Clean-Up Solutions: Underground



A member of the  **Séché** Group

Introduction to EnviroSure

Established in 2008, EnviroSure Underwriting Managers is a niche underwriting agency and a South African leader in environmental impairment cover.

Our comprehensive solutions fully cover the costs incurred during clean-up and rehabilitation in the event of an environmental spill. Risks and covers include transport, site and above and underground storage tanks.

We are proudly part of the Séché Group of Companies. Séché Environment is a leading international group specialising in the management, recovery and treatment of hazardous and non-hazardous waste. The Group is a leader in industrial waste management and one of the world's key players within the circular economy.

Our risks and covers include:



TRANSPORT RISK



SITE RISK
On-Site Storage



SITE RISK
Underground Storage

EnviroSure Underwriting Managers (Pty) Ltd is an authorised Financial Services Provider. FSP No. 38594. EnviroSure Underwriting Managers underwrites on behalf of various insurers. The specific underwriter will be confirmed in the schedule and policy wording.

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Envirosure insurance products are underwritten by:



FSP No: 3417

Centriq Insurance Company Limited offers a diverse range of specialist and general insurance solutions for all personal and business needs. These insurance solutions are largely delivered through an extended network of Underwriting Management Agents (UMAs), Alternative Distribution business partners and their in-house Risk Finance team. Centriq Insurance Company Limited is a licensed Non-Life Insurer and authorised Financial Services Provider, FSP No: 3417

or

MUTUAL & FEDERAL | risk
financing

A member of the  **OLDMUTUAL** Group

Mutual & Federal Risk Financing provides large commercial and industrial organisations with world-class captive management and risk financing services. Mutual & Federal Risk Financing Limited is a licensed Non-Life Insurer.

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Limits of Indemnity

- ✓ Cover from R1 000 000 upwards
- ✓ Cover is an annual aggregate – per claim or per annum (whichever exceeds first)
- ✓ Limit not divided between clean-up and rehabilitation
- ✓ Reinstatement allowed at management discretion
- ✓ Municipal costs only covered when they arise as a direct result of an accidental spillage or release into the environment (limit R100 000)
- ✓ 3rd Party limit is per incident and does not form part of the environmental impairment annual aggregate. 3rd Party liability is an additional per incident indemnity limit.

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South African Legislation

South Africa has stringent environmental legislation. The National Environmental Management Act (NEMA) is based on our constitutional right to an environment that is not harmful to health or wellbeing and is protected for the benefit of present and future generations. NEMA includes Acts and Regulations such as:

- National Environmental Management: Waste Act (NEMWA)
- National Environmental Management: Biodiversity Act (NEMBA)
- National Environmental Management: Integrated Coastal Management Act (NEMICA)
- National Environmental Management: Air Quality Act (NEMAQA)

International law principles embodied in our legislation include:

- *The polluter pays principle* – If pollution occurs and you are

responsible you must bear the costs to rectify the effects on the environment and public health.

- *The preventative principle* – Everyone is responsible for taking the necessary action to prevent, minimise and remediate environmental damage.
- *The precautionary principle* – A risk averse and cautious approach needs to be followed as the long term effects of actions taken may not be fully understood.
- *The principle of cradle-to-grave responsibility applies to producers* – You remain responsible for your waste notwithstanding lawful transfer of the waste.
- *Criminal liability* - Unlawful polluting is a crime which can attract fines, penalties, possible jail time as well as costs to remedy the pollution and possible civil damages due to third parties.

How you can be held liable:

- You can be held liable for clean-up costs, damages and loss caused to third parties (ie. The environment itself plus other users of the environment such as neighbours or communities). You could also be found to be criminally guilty if you cause pollution or fail to carry out rehabilitation and remediation measures.
- The responsibility to take reasonable steps remains with the person who caused the pollution regardless of when it happened eg. claiming that it happened before the inception date of a policy or legislation does not absolve you of the liability.
- You could be held personally liable for the full clean-up costs and damages incurred and a person convicted of an offence in terms of NEMA can **face a fine of up to R10 million or imprisonment of up to 10 years or both such fine and imprisonment**. Directors, managers, agents and employees could face personal criminal liability equal to companies' liability if they do not take the necessary steps to prevent the incident from occurring.
- As a seller, buyer, lessor or lessee of contaminated land, you have obligations to remedy the contamination and even if the contaminated land is sold, third parties and purchasers may claim against the seller in respect of clean-up costs and other damages.



**10 YEARS JAIL
AND/OR
R10 MILLION FINE**

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The Importance of Environmental Impairment Insurance

In the event of an environmental incident, clean-up and rehabilitation costs can be prohibitive and the process extremely lengthy. It is therefore critical to be aware of the risks that are associated with a particular site.

In some instances a full site risk assessment may be conducted which can highlight risk exposures and cover requirements. Alternatively, a desktop risk assessment may be undertaken to determine the site risk. This may include the presence of surrounding sensitive environmental receptors such as water bodies, communities or conservation areas.



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The following factors will be taken into account:

- The type of commodity/product stored including whether underground bulk storage includes hazardous substances (eg. diesel/petrol)
- The potential impacts in the event of a release of the commodity/product into the environment including the clean-up, rehabilitation and disposal requirements associated with the relevant commodity/product.
- Descriptions of the surrounding properties
- The proximity of the site to sensitive receptors and water bodies eg. river, dams, wetlands, boreholes
- The containment measures required and potential product flow paths in the event of a spillage

The site infrastructure:

- Composition, size, age and condition of tanks and fuel lines
- Details regarding integrity testing of tanks and fuel lines including the methodology, frequency and contractor used to conduct testing
- Details regarding leak detection methods: automatic tank gauging, manual reconciliation, monitoring of wells

Previous environmental incidents:

Whether there have been previous environmental incidents which have taken place at the facility and whether these incidents were reported to the relevant environmental authorities are also important considerations.

Compliance in terms of:

- Condition of infrastructure
- Legal and environmental regulations eg. Environmental Impact Assessments, discharge permits, environmental monitoring
- Operational and maintenance procedures
- Management systems related to health, safety, environment and quality
- Fire management systems
- General housekeeping

Envirosure specialists will conduct, at no charge, in-depth assessments of a site to identify environmental risk and to advise on incident prevention. In the event that environmental impairment cover is undertaken with Envirosure, our specialist team will:

- Provide advice and procedures to ensure staff are response-ready in the event of a spill.
- Assist with strategic rehabilitation plans and guidance on the relevant reporting requirements.

Envirosure is committed to proactive risk management. We will actively work with clients to customise a risk management plan to reduce the client's risk and manage their compliance requirements. Depending on the needs and policy structure we may contribute towards:

- Tank testing
- Specialised training
- Specialised consultants to aid in external audit preparation
- Premium rebates for automated tank monitoring
- Spill kits and spill response training

By managing and reducing the client's risk the cover will be enhanced.



HAZCALL 24 0860 44 44 11
SPIILLS MANAGEMENT CONTACT CENTRE
Cross Border +27 60 440 2810

On Call 24/7

Envirosure has a 24 hour toll free call centre called Hazcall24.

Hazcall24 is a specialised call centre with trained operators who receive the vital information with regards to an incident or spillage. They will immediately mobilise the nearest and best suited response team.

Benefits:

- ✓ Reduced response times
- ✓ Reduced costs
- ✓ Up-to-date reporting
- ✓ Reduced time on site
- ✓ Total management

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“We take away the stress of dealing with these complicated and time-consuming compliance issues...”

Environmental Legal Compliance

In the event of an accident, incident or spillage which potentially impacts on the environment, the insured is responsible for containing and minimising the effects of the incident, clean-up procedures including remedying the effects of the incident, and assessing the immediate and long-term impact on the environment and public health. Initial reporting of the incident and subsequent reporting post the incident to the relevant authorities are also the responsibility of the insured.

Envirosure has the expertise to assist with all compliance requirements including compiling of reports and handling of authorities' queries. We take away the stress of dealing with these complicated and time-consuming compliance issues, allowing the insured to focus on their daily business.

Includes:

- ✓ Section 30 Alert report
- ✓ Section 30 Emergency and DEA reporting

The form is titled 'Emergency Incident Report' and is part of the 'Environmental Management Act (No. 101 of 1998)'. It includes fields for 'Incident Date', 'Time of Incident', 'Location of Incident', and 'Name of the Incident'. There is also a section for 'Responsible Person' with fields for 'Name', 'Physical Address', 'Telephone (Home)', 'Telephone (Work)', 'Fax', 'E-mail', and 'Nature of Business'. The form also contains a declaration of accuracy and a section for 'Remarks'.

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Real-time Reporting

Real-time communication and reporting to the insured/broker is an integral part of our process. When an incident has occurred and the response is in progress, live updates are provided hourly throughout the process.

A live communication group is created and all key EnviroSure, service provider response team and insured/broker staff are communicated with as the response, containment and clean-up progresses.

Post resolution of the incident, accident or spillage, a detailed report, which includes a comprehensive overview, is compiled and is included in the claim's debriefing.

Includes:

- ✓ **Hourly updates**
- ✓ **Photographic evidence (where permissible)**
- ✓ **Detailed reports**

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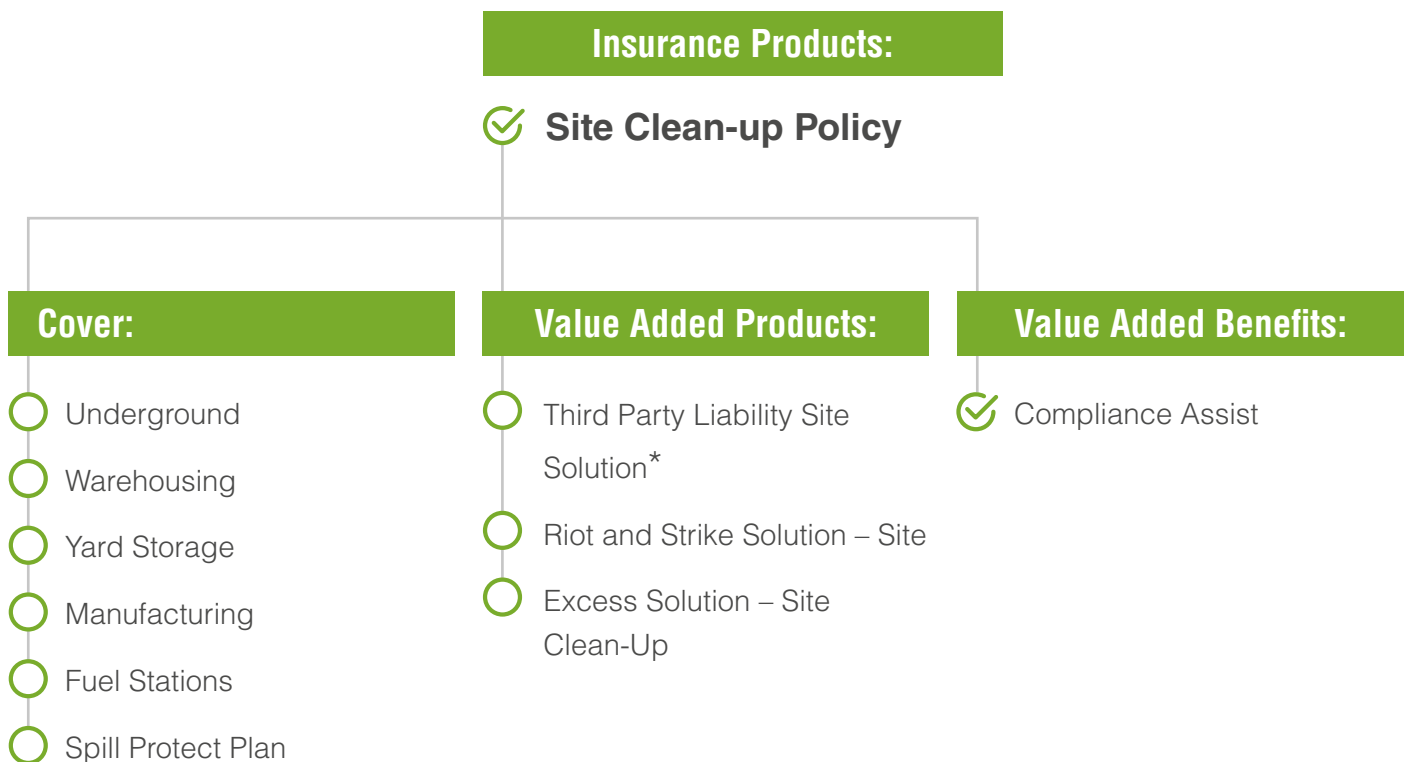
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Site Clean-Up Solutions: Underground

Envirosure offers a range of comprehensive site specific solutions to cover the costs incurred during clean-up and rehabilitation. In addition we will ensure that all the complexities of the administration and reporting required for environmental and legal compliance are taken care of.

Our solutions include:



*underwritten by Leppard

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Site Clean-up Policy: Underground Solution

A comprehensive environmental policy for the storage of fuels, chemicals and other potential pollutants in underground storage tanks.

Cover includes costs related to the clean-up and rehabilitation of contaminated areas in respect of an environmental incident which occurs as a direct consequence of the spillage or leakage of any dangerous goods or pollutants arising from storage in any Underground Storage Tanks (USTs), or the associated underground piping reticulation network, on any premises, as listed in the Schedule.

On request, the policy may extend to include gradual pollution.

The policy includes investigation of loss – an investigation if any irregularities occur - and 1st party loss (own property clean-up). The policy meets the Department of Energy licence requirements for financial provision for rehabilitation.

Cover Includes:**✓ Emergency Response and Spillage Containment**

In the event of an environmental incident, such as a spill, speed of response is critical to contain the spillage as quickly and effectively as possible and prevent migration into water sources and other areas beyond the original spill site which can increase clean-up and remediation time and costs. Hazcall24, EnviroSure's 24 hour toll free call centre, has a network of approved service providers and will immediately appoint an authorised service provider and mobilise units to the scene. Hazcall24: tollfree number 0860 44 44 11.

✓ Clean-up and Rehabilitation

Environmental Specialists may be required to conduct independent laboratory analyses to determine contamination levels and provide their recommendations. Clean-up and rehabilitation needs to be undertaken in accordance with legislative requirements and the success of the remediation process will need to be verified by the relevant authorities. Depending on the product spilt, Hazchem landfills may have to be utilised which can carry significantly higher costs and they may be located far away from the spill site resulting in prohibitive transport costs. In such instances, on-site/in-situ remediation may be a more cost effective solution.

✓ Environmental and ecological restoration

An incident can significantly impact on the environment, people and property. Assessments of soil and water will indicate if additional remediation is required and if there are continuing exposure and health risks. Once remediation has been satisfactorily completed, site reinstatement will take place as required, to obtain environmental sign-off. This may include backfilling with treated or imported soil and revegetation with site specific species.

✓ 1st and 3rd Party Clean-up Costs

Clean-up costs for your own property (ie. 1st party) as well as clean-up costs should the contamination migrate to adjacent properties (3rd party), are covered. Sublimits are not applied. The sum insured will be utilised as required to attend to the clean-up costs.

✓ Handling of the claim

Envirosure will handle all aspects of a claim, including appointing a response team, providing real-time response reports, ensuring legal compliance – including remediation and rehabilitation – and will supply detailed reports and costings.

✓ Customised limits and underwriting

It is important for property owners/lessees/tenants to ensure they have adequate environmental cover. EnviroSure is able to offer various cover options and indemnity limits to suit these particular needs.

HAZCALL  0860 44 44 11

Value Added Products

The following value added products are available to Site Clean-Up policyholders as extensions at an additional premium.

Third Party Liability Site Solution

This cover offers protection against third-party insurance claims, resulting from injuries and damage to people and/or property as a direct result of an environmental incident resulting in a claim as defined by the EnviroSure policy.

The Liability Solution extension covers both legal costs and settlement for which the insured would be legally liable to pay. Cover in terms of this policy is limited to liability arising out of an environmental incident which also give rise to a valid claim in terms of the Site Clean-up Policy.

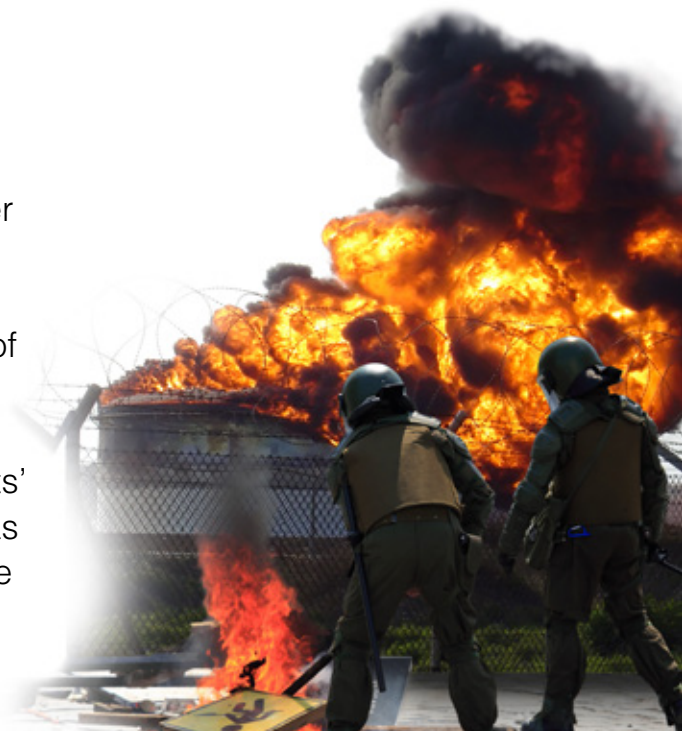
This policy is underwritten by Leppard and Associates (Pty) Ltd, an Authorised Financial Services Provider (FSP No 274) and underwriting manager authorised by Lombard Insurance Company Limited, a licenced Non-Life Insurer and Authorised Financial Services Provider (FSP No 1596).



Riot and Strike Solution – Site

The Riot and Strike Site Solution is offered as an extension to the Site Clean-up policy – cover is limited to clean-up and rehabilitation of the environment only in the event of a spillage or release into the environment as a direct result of a riot or strike.

Cover includes spillages originating from clients' sites in line with their existing policy structure as a result of a riot or strike. Territorial limits are the Republic of South Africa only.



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Excess Solution – Site Clean-Up

Excess Solution is an excess reducer for On-site Clean-up and Underground Storage Tank policyholders. This solution assists with managing risk exposure at the time of a claim.



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Value Added Benefits

Envirosure is committed to adding value to our policyholders. We are able to offer compliance benefits which are automatically available once the policyholder has been with us for a three-month period. These include spill kits and relevant training as well as training videos to assist client's employees in the appropriate immediate response at the time of a spillage or leakage.

The role of spill kits cannot be underestimated. In the event of a site spillage, a quick reaction from trained staff using the spill kit can at times minimise the extent of environmental pollution. For example, placing an absorbent boom in front of a nearby storm water drain, can have a significant effect in terms of the overall impact of the spillage.

For further information regarding Envirosure, please visit our website www.envirosure.co.za or discuss your environmental impairment insurance needs with your broker.



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The Benefits of the EnviroSURE and Spill Tech partnership

The partnership of EnviroSURE and Spill Tech ensures that not only will the response and insurance aspects of your spill be dealt with, you will also benefit from:

- The fastest response limiting environmental exposure
- Spill Tech's central call centre and vast national coverage
- Cost savings (as the responder, Spill Tech has a vested interest in keeping your clean-up costs down)



SPILL TECH®
Responsible Environmental Management

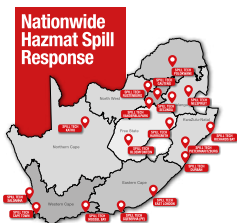
99.8%
claims payout
since 2008

Insurance solutions for:




1 300
successfully
managed claims
+R323 million paid to date

A MARKET LEADER 
in environmental
impairment cover



100+
qualified hazmat technicians
and responders, as well as
140+
specialised vehicles 

+51%
Black ownership

Level 1 B-BBEE

 **ISO 9001**
 **ISO 14001**
 **ISO 45001**

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National Coverage

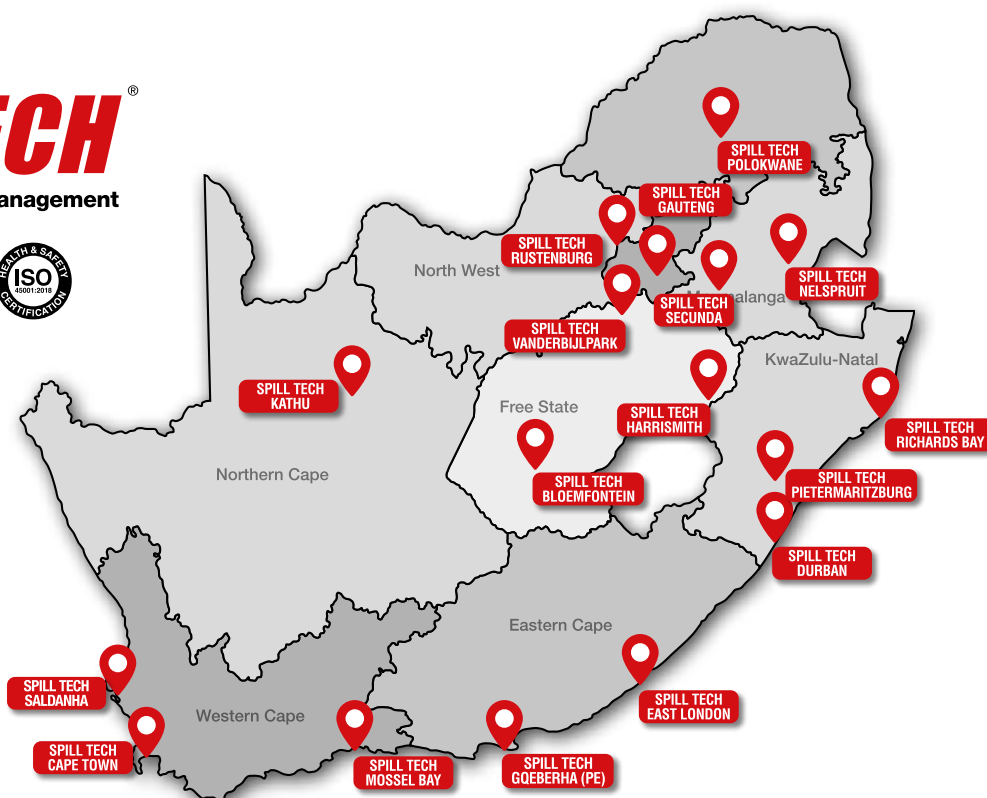
Guaranteed Immediate Response

Spill Tech is South Africa's leading spill response company. With branches around the country, a fleet of over 140 specialised vehicles and more than 100 qualified hazmat technicians and responders, all strategically placed across South Africa - Spill Tech provide rapid response nationally. Our experienced technicians have the skills and equipment necessary to clean up quickly and safely to limit potential liability.

Includes:

- ✓ **National footprint**
- ✓ **140+ specialised vehicles**
- ✓ **100+ qualified hazmat technicians and responders**
- ✓ **Spill Protect Plan™ clients**
- guaranteed dispatch of a spill response team within 30-60 minutes

SPILL TECH®
Responsible Environmental Management



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The Spill Protect Plan™

This revolutionary 3-in-1 plan has been developed to ensure that businesses are not at risk when an incident occurs.

- Limits up to R30 million. (Higher limits available on request)
- Cover includes:
 - Risk assessment and risk management services
 - Guaranteed national spill response - limited incident impact
 - Cost effective bespoke insurance cover
 - Legal reporting assistance - DEA Section 30 reporting
 - Hassle free claims management from call out to site sign off
 - Available for Transport and Site Risks
 - Includes 3rd party liability cover*

* This product is underwritten by Leppard and Associates (Pty) Ltd an Authorised Financial Services Provider (FSP No. 274) and underwriting manager authorised by Lombard Insurance Company Limited a licensed Non-Life Insurer and Authorised Financial Services Provider (FSP No. 1596)

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The Spill Protect Plan™

Top Benefits

- Hazcall24 -24 hour Call Centre and Incident Management Control Room
- Guaranteed emergency response
- Risk Management
 - Assessments to identify environmental risk and advice on incident prevention
 - Assistance with a spill response plan
 - Guidance on compliance reporting throughout the course of a claim (NEMA Section 30 process)
- An automatic SLA with Spill Tech which allows for discounts on non insurance related services
- Spill response training and spill kits for depots and trucks



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Contact Us

Contact us to discuss our various solutions as well as customised cover to suit the unique risks of your client.

Telephone Number: 031 205 4918

Email Address: info@envirosure.co.za

Terms and Conditions

Full conditions will be listed on the policy and wording. Please read your policy schedule in conjunction with your policy wording.

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HAZCALL

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