

A risk profile is a structured management tool for identifying the various exposures associated with an operation. Typically, a risk profile will encompass a review of an organization's operations with a focus on administrative strategies / protocol for reducing or managing particular risks. Environmental risk should not be exempt from this process. In fact, many organizations create stand-alone Environmental Risk Profiles (ERPs) to specifically address the area of environmental liability. This process adds to an organization's ability to systematically identify environmental risk and effectively manage it. Below is an excerpt from an ERP for Wastewater Treatment, which identifies some major exposures. A completed ERP can show the impact such exposures can have on the organization, as well as the risk management strategies available.

Wastewater Treatment firms confront environmental liability every day. Specifically, they face environmental exposures in three major areas: operations, transportation and disposal liabilities. Each area must be explored to identify risks that may expose the organization to environmental liability. This hypothetical ERP identifies some of the major exposures and associated claims.

## EXPOSURES

### OPERATIONAL EXPOSURES

- Liability arising both on- and off-site from historical use, such as improper disposal, underground tanks, residual contamination from small leaks or spills, etc.
- Nuisance associated with odor from operations.
- Release of untreated wastewater damaging operations "downstream;" violations associated with exceeding discharge permits.
- Lack of adequate storm water management protocol, resulting in exacerbation of contamination of third-party property.
- Improper plant design leading to poorly treated wastewater discharge
- Inadequate or improper maintenance of unit operations.
- Inadequate or improper waste / sludge handling and storage practices, leading to on- and off-site contamination.
- Corrosion of piping systems, leading to underground release of wastewater, fuels, etc.
- Exposed asbestos and lead paint in on-site structures.
- Liability associated with local or regional soil / groundwater contamination, regardless of the source of contamination.
- Environmental liability assumed in acquisition and divestiture of property.
- Large parcels of undeveloped property tend to have fewer environmental issues. As a result, many times there are poor or inadequate records of activity on those lands. Phase I environmental assessments

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## EXPOSURES (CONT'D)

are cursory reviews of the site with a “walk-through” of the property to physically identify issues. Environmental reports might not identify illegal or “midnight” dumping of waste or materials on these lands. The contamination may only be revealed during development.

- Errors and omissions in environmental site assessments, especially Phase Is due to their limited scope of work, can lead to unidentified underground structures or contamination.
- Residual contamination of soil / groundwater from the use of hazardous and nonhazardous materials. Simple, non-reportable spills that go unaddressed can lead to greater first- and third-party environmental claims.
- Improper housekeeping and preventive maintenance resulting in residual on-site contamination.
- Inadequate underground and aboveground tank inventory and / or management programs can lead to groundwater contamination.
- Malfunction of oil / water separators releasing petroleum contaminated water into bodies of water or waste streams.
- Natural Resource Damages, resulting in substantial costs for state- and federal-mandated cleanup requirements and potential fines.
- Release of product from pipelines, resulting in soil and groundwater contamination.
- Improper storage, resulting in release of:
  - Acids
  - Compressed gases
  - Diesel fuel and lubricant oils
  - Flammable compounds
  - Chlorine gases

## TRANSPORTATION EXPOSURES

- Inadvertent transport and subsequent disposal of unknown contaminated sludge or soil.
- Spills of contents (e.g., fuel, product, equipment maintenance fluids, process materials, etc.) during transport.
- Resulting pollution from collisions with various structures (e.g., pole mounted transformers, aboveground tanks, etc.)
- Fuel / oil spills / leaks from vandalism during transport.

## DISPOSAL EXPOSURES

- Inadequate disposal of sludge and other waste from wastewater treatment operations.
- Cleanup and liability associated with the disposal of waste / materials at disposal facilities or recyclers. This may expose the organization to Superfund liability.
- Improper “disposal” or sale of production by-products.

# WASTEWATER TREATMENT

Name of Organization: \_\_\_\_\_

Lasts Updated: \_\_\_\_\_

## SAMPLE ENVIRONMENTAL RISK PROFILE

Below is the start of a sample ERP for Wastewater Treatment. A complete ERP can be added to provide a detailed profile: reference documents, website links, details on prior claims / incidents and the organization's response.

A complete ERP can be used to help risk and insurance managers better identify, manage, reduce and even eliminate the organization's exposures to environmental liability and the related costs.

EXPOSURE	IMPACT ON ORGANIZATION	RESPONSIBILITY	RISK MANAGEMENT TECHNIQUE	PRIOR INCIDENTS
<b>OPERATIONAL EXPOSURES:</b> <b>1. Pre-existing environmental conditions on acquired property.</b> <b>2. Potential impact to soil and groundwater from current operations.</b>	<ul style="list-style-type: none"> <li>Costs associated with developmental delays, remediation, etc.</li> <li>Liability associated with contamination as the current owner of property. Possible Superfund liability.</li> </ul>	Site manager, legal counsel, environmental manager or risk manager.	<ul style="list-style-type: none"> <li>Self perform environmental data searches on designated EPA websites to identify potential concerns.</li> <li>Hire environmental data firm to collect information on the property.</li> <li>Conduct an environmental assessment</li> <li>Environmental indemnities in contract of sale.</li> <li>Environmental insurance to protect from liability associated with on- and off-site contamination</li> </ul>	None
<b>TRANSPORTATION EXPOSURES:</b>				
<b>DISPOSAL EXPOSURES:</b>				