## BARNES & THORNBURG LLP

# PFAS and Emerging Contaminants

Our Environmental attorneys guide clients through the legal, regulatory, and scientific challenges related to emerging contaminants and develop long-term strategies to protect against alleged liabilities.



### **Potential Risk Sources for Industrial Companies**



Pretreatment facilities



Remediation



Regulatory obligations



Buying/selling property



PFAS and emerging contaminants can lead to site investigations, offsite contamination, public health concerns, excessive costs, future liabilities, and litigation.

## Why Barnes & Thornburg?

# KNOWLEDGE OF THE ISSUES

PFAS issues are complicated, rapidly changing, and under scientific, public, and media scrutiny. Our team has been involved in these issues for years and stays engaged with local, state, and federal regulatory agencies on new developments.

# EXPERIENCE ACROSS INDUSTRIES

Our diverse client base means we have a holistic view of how the PFAS landscape is unfolding. We work with a strong network of technical consultants, testing laboratories, disposal contractors, and community relations experts to assist clients of all sizes and types.

# PFAS REGULATORY COALITION

We founded and administer the PFAS Regulatory Coalition (a group of trade associations, businesses, and municipalities) to jointly advocate for consistent, science-based PFAS policies and regulations and share important PFAS developments.

**Learn More** 

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# Insurance Coverage for PFAS and Emerging Contaminants

### **Protecting Your Bottom Line**

Barnes & Thornburg's attorneys guide clients through the legal, regulatory, and scientific challenges related to emerging contaminants and develop long-term strategies to protect against alleged liabilities.

Our Insurance Recovery and Counseling team is singularly focused on policyholder representation and advocacy, from policy procurement and pre-claim counseling through coverage litigation if necessary.



PFAS and emerging contaminants can lead to site investigations, offsite contamination, public health claims, remediation costs, alleged liabilities for bodily injury, property damage, or personal injury, and threatened litigation.

## **How We Help**

- Identifying and locating historical insurance policies – preferably before a claim is asserted
- Evaluating an entire historic insurance program for potential defense and indemnity coverage
- Working through the claim process to obtain coverage
- Litigating coverage disputes or resolving them through pre-litigation negotiations
- Advising on the potential insurance implications for business transactions on sites where PFAS may have been used
- Negotiating coverage for alleged future liabilities related to emerging contaminants under site pollution or environmental impairment liability policies



We're ready to help you find and evaluate insurance coverage potential under your historical policies, assert claims and address coverage disputes, and explore the availability of new insurance solutions for managing these emerging risks.



## Why Barnes & Thornburg?



#### **Policyholder Focus**

As one of few national law firms that focuses our insurance practice solely on policy-holder representation and advocacy, we have guided policyholders through disputes in and out of court and secured billions of dollars of insurance coverage.



#### Knowledge of the Issues

PFAS issues are complicated, rapidly changing, and under scientific, public, and media scrutiny. Our Insurance and Environmental teams have worked closely together for years on these coverage issues and stay engaged with local, state, and federal regulatory agencies on the latest environmental developments.



#### Trial Ready

We are insurance trial lawyers at our core. If your insurance company refuses to pay, our team is well prepared to go to trial if needed.



#### **Experience Across Industries**

Our diverse client base means we have a wide range of insurance experience and a holistic view of how the PFAS landscape is unfolding.



#### **PFAS Regulatory Coalition**

Our Environmental team founded and administers the PFAS Regulatory Coalition (a group of trade associations, businesses, and municipalities) to jointly advocate for consistent, science-based PFAS policies and regulations and to share important PFAS developments.