

SERFF Tracking Number: CAPC-125336704 State: Arkansas  
Filing Company: Capitol Indemnity Corporation State Tracking Number: AR-PC-07-026571  
Company Tracking Number: 07-LIAB-FO-CW-182  
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0001 Commercial General Liability  
Product Name: POOL CHEMICAL SPILL  
Project Name/Number: POOL CHEMICAL SPILL/07-LIAB-FO-CW-182

## Filing at a Glance

Company: Capitol Indemnity Corporation  
Product Name: POOL CHEMICAL SPILL SERFF Tr Num: CAPC-125336704 State: Arkansas  
TOI: 17.0 Other Liability - Claims SERFF Status: Closed State Tr Num: AR-PC-07-026571  
Made/Occurrence  
Sub-TOI: 17.0001 Commercial General Liability Co Tr Num: 07-LIAB-FO-CW-182 State Status:  
Filing Type: Form Co Status: Reviewer(s): Betty Montes, Edith  
Roberts, Brittany Yielding  
Author: Lois Beld Disposition Date: 10/29/2007  
Date Submitted: 10/26/2007 Disposition Status: Approved  
Effective Date Requested (New): 12/01/2007 Effective Date (New):  
Effective Date Requested (Renewal): 02/01/2008 Effective Date (Renewal):

## General Information

Project Name: POOL CHEMICAL SPILL Status of Filing in Domicile:  
Project Number: 07-LIAB-FO-CW-182 Domicile Status Comments:  
Reference Organization: Reference Number:  
Reference Title: Advisory Org. Circular:  
Filing Status Changed: 10/29/2007  
State Status Changed: 10/29/2007 Deemer Date:  
Corresponding Filing Tracking Number:  
Filing Description:  
Re: Form Number: LIMITED POLLUTION LIABILITY EXTENSION ENDORSEMENT; POOL CHEMICALS – CGL 363  
(09-07)  
File Number: 07-LIAB-FO-CW2-182  
Effective Date: On or after December 01, 2007 New Business;  
On or after February 01, 2008 Renewal Business  
Company NAIC Number: 10472  
FEIN: 39-0971527

We submit for your review and approval the final printed copy of our endorsements CGL 363 (09-07) LIMITED

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**POLLUTION LIABILITY EXTENSION ENDORSEMENT: POOL CHEMICAL.**

This new endorsement will be used optionally with Commercial General Liability coverage with no charge to the insured when the insured has expressed a need for limited pollution: pool chemical coverage. An example of use for this endorsement would include, but is not limited to Hotels or Resort/Campground Risks when pool exposures exist.

This endorsement will have a Limited Pollution Liability Extension Aggregate Limit of \$25,000, and a Limited Pollution Liability Extension – Deductible of \$2,000.

Thank you for your time and consideration in the approval of this endorsement.

**Company and Contact**

**Filing Contact Information**

Lois Beld, Senior Product Analyst libeld@capitolindemnity.com  
 PO Box 5900 (608) 829-4215 [Phone]  
 Madison, WI 53705 (608) 829-7402[FAX]

**Filing Company Information**

Capitol Indemnity Corporation CoCode: 10472 State of Domicile: Wisconsin  
 PO Box 5900 Group Code: 501 Company Type:  
 Madison, WI 53705 Group Name: State ID Number:  
 (608) 829-4200 ext. [Phone] FEIN Number: 39-0971527  
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**Filing Fees**

Fee Required? Yes  
 Fee Amount: \$50.00  
 Retaliatory? No  
 Fee Explanation: 1 form - \$50.00  
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Capitol Indemnity Corporation	\$50.00	10/26/2007	16342277

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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Approved	Edith Roberts	10/29/2007	10/29/2007

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## **Disposition**

Disposition Date: 10/29/2007

Effective Date (New):

Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

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Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Form	LIMITED POLLUTION LIABILITY EXTENSION ENDORSEMENT: POOL CHEMICALS	Approved	Yes

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## Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	LIMITED POLLUTION LIABILITY EXTENSION ENDORSEMENT : POOL CHEMICALS	CGL 363	09-07	Endorsement/Amendment/Conditions New		0.00	CGL363_09-07_Limited Pollution Liability Extension Endor....pdf

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **LIMITED POLLUTION LIABILITY EXTENSION ENDORSEMENT: POOL CHEMICALS**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

### **SCHEDULE**

<b>Limited Pollution Liability Extension Aggregate Limit</b>	<b>\$ 25,000</b>
<b>Limited Pollution Liability Extension - Deductible</b>	<b>\$ 2,000</b>

I. With respect to "bodily injury" or "property damage" arising out of the actual, alleged or threatened discharge, dispersal, seepage, migration, release or escape of "pollutants" necessary and related to the ownership, maintenance, or use of any swimming pool, whirlpool, steam room, and / or sauna facilities, exclusion f. under Section I – Coverage A is replaced by the following:

#### **2. Exclusions**

This insurance does not apply to:

##### **f. Pollution**

(1) "Bodily injury" or "property damage" arising out of the actual, alleged or threatened discharge, dispersal, seepage, migration, release or escape of "pollutants":

(a) At or from any premises, site or location which is or was at any time used by or for any insured or others for the handling, storage, disposal, processing or treatment of waste;

(b) Which are or were at any time transported, handled, stored, treated, disposed of or processed as waste by or for:

(i) Any insured; or

(ii) Any person or organization for whom you may be legally responsible;

(c) At or from any premises, site or location on which any insured or any contractors or subcontractors working directly or indirectly on any insured's behalf are performing operations if the operations are to test for, monitor, clean up, remove, contain, treat, detoxify or neutralize, or in any way respond to, or assess the effects of, "pollutants"; or

(d) At or from a storage tank or other container, ducts or piping which is below or partially below the surface of the ground or water or which, at any time, has been buried under the surface of the ground or water and then subsequently exposed by erosion, excavation or any other means if the actual, alleged or threatened discharge, dispersal, seepage, migration, release or escape of "pollutants" arises at or from any premises, site or location:

(i) Which is or was at any time owned or occupied by, or rented or loaned to, any insured; or

(ii) Which any insured or any contractors or subcontractors working directly or indirectly on any insured's behalf are performing operations if the "pollutants" are brought on or to the premises, site or location in connection with such operations by such insured, contractor or subcontractor.

Subparagraph (d) does not apply to "bodily injury" or "property damage" arising out of heat, smoke or fumes from a "hostile fire".

(2) Any loss, cost or expense arising out of any:

(a) Request, demand, order or statutory or regulatory requirement issued or made pursuant to any environmental protection or environmental liability statutes or regulations that any insured test for, monitor, clean up, remove, contain, treat, detoxify or neutralize, or in any way respond to, or assess the effects of, "pollutants"; or

- (b) Claim or suit by or on behalf of a governmental authority for damages because of testing for, monitoring, cleaning up, removing, containing, treating, detoxifying or neutralizing or in any way responding to or assessing the effects of, "pollutants".

However, this paragraph does not apply to liability for those sums the insured becomes legally obligated to pay as damages because of "property damage" that the insured would have in the absence of such request, demand, order or statutory or regulatory requirement, or such claim or "suit" by or on behalf of a governmental authority.

- II. With respect to the insurance provided by this endorsement, **Section III – LIMITS OF INSURANCE** is replaced by the following:

### **SECTION III – LIMITS OF INSURANCE**

1. The Limits Of Insurance shown in the Schedule of this endorsement and the rules below fix the most we will pay regardless of the number of:
  - a. Insureds;
  - b. Claims made or "suits" brought; or
  - c. Persons or organizations making claims or bringing "suits".
  
2. The Limited Pollution Liability Extension Aggregate Limit shown in the Schedule is the most we will pay during the policy period for any one "occurrence" for insurance provided by this endorsement.
  
3. Subject to 2. above, the Medical Expense Limit shown in the Declarations is the most we will pay under Coverage **C** for all medical expenses because of "bodily injury" sustained by any one person arising out of coverage provided by this endorsement.

### **III. Deductible**

Our obligation to pay damages on your behalf applies only to the amount of damages in excess of any deductible amount stated in the Schedule above as applicable to coverage provided by this endorsement.

1. The terms of this insurance, including those with respect to:
  - a. Our right and duty to defend the insured against any "suits" seeking damages; and
  - b. Your duties in the event of an "occurrence", claim, or "suit"

apply irrespective of the application of the deductible amount.

2. We may pay any part or all of the deductible amount to effect settlement of any claim or "suit" and, upon notification of the action taken, you shall promptly reimburse us for such part of the deductible amount as has been paid by us.

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## **Rate Information**

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## Supporting Document Schedules

**Review Status:**  
**Bypassed -Name:** Uniform Transmittal Document- Property & Casualty Approved 10/29/2007  
**Bypass Reason:** Please refer to the SERFF General Information and Form Schedule. If the information on this SERFF document is not sufficient please let me know and I will fill out the NAIC transmittal document.  
**Comments:**