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Total Pollution Exclusions: Location Matters, Safety Outlook

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Those injured by contaminants or noxious fumes often initiate litigation against the manufacturer of the safety equipment in place, the manufacturer of the products to which the alleged injury can be traced, or the products distributor. The Total Pollution Exclusions found in many standard commercial general liability (CGL) insurance policies affect your rights to indemnity and defense against such lawsuits.

Initially, total pollution exclusions were thought to be directed toward "environmental pollution" in the traditional sense. The exclusion was written in response to Congress' effort to protect and enhance the quality of the nation's air resources, by amending …

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