

PFAS SERVICES



**INSURANCE SUPPORT
LITIGATION & EXPERT WITNESS
SITE INVESTIGATION & REMEDIATION**

Insurance Support

First Environment has been active providing technical support to claims attorneys and underwriters for a number of PFAS assignments. The assignments span from providing “boots on the ground” to assess PFAS impacts at airports associated with fire-fighting foam releases and manufacturing facilities. We have performed PFAS Cause and Origin Assessments, cost allocation, and use of forensics analysis to define PFAS sources. We have also evaluated state regulations governing PFAS to support claims adjusters’ and attorneys’ claims coverage determination. First Environment has also been actively providing technical presentations and nationwide webinars on PFAS. Some of those topics are described below.

- The Emerging Threat of PFAS Contamination at airports,” American Association of Airport Executives (AAAE) Northeast Chapter Annual Conference, March 2019
- “You Have a PFAS Problem: How PFAST Do you Need to Act?” NJ Association of Environmental Authorities (AEA) Annual Conference, November 2019
- “PFAS Technical & Regulatory Update with Claim Examples,” First Environment & Connell Foley Webinar, November 2020
- “PFAS 3.0: Staying Ahead of the PFAS Wave,” Emerging Environmental Claims Management Association (EECMA), April 2021

First Environment has a team of specialty consultants (engineers, geologists, marine specialist, FAA licensed drone operator) all of whom were employed by AIG Environmental for more than 10 years as in-house experts supporting underwriting and claims. Those experts currently support more than 20 insurers nationwide for more than 200 insurance assignments. First Environment has listed below a few examples of recent PFAS related assignments conducted for insurers.

Pollution Insurance Company, PFAS Technical & Regulatory Assistance, Nationwide

First Environment has been retained to evaluate PFAS state and federal regulations to assist underwriters in understanding state and federal regulatory reporting requirements, investigation and clean up requirements for impacted PFAS environmental media. Also, First Environment



is assisting the insurance companies in developing pollution exclusion and state-specific PFAS pollution language for the insurance company.

Pollution Insurance Company, AFFF Release Bradley International Connecticut

First Environment met with representatives of the Connecticut Department of Energy & Environmental Protection (CT DEEP), emergency response contractors Airport Officials to investigate the nature and extent of the PFAS contamination associated with Aqueous Film Forming Form (AFFF) and assess the likely damages resulting from the pollution incident. First Environment performed an environmental assessment of the Site and off-site migration pathways and used visual observations, interview notes and analytical data to provide a technical summary, and an estimate to the past and future costs to closure for the insurance carrier.

Confidential Client, PFAS Recycling Manufacturing Facility, New Jersey

First Environment has been retained by the insurer to assist in developing a reasonable and necessary solution for PFAS impacting the environment under the NJDEP Site Remediation Reform Act (SRRRA). The pollution stems from PFAS impact to the environment from a manufacturing plant that produces polytetrafluoroethylene (PTFE) micro powders. The powders contain high concentrations of PFAS. The source of contamination at the site is primarily PFAS in process wastewater discharged into concrete sumps and historic poor housekeeping and handling practices exacerbated by periodic flooding of the site.



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Litigation & Expert Witness

First Environment is leading a variety of projects involving PFAS contamination in multiple states throughout the United States. We work with Federal and state regulations, guidance documents, health advisories and contamination alerts that regulate PFAS contamination in the drinking water, surface water, soils and other environmental matrices. Additionally, First Environment is supporting a number of clients with ongoing PFAS litigation matters and is involved in both the prosecution of upstream PFAS dischargers and the defense of PFAS receptors. Our litigation services includes expert testimony regarding the management, disposal, and handling of PFAS chemicals, the cost to clean them up and the source, fate and transport of these chemicals in the environment.

Our PFAS litigation services complements our existing litigation support and expert witness work where we have supported clients on over 100 litigations over the past 25 years. These cases involve environmental contamination that includes petroleum products, chlorinated solvents, PCBs, 1,4-Dioxane, perchlorates and elemental metals, in the context of CERCLA, RCRA, state cleanup laws, natural resources damages (NRD) claims, and toxic tort lawsuits.

Our litigation support and expert witness services group includes individuals with diverse technical, regulatory, and legal experience. Our technical experts specialize in the environmental fate and transport, the analysis of historic operations once performed at numerous industrial and former military facilities, timing of chemical contamination, and allocation of costs. We have prepared expert opinions for clients in 22 states and have testified in both federal and state courts throughout the country.

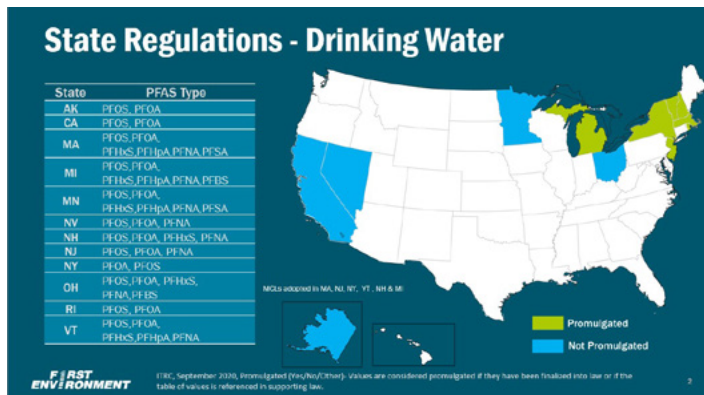
Westchester County Department of Public Works and Transportation, PFAS Multi-District Litigation Support, New York

First Environment is assisting the Westchester County Attorney's office with the prosecution of a toxic tort lawsuit that alleges property damage, personal injury and product liability claims, among other claims, against the manufacturers of PFAS and those parties that produced AFFF and introduced AFFF products into the stream of commerce. First Environment is assisting with research and discovery responses and is providing expert support for a number of claims being made by the Airport. The matter is part of a multi-district litigation (MDL) being heard in the District Court of South Carolina.

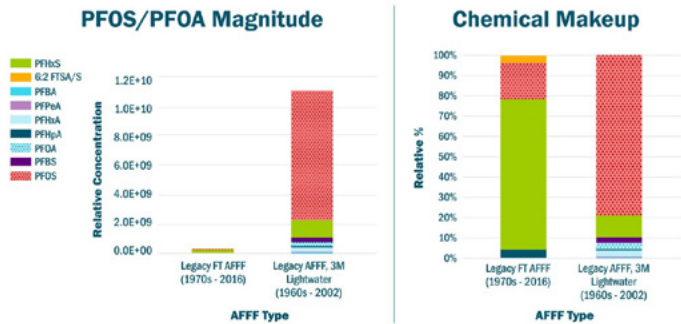


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PFAS Source Signatures: AFFF



First Environment is also assisting with property damage and cleanup claims against the United States Government for its role in using the NYANG burn pit during the years the NYANG operated at the Site. Other defendants may also be named as parties responsible for PFAS contamination from other site operations such as commercial use, testing and storage of AFFF products that contaminated the environment through spill, leaks, accidents and intentional and unintentional discharges.

Confidential Client, PFAS Assessment Fire Mitigation System, Stewart International Airport, New York

First Environment was retained by a law firm to investigate the release of PFAS compounds from a faulty storage tank that contained AFFF at the Stewart International Airport, formerly Stewart Air Force Base. First Environment researched chemical treatises and SDS sheets to determine and identified unique AFFF formulations present in the fire mitigation system that supported the attorney's position for the insurance company.

Site Investigation & Remediation

First Environment, Inc. (First Environment) has been active characterizing the nature and extent of per- and polyfluoroalkyl substances (PFAS) at Airports, and performing interim remedial measures to mitigate PFAS contamination to sensitive receptors.

First Environment has been involved in collecting over 270 soil, sediment, surface water and sediment samples for PFAS analysis. This work has involved building database and visual 3-D model, including the use of PFAS forensic analysis to distinguish multiple at the Airport. First Environment is involved in surface water interim remediation measure (IRM) at an airport totaling \$3.7 million dollars as well as a former Burn Pit Source removal IRM estimated at \$1.5 million. First Environment has also built and is managing the operation and maintenance of groundwater treatment system for PFAS.

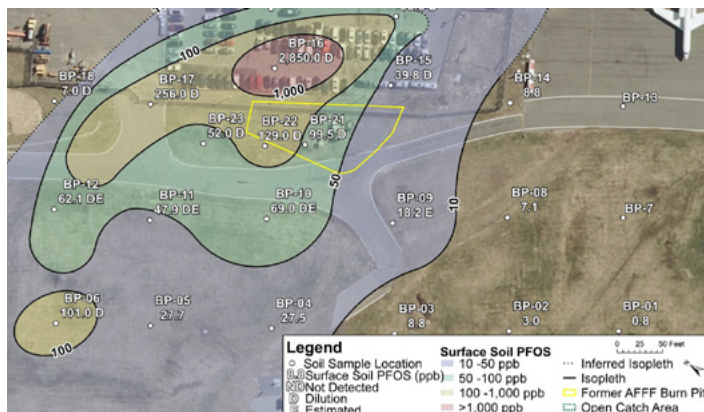
Westchester County Department of Public Works and Transportation, Site Characterization AFFF Source Area & Airport Site Wide Investigation, New York

First Environment was retained to prepare a Site Characterization Workplan for the Westchester County Airport. The Site Characterization is being conducted to delineate the nature and extent of PFAS contamination associated with use of AFFF at multiple locations at the Airport, including the former New York Air National Guard (NYANG) burn pit area as well as a fire training location that is in current use at the Airport. In all over 270 soil, sediment, surface water and groundwater samples have been collected to assess the PFAS impact on environmental media. First Environment is assessing the forensic nature of the PFAS to assess source and timing of the release and develop a 3-D visual site conditions. The next phase of work will be to characterize the nature and extent of PFAS that is potentially migrating offsite.

Westchester County Department of Public Works and Transportation, Corrective Action - PFAS in Groundwater Interim Remedial Measure (IRM) Workplan, New York

First Environment was retained by Westchester County to prepare an IRM Workplan for shallow groundwater underlying the near surface areas at the Westchester County Airport.

The IRM workplan has been prepared to address elevated levels of PFOA/PFOS and is being completed in a phased approach (Phase I and Phase II). The first phase involves a detailed evaluation of the site-specific geology and



hydrogeology underlying the Airport as well as defining the distribution and extent of total PFAS, PFOS, and PFOA in soil and groundwater, including developing an understanding of the migration pathway from the former Burn Pit source area to the downgradient Airport boundary. The second phase is incorporating the information gained from the Phase I investigation to assess, to the extent practical, reasonable and technically appropriate IRM alternatives to reduce PFOS and PFOA concentrations in shallow groundwater.

Westchester County Department of Public Works and Transportation, Corrective Action - PFAS in Surface Water Interim Remedial Measure (IRM) Workplan, New York

First Environment was retained by Westchester County to prepare an IRM for stormwaters outfalls (OF) at the Westchester County Airport. The primary focus of this IRM is to reduce elevated PFOA/PFOS concentrations in drainage water at stormwater OF to acceptable levels protective of nearby Rye Lake which is part of the Kensico Reservoir System. A combination of PFAS contaminated groundwater is mixing with clean rainwater leading to OF-7 producing elevated PFOA/PFOS levels at OF-7. The water mixing in storm sewers is referred to as “drain water”. It is First Environment’s opinion that the approach set forth to separate groundwater and rainwater entering the storm sewer in this workplan will be protective of Rye Lake. Once the IRM has been implemented, First Environment will provide performance monitoring to demonstrate the IRM is protective of Rye Lake. If the implementation of the activities described are deemed not protective, then other IRM alternatives will be considered at that time.



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