

Contaminated Land News - June 1999

It has been a busy month in the contaminated land sector with some important developments and announcements.

So it is official - for July read December as far as the Part IIa statutory guidance is concerned. It now also looks as if the core technical guidance - the Model Procedures and the CLEA guideline values will be released at that time too. FOCIL and the ICE will be holding a seminar to discuss the draft guidance during the consultation period, probably in mid July. Further details will be available on the FOCIL email discussion list or its archives at <http://www.mailbase.ac.uk/lists/focil/archive.html>.

In the meanwhile the Environment Agency will be publishing their integrated approach to groundwater risk assessment in early July. At the same time the *Consim* groundwater risk assessment model the Agency and Golder Associates have jointly developed will be released. The Environment Agency staff have received training in the use of *Consim* and so will be ready for the anticipated flood of consultants reports using the new model.

The legislative landscape is now reaching some sort of completion. It will be important for all stakeholders to understand how different legal tools will be used by the regulators. For example, the Groundwater Regulations, discussed in May's issue, will be used by the Agency to ensure that List 1 or List 2 contamination in the unsaturated zone does not reach groundwater. However once the contamination has entered groundwater, then the Water Resources Act, including the recently introduced s161a Works Notices, will be employed. For soil contamination, whether human health or groundwater is the receptor of concern, then Part IIa of the Environmental Protection Act will kick in. There are of course other pre-existing legal tools that can be used as well.

There is news of progress on the Standards front too. The revised draft Code of Practice for the Investigation of Contamination, formerly named DD175, has been updated following the consultation workshop held at the Society of Chemical Industries last autumn and is likely to be published early this autumn. The update to BS 5930, which for the first time includes a section dealing with contaminated land, will be released at the same time.

All this means of course that there will be ever fewer excuses for procuring, carrying out or accepting inadequate investigation, assessment or remediation of land contamination. With the major efforts going in to training the regulators - ranging from 'in-house' one day seminars to attendance on MSc courses - the chances of regulators accepting inadequate work are decreasing all the time - we have been warned!

(And I just have space to mention the Chatham Docks court case - see ENDS April 1999).