

INTERNATIONAL COMMITTEE ON CONTAMINATED LAND

QUESTIONNAIRE ABOUT LEGAL FRAMEWORK FOR SOIL/SITE CONTAMINATION MANAGEMENT

COUNTRY:

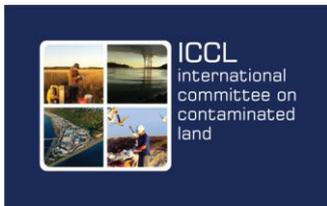
CONTACT FOR FURTHER INFORMATION: (Name / Email address)

OVERALL CONTEXT

1. Does your national policy have a specific definition of “contaminated site”, “contaminated soil”? If yes, please provide the definition.
2. Is Groundwater included in this definition?
3. Does your policy on contaminated sites/land/soil include other definitions (i.e. brownfield, sediment)?
4. Which sources are you considering? Industrial operations? Transport? Urban contamination? Etc.

LEGAL FRAMEWOK

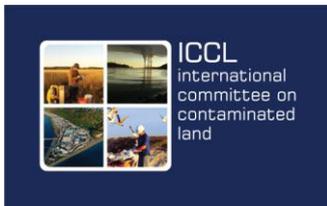
5. Does your country have legislation with respect to contaminated land management?
 - a. Whatever the situation is, please be precise if it's a specific or a common legislation, if integrated in a more general one (including prevention of emissions, soil protection, land planning, environment & health, etc.)
 - b. If there is no legislation, please be precise how you tackle the problem.
 - c. What are the main policy objectives?
 - d. What are the foundational principles on which the national policy is based? (e.g., polluter pays, risk-based, fit-for-use, stand-still, transparency, ...).
6. What is the Chain of Liability for the management of contaminated land?
 - a. Polluter? Land owner? Last operator? Occupier?
 - b. Is there any difference between new and historic contamination?
 - c. Can a responsible party pass on the liability to a purchaser? (under statutory law? Contractually?)



- d. Do you separate the obligation to remediate soil pollution and the liability regarding the damage caused by soil pollution and the related remediation measures?
 - e. Are you facing specific situations (e.g. privatization of the industrial activities, war impacted areas, ...) needing special programme?
7. Are there any specifications at regional / local level?
 8. Are there specifications for site closure?
 9. Is there any legal requirement to conduct investigation for potential contamination in the sale of the property?
 10. Does your national policy have any kind of inventories/registers? If yes, please be precise regarding which sites are registered, how the data are collected and if the databases are public.
 11. What are the strong, weak points and the major bottlenecks with respect to the current regulations in your country?

TECHNICAL ISSUES RELATED TO THE LEGAL FRAMEWORK

12. Are there site investigation requirements?
13. Are Risk Assessment & Management the main tools?
14. Are there specific technical approaches used?
 - a. For Human Health (HH), Ecosystems, Groundwater (GW), Surface waters (SW), other targets (i.e. buildings, infrastructures, ...please be precise).
 - b. On a site by site specific approach, or by derivation of guideline values? If possible, please detail your answer.
 - c. Do you take into consideration others sources of pollution in the risk assessment?
15. If the national policy uses guideline values, please be precise in describing the following points:
 - a. Reasons for derivation of generic values
 - b. Objectives / levels of implementation (investigation, risk assessment, remediation)
 - c. Priority substances
 - d. Protocols of derivation (including acceptable risk levels used).
16. What are the drivers for remediation?
 - a. To what level is clean-up required? (i.e. acceptable risk, land use values, ...)



- b. Does your national policy use cost-benefits analysis for the choice of the remedial solution?
17. What are the main remediation strategies or treatment techniques used in your countries (including Natural Attenuation)?
- a. Distribution of techniques?
 - b. Evolution in time?
 - c. Acceptance of innovative treatment techniques?
18. Are you considering sustainability in the national approach?
- a. If yes, how? In particular, how the three pillars of sustainability are considered and balanced.
 - b. If no, explain the reasons and the future challenges.
19. How does your country bridge the CLM approach with:
- a. Land planning programmes?
 - b. Public health programmes (aggregation of impacts on surrounding populations)

FINANCIAL ISSUES

20. What are the specific practices with respect to “Orphan sites”?
21. Do you have an idea of the annual budget allocated to Soil Contamination Management?
- a. How is it divided between public, private and others?
 - b. What are the main financial / funding systems in place in your country? (e.g. Financial guarantees, insurance, public – private partnerships, special foundation, industrial consortium, enforcement, ...).
 - c. Between the different steps of management (investigation, remediation, monitoring...)?

ORGANISATIONAL ISSUES

22. How are stakeholders and in particular communities involved in the approach?
23. Is there a specific approach for:
- a. Brownfields?
 - b. Megasites?
 - c. Widespread pollutions?
 - d. Reuse of excavated soils? (e.g., in relation to their quality)



24. Does your national policy include any accreditation system for consultants or service providers? If yes, please provide some details.
25. Do you have any training / capacity building programme, any management accountability and performance measurement-?
26. How is the necessary inter-governmental coordination for CLM organized? (e.g. with Health Protection Department, with the public site owners, with state or local public sector environmental organizations, with special interest advocacy groups,)

CRUCIAL DEVELOPMENTS IN THE FUTURE

Are there any additional issues to be further developed in the following months/years whatever they are (Research and Development needs, organisational issues, ...)?

Unofficially or officially, do you see any opportunities for collaboration in the coming months or years that may improve overall coordination among international organizations? (e.g., conferences, workshops, international (technical or policy) initiatives, growing alliances (e.g., in support of redevelopment /reuse of contaminated lands, etc.).

REFERENCES

Please give most important references (documents, website, projects, and case studies) that could be relevant for explaining your national approach