

Amendments to the July 2001 Contaminated Land Strategy.

As part of the implementation of the Contaminated Land Strategy, the strategy was to be reviewed to take into account any changes, which may affect how the strategy is implemented, for example changes in legislation or guidance.

Due to the recent appointment of a Pollution Control Officer – Contaminated Land, as part of the review the timescales for the implementation have been extended, however these dates are still within the original 5 years stated within the strategy, however this is not a statutorily defined limit. The timescales along with the strategy on whole will be reviewed in the future, in accordance with the strategy.

The reviewed timescales are:

Contaminated Land Action Plan

Objective	Completion Date
Consultation Strategy	June 2001
Publication	July 2001
Collection Of Information	2004 see Chapter 5 for more information
Prioritisation	Ongoing
Site Investigations	Ongoing – completed 2005
Determination of contaminated land	Ongoing – immediately once land is designated

The Amendments to the July 2001 Published Strategy are as follows :

Section 1.2.1 now reads;

- i) to draw up and periodically review a contaminated land strategy

Section 1.2.4 remove

'In relation to the actual determination of the land there is currently no directly applicable method to risk assess land to determine whether it can be deemed to be contaminated.'

Section 1.3.3 paragraph 1 now reads;

The guidance states that the Council should liaise with and respond to information from other statutory bodies i.e. Environment Agency, English Nature, the Department of the Environment Food and Rural Affairs (DEFRA formerly Ministry of Agriculture, Fisheries and Food (MAFF) and the Department of the Environment Transport and the Regions (DETR)) and the Food Standards Agency (FSA).

Section 1.3.3 paragraph 4 now reads;

The Council consulted English Nature, Food Standards Agency (FSA), Ministry of Agriculture, Fisheries and Food (MAFF) and the Department of the Environment, Transport and the Regions when compiling the contaminated land strategy in June 2001.

Section 1.4 remove;

'To meet the requirement to produce a strategy.'

Section 2.7 paragraph 2;

Confirmation that the Local Plan is being reviewed has been added.

Section 2.12 paragraph 3, now reads;

The fact that the area benefited from many mineral extraction sites now means that the land which has become surplus to the requirements of its original use can be redeveloped, thereby reducing the need for land on Greenfield sites. The closure of Cadley Hill Colliery in Swadlincote and the Ministry of Defence Depot at Hilton have provided significant re-development opportunities. This reflects the Government's policy regarding development on brownfield sites as opposed to Greenfield and these sites are currently being redeveloped.

Section 2.13 now reads;

Carboniferous rocks containing the coal seams that gave rise to the coal mining industry in South Derbyshire dominate the southern area of the District. Further north the geology changes to Jurassic and Triassic in nature overlying the carboniferous geology found elsewhere in the district. The Mercia Mudstones are the most abundant in this area and can be identified by the reddish clay soils across the lowland areas of the Trent. The older Triassic sandstones support well-drained sandy soils, outcrops of these occupy the parts of the Mease lowlands in the east of the district. Thick surface deposits are also widespread throughout the area with sand and gravel surface deposits found in the Trent Valley.

The aquifer status (major, minor or non) of each of the superficial and solid geological units in the district will be identified so that their relative importance in acting as receptors for contaminants can be determined, also site specific assessments will be made during any site investigation stage.

The Mercia Mudstone is classified by the Environment Agency as Non-aquifer, although small groundwater yields are obtainable where sandier layers called skerry bands are encountered. Baseflow to the rivers is maintained by seepage from sandstone outcrops and by the widespread sand and gravel deposits associated with rivers throughout the area.

Non-aquifers are formations with negligible permeability that are generally regarded as containing significant quantities of ground water. (Environment Agency, 1998).

Section 3.3.4 paragraph 2 now reads;

A risk assessment model such as Contaminated Land Exposure Assessment Model [CLEA], will be used as a tool to determine land contamination, further detail on this can be found in **section 1.2.4**. Any further guidance received from the Government with regards to risk assessment, will be assessed and implemented accordingly.

Section 4.2 paragraph 2 has now been removed.

Section 4.3 (ii) now reads;

The final version of the strategy was published in July 2001. This document will be reviewed on a regular basis.

Section 4.3(iv) now reads;

Urgent sites will be dealt with in accordance with section 4.1. Other sites will be prioritised as they are identified using the Landmark Historical Mapping System and other sources of information. The Council is already aware of approximately 2,300 potentially contaminated sites in the area that will need to be addressed. The urgent sites will be dealt with throughout the duration beginning July 2001, although based on current information there are no sites in South Derbyshire that would fall into this category; other sites will be addressed in accordance with the risk assessment model.

Section 6.2 now reads;

Contacts have been established with officers of all statutory consultees, who were invited to comment on the draft strategy. The following list details the main consultees:

- Environment Agency
- English Nature
- English Heritage
- Ministry of Agriculture, Fisheries and Food (now The Department of the Environment, Food and Rural Affairs – DEFRA)
- Food Standards Agency
- Derbyshire County Council
- Severn Trent Water
- Parish Councils
- Other Local Authorities

As part of this liaison, the Derbyshire Pollution Group set up a Contaminated Land Sub-Group, which provides a forum for consistency of approach and information sharing. The Council will be making use of the information available from these groups and will continue to liaison with them.

Section 8.2 add;

viii) Planning Applications.

Appendix III now reads;

Standards Applicable to Land Contamination

1. Contaminated Land Exposure Assessment (CLEA)

The Contaminated Land Report (CLR) series of reports have been produced by DEFRA, it's predecessor departments and more recently the Environment Agency, to provide regulators, developers and other interested parties with relevant, appropriate, authoritative and scientifically based information and advice on the assessment of risks arising from the presence of contamination in soils.

A series of reports CLR 7-10 assess the risk to human health from land contamination. These primarily assess the impact of land contamination on human health over an individuals lifetime. Separate guidance is provided for those situations where the cause of

concern relates to short term exposure to high contaminant concentrations (Environment Agency 2002a).

The CLR reports have derived Tolerable Daily Intakes (TDI's) or Index Doses for the first ten contaminants for which Soil Guideline Values (SGV's) have been determined. The contaminants so far are arsenic, benzo[a]pyrene, cadmium, chromium, inorganic cyanide, lead, phenol, nickel, mercury and selenium.

To assess effects on receptors other than human health or for other contaminants the assessor should evaluate the extent of the risk to these targets and to determine appropriate actions.

2. The Dutch Intervention Standards

These foreign standards which have probably been applied most often in the UK were those published by the Dutch government in 1983 and revised in 1994. These now take the form of an intervention level above which remediation is considered essential and a target level to be achieved after remediation. The target levels are set on the principle of multifunctionality, which is now defined as achieving the level necessary 'to restore the functional properties of the ground for human beings, flora and fauna'.

The lists are far more comprehensive than any of the other lists but are of uncertain legal standing in the UK.

The following general land uses:

- domestic gardens, allotments
- playing fields, open space
- areas where plants are to be grown, landscape areas
- buildings, hardcover.

The Kelly Indices

The Kelly indices were developed by the Greater London Council, for redeveloping former gas works sites in London, as an aid to categorising soils excavated from contaminated redevelopment sites for off-site disposal purposes. Although the standards are more comprehensive than ICRCL 59/83 they do not give as much detail as the Dutch standards. The Kelly guidelines were not intended to be used to assess the human health or environmental risks, which may be associated with contaminated sites.

Other Standards

Other standards in use are:

- Environment Agency (EA) Leachability Trigger Levels
- BRE (1991) Digest 363, Sulphate and Acid Resistance of Concrete in the Ground
- United States Environmental Protection Agency, Office of Solid Waste and Emergency Response, December 1994, Soil Screening Guidance

Further details of these standards can be found in CLR Report No 12 – A Quality Approach for Contaminated Land Consultancy.

Appendix VI changes to contact information.

DETR 3/B5 is now DEFRA Zone 5/D9

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Railtrack is now Network Rail.

