

Euskal Autonomia Erkidegoko Lurzoru Poluituen 2007-2012ko Plana



Madrid, 9th October 2008

Basque Contaminated Soil Plan 2007-2012

SOME SIGNIFICANT DATA

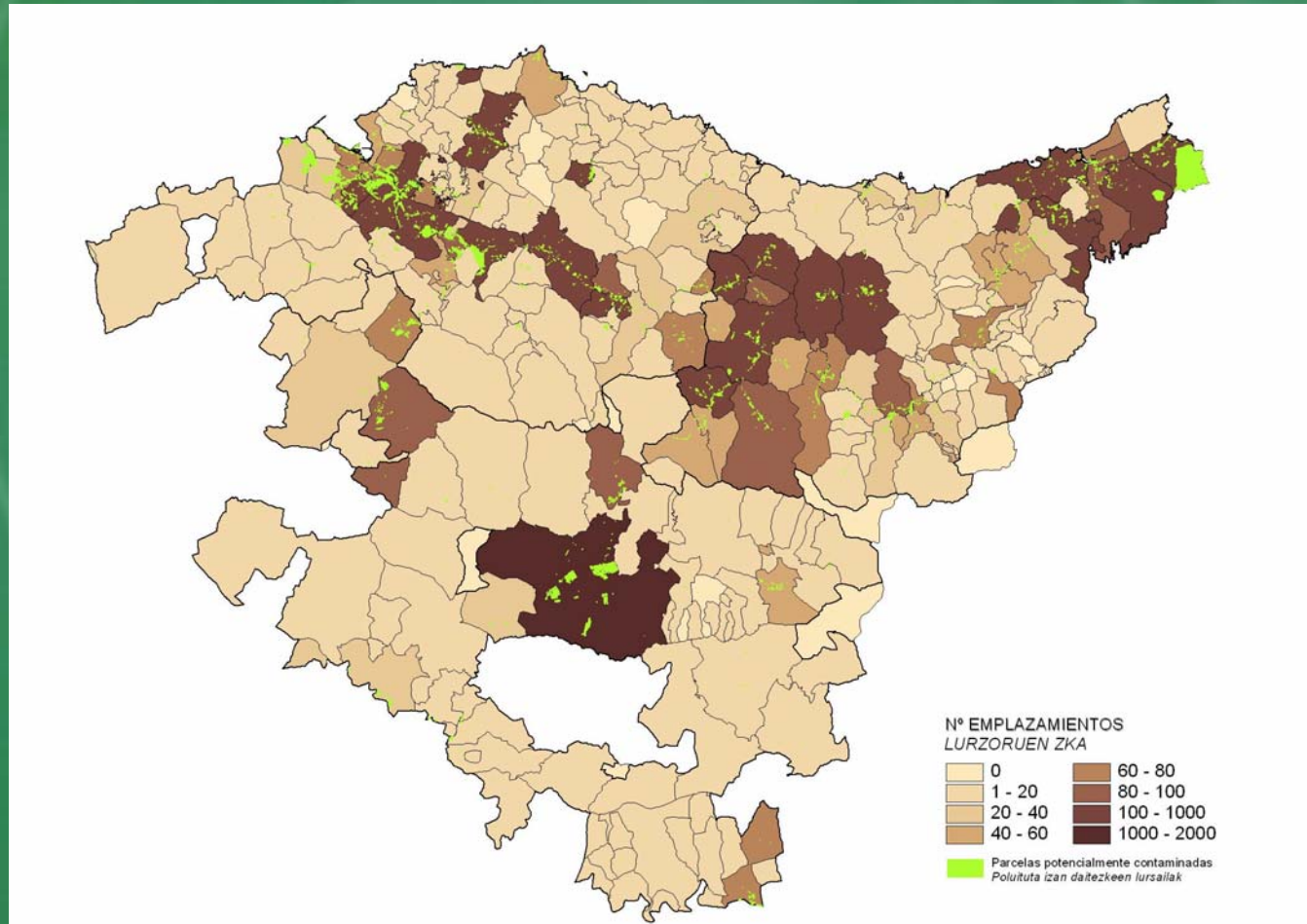
In the BAC, there are 8,587 sites whose quality could have been altered, which involves 7,898 hectares and 16.5 % of the total useful soil

Really polluted 3,100 Ha (estimated from studies) 6.5 % of the useful area

The soils that are currently out of use and that could be reused in short or medium term occupy 8 % of the useful area

These sites are very concentrated in urban centres and nearby areas

DISTRIBUTION OF THE POTENTIALLY CONTAMINATED SOILS IN THE BASQUE AUTONOMOUS COMMUNITY



REASONS FOR A POLICY ON CONTAMINATED SOILS

Impact on the human health and on the ecosystems

12% of the sites evaluated between 1996 and 2005 showed an unacceptable risk for human health, whose origin was in the soil itself

Urban development performances planned in 51 % of the potentially polluted soil. Town planning will keep on being fundamental. It will be necessary:

- Not to slow down the urban development and, therefore, the recoveries
- To manage the excavated materials properly
- Redevelop potentially contaminated soils, in order to find other uses

Town planning, the driving force of 54 % of site assessments in the last years

BACKGROUND

The first cases of soil pollution were detected in the beginning of the 90's

First actions to design a strategy

Master Plan for soil protection in the Basque Autonomous Community (1994).

Subsequent normative advances

Law 1/2005 of 4th February, on the prevention and correction of soil contamination in the Basque Country

Royal Decree 9/2005 (potentially contaminating activities, references for contaminated soil declaration)

Impacts of soil contamination, new legal mandates and commitments made by the Basque Government (Basque Environmental Strategy for Sustainable Development and EFP) require an update

Basque Contaminated Soil Plan 2007-2012

ADVANCES IN THE POLICY ON CONTAMINATED SOILS

Master plan for soil protection in the Basque Autonomous Community (1994)

Purpose

To protect the human health and the ecosystems
To prevent the diffusion of the pollution to other environments

Advances

- **Preparation, development and application of the legal framework**
- Information and training of stakeholders involved in soil protection
- Incorporation of the “soil quality” criterion in other policies, and coordination with other administrations
- **Creation of systems to manage information regarding soil quality**
- **Preparation of technical and methodological guides**
- Prevention of soil contamination through the implementation of such criterion in other procedures (Environmental Impact Evaluation, business license, etc.)
- **Design and implementation of a financial aid program for city councils**
- Assessment and recovery of polluted soils
- **Construction of infrastructures**

Technical and methodological guides

www.ihobe.net

- Indicative Values of Evaluation
- **M. g.** on historical study and sampling design
- **M. g.** on sample taking
- **M. g.** on chemical analysis
- **M. g.** on risk assessment for human health and ecosystems (ARRISKUGEST)
- **M. g.** on the analysis of risks for groundwater
- **T. g.** on safety
- **T. g.** of environmental criteria for the recovery of industrial ruins
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LEGISLATION ON CONTAMINATED SOILS

Legislation of the Basque Autonomous Community

- General Law 3/1998 on the **protection of the environment** in the Basque Country
- Law 1/2005 for the **prevention and correction** of the soil contamination
- Decree 199/2006, which establishes a system of accreditation for consultants, determines content and scope of contaminated site investigation
- Decree that approves and regulates the Inventory of sites with potentially soil contaminating activities

State Legislation

- Law 10/1998 on **waste materials**.
- Royal Decree 9/2005 that establishes a **list of those activities** that might pollute the soil, as well as the **criteria and standards** to declare soil contamination

Legislation of the European Union

- Thematic Strategy on Soils
- Soil Protection Framework Directive

LAW 1/2005

Soil Quality Declaration Process Art.18-26

PROMOTER

Informing the environmental organ
Request and descriptive report
Information about the soil

Delivery of exploratory investigation report
(or detailed investigation report)
Initiation request

STEPS OF THE PROCESS

Query and
previous
information

Initiation of the
procedure

Public information

6 MONTHS

ENVIRONMENTAL ADMINISTRATION

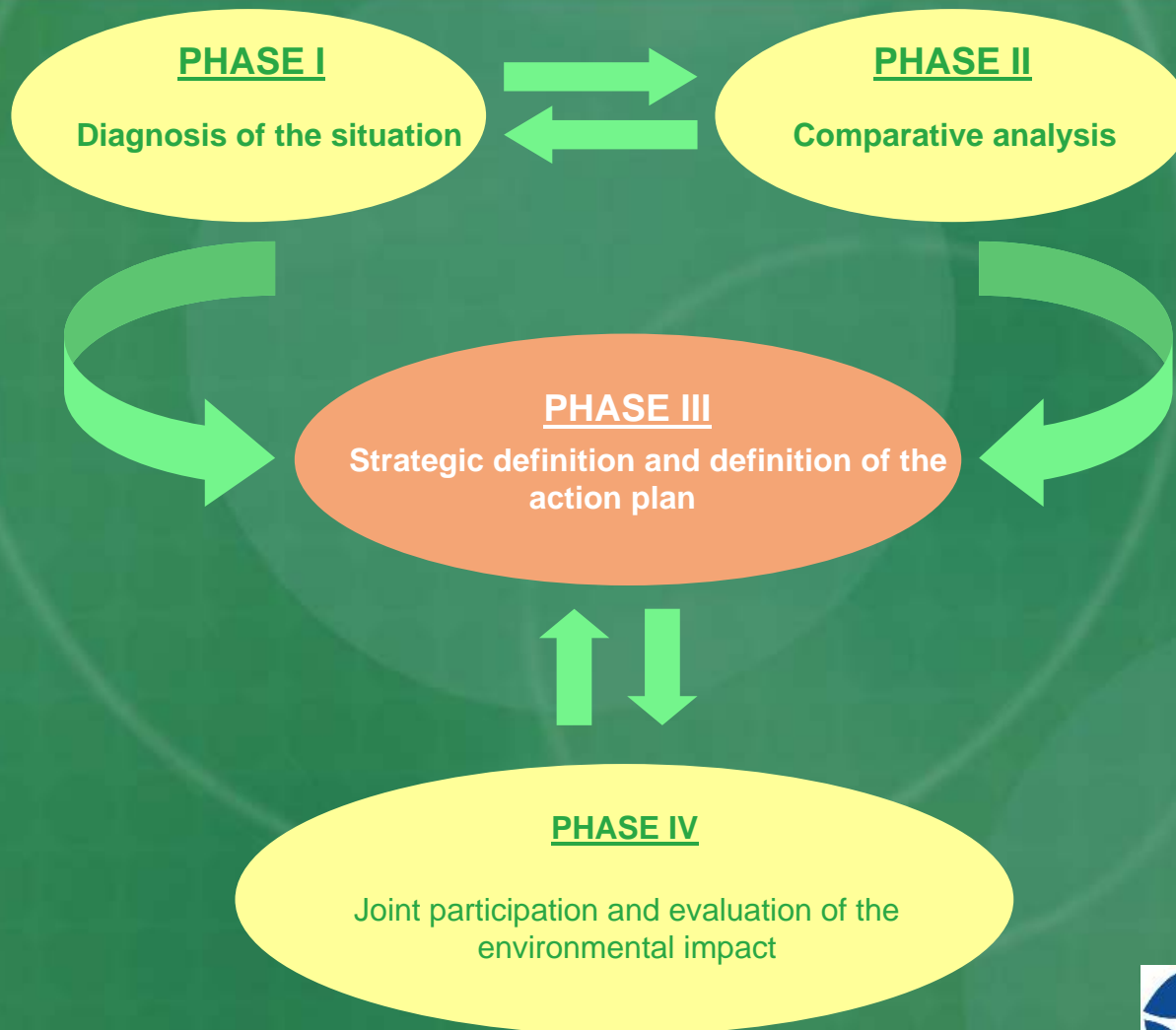
1 MONTH

In case the VIE-B is exceeded
There is a 15-day delay

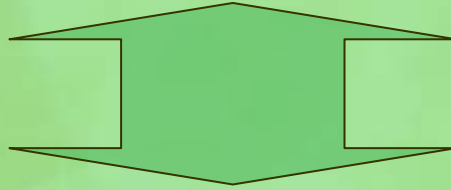
Communiqué to stakeholders and City Council
15 days to submit objections

The resolution will be the object of a note in
the Land Registry
Registration in the administrative registry of
the soil quality

BASQUE CONTAMINATED SOIL PLAN PREPARATION PROCESS



PRINCIPLES AND VALUES OF THE SOIL POLICY



VISION

“To achieve an ideal soil management within the framework of a socio-economic system, adapted to the new legislation, which will prevent the pollution and will guarantee the minimum effect of the alteration of the soil quality – as heritage of past activities, but also as consequence of present and future activities - on human health and ecosystems”

OBJECTIVES

Objective 1. PREVENTION of soil quality alteration

Objective 2. REHABILITATION of contaminated sites

Objective 3. REUSE of unoccupied sites where soil quality has been altered

Objective 4. VALORIZATION of land by allocating new, non contaminating uses with high added value

ACTION PLAN

3 programs

9 lines of action

19 actions

CONTAMINATED SOIL PLAN CHALLENGES

- **To prevent** polluting substances from penetrating into the soil and affecting its quality
- **To minimise** the impacts of the current alterations regarding the quality of the soil
- **To include** “soil quality” criterion in **other policies**
- To make good use of the synergies existing between the polluted soil management and the **urban planning**
- To prevent **land movements (or earthwork)** from causing new pollution
- To go deep into **knowledge** on soil quality
- To **rise awareness** among the political, social and business agents
- To mobilise **private initiative**

VALUES OF THE PLAN (I)

Pro-active and long-term policy

Anticipate market needs and create its own demand

An integrated and coordinated policy that promotes networking

Promote coordinated action among all competent public institutions

Essential to establish solid and credible actions

Participated policy

Involves the various economic and social agents in the design of the plan and in the implementation of its policies

VALUES OF THE PLAN (II)

**A policy that
takes advantage of
market
opportunities**

It aims at making a good use of market forces to
release funds for remediation,
Encourage the public-private co-operation

**A pragmatic, dynamic
and helpful
policy**

Allows designing site specific solutions

GUIDELINES FOR PLAN DEVELOPMENT

A plan that allows to progress towards a sustainable use of the soil shall be filled with a series of coherent environmental, economic and social principles

ENVIRONMENTAL PRINCIPLES

1. Prevention and conservation
2. Compatibility or functionality
3. Precaution and caution
4. Proximity and self-sufficiency

SOCIAL PRINCIPLES

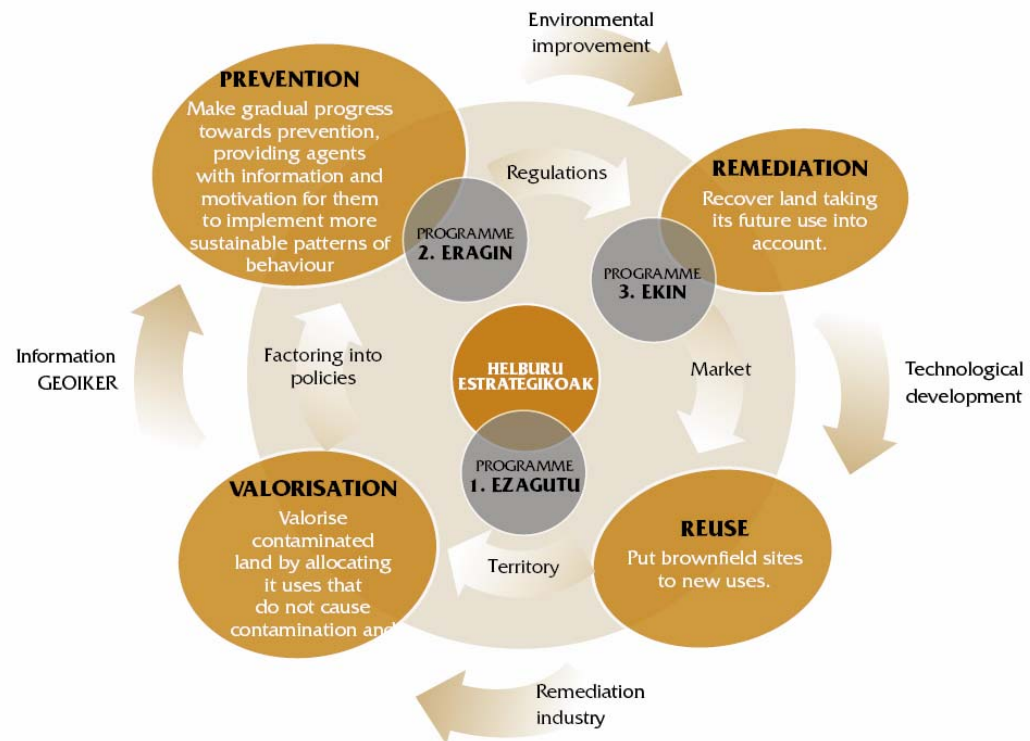
1. Right to enjoy a clean soil
2. Self-responsibility of the agents
3. Openness and participation

ECONOMIC PRINCIPLES

1. Polluter pays
2. BATNEEC
3. Optimisation of the cost-effectiveness tandem
4. Allocation of productive uses

STRATEGIC DRIVING FORCE. THREE PROGRAMMES

EZAGUTU (TO KNOW)



THREE PROGRAMMES

contributes to the achievement of the four strategic objectives in a more practical and direct way

EZAGUTU PROGRAMME

ONE TARGET

Generation and management of data and knowledge transfer through information, training, awareness raising

To collect, organise and manage the information regarding soil quality

1. To adapt and manage an information system on soil quality
2. To keep the information regarding soil quality updated

THREE LINES OF ACTION

Generation of knowledge

1. To create multidisciplinary and permanent work teams
2. To stress the science and technology policy, in order to generate knowledge

Awareness, information and training

1. To communicate and spread key aspects
2. To increase the knowledge among the agents
3. To organise participation mechanisms

ERAGIN PROGRAMME

ONE TARGET

To look for improvements in the design and the regulatory application, together with a greater integration of the policies

TWO LINES OF ACTION

Optimization of actions by the environmental organ.
Application of the legislation regarding contaminated soils

1. Update, improve and simplify the regulatory application, answering to the soil quality declaration procedure
2. Guarantee compliance with laws and standards

Creation of appropriate conditions for collaboration among the various levels of the administration, in order to be ahead of the intervention in polluted soils

1. Incorporate the policy on soil protection into other policies
2. Create the appropriate conditions for collaboration among stakeholders, in order to increase efficiency in contaminated site rehabilitation (working forums)

EKIN PROGRAMME

ONE TARGET

Implement actions that contribute to the achievement of the strategic objectives in a more practical and direct way

Prevent new soil contamination

1. Promote preventive measures, by using administrative tools

Looking for solutions for site rehabilitation

1. Promote the creation of infrastructures for the soil recovery/management
2. Design and apply economic tools
3. Develop and apply the risk management concept
4. Define criteria for the reuse of recovered soils and excavated materials

Reuse of unoccupied contaminated sites

1. Prepare guidelines and identify measures to Reduce the artificialization of the soil
2. Use town planning to facilitate the reuse

Management of sites without planned urban development

1. Design guidance and take measures in potentially polluted sites and not submitted to market forces

FOUR LINES OF ACTION

THE FIGURES OF THE PLAN

			Validity period of the <i>Plan on Polluted Soils</i>						
Public funds (million €)	2005	2006	2007	2008	2009	2010	2011	2012	Total
EZAGUTU Programme			1,800	1,050	1,065	0,950	0,860	0,850	6,575
ERAGIN Programme			1,050	1,650	1,675	1,925	1,850	1,850	10,000
EKIN Programme			0,800	1,100	1,800	2,075	1,750	1,450	8,975
Total budget	2,7	3,5	3,650	3,800	4,540	4,950	4,460	4,150	25,550

THE DEVELOPMENT OF THE PLAN. YEAR 2008

KEYS

- Actions that will culminate in the upcoming years have been launched, they are aimed in improving policy on contaminated soils
- **Three priority projects:** the design of a management centre for polluted soils, the preparation of a tax for the disposal of polluted soils (and waste) and the modification of Law 1/2005
- **KEYS:** a compact VMA-IHOBE team, a steady budget, a progressive delegation to certified consultants, more and more aware local and public entities in charge of soil management, as well as an optimum knowledge and information management

THE DEVELOPMENT OF THE PLAN. YEAR 2008

Program **EZAGUTU**

LA.1

Collect, organise and manage information on the quality of the soil

- **Launch the new system for the geographic information of the quality of the soil**
- Finish the implementation of the computer application by which the files on the quality of the soil are managed
- Include all the information of the Administrative Registry of soils, and develop a procedure that allows a high degree of automation
- Finish the update of the *Inventory of sites with potentially soil contaminating activities*

THE DEVELOPMENT OF THE PLAN. YEAR 2008

Program **EZAGUTU**

LA.2 Generation of knowledge

- Establish a model of collaboration and a work plan for the following years with the BERRILUR group
- Identify innovative tools, in order to achieve the objectives of the plan
- Increase the active participation in international teams and projects
- Continue with the preparation of guidelines and methodological guides

THE DEVELOPMENT OF THE PLAN. YEAR 2008

Program **EZAGUTU**

LA.3 Awareness, information and training

- Prepare a specific communication plan for contaminated soils
- Develop training actions for strategic groups (for example, City Councils)

THE DEVELOPMENT OF THE PLAN. YEAR 2008

Program **ERAGIN**

LA.4

Optimize the performance of the environmental body, and apply the legislation on contaminated soils

■ Legislative development

- Pass the decree that regulates the Inventory of sites with activities that might pollute the soil
- Modification Law 1/2005 for the simplification, in some cases, of the procedure to declare the quality of the soil
- Prepare the decree that regulates the Administrative Registry of the Quality of the Soil

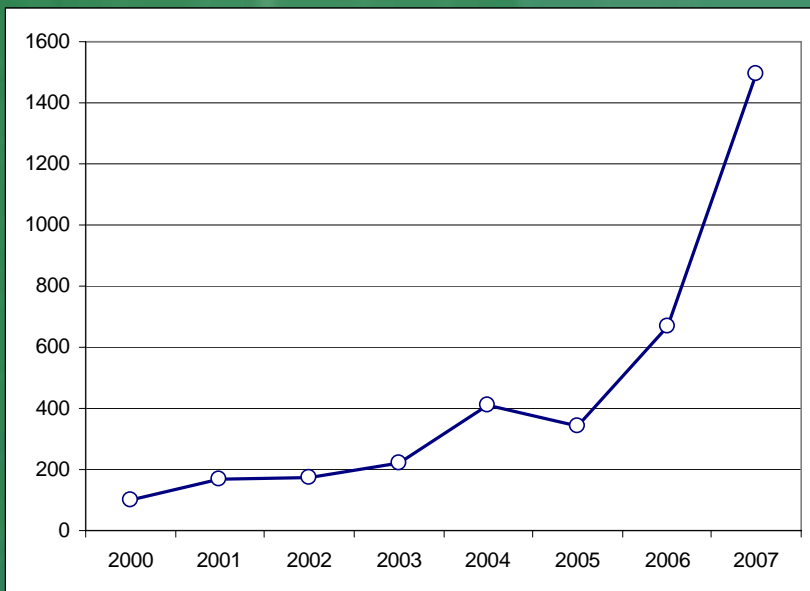
■ Monitoring of certified consultants

■ Design and start the inspection of sites within the inspection plan of the Department of Environment

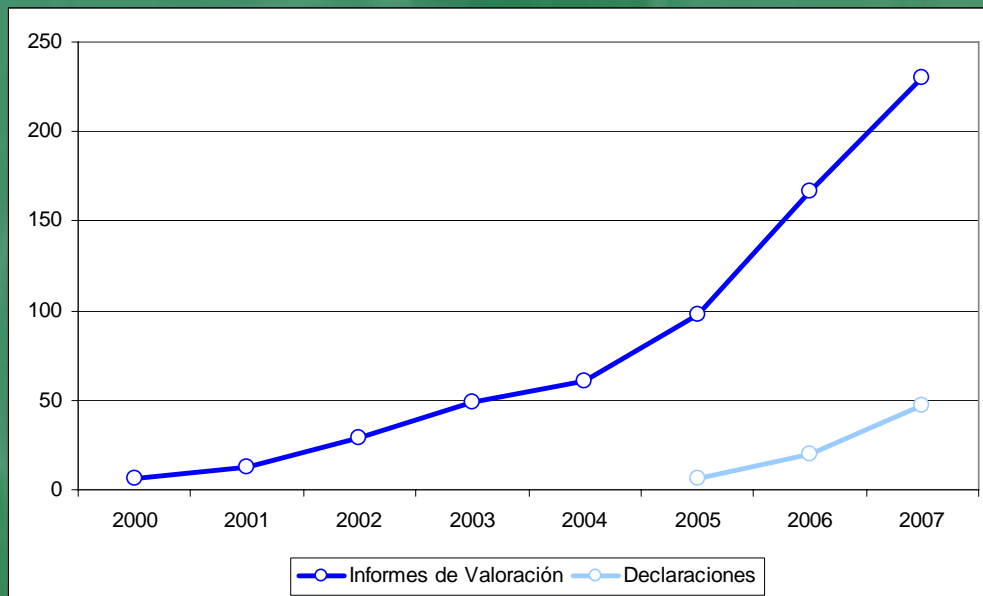
■ Develop tools to optimise the management of files that state the quality of the soil

SOME DATA ON THE DEVELOPMENT OF THE ACTIVITY OF THE ADMINISTRATION

No. of queries



No. of evaluation reports and soil quality declarations



THE DEVELOPMENT OF THE PLAN. YEAR 2008

Program **ERAGIN**

LA.5

Create appropriate conditions for collaboration among the levels of the administration, in order to anticipate the intervention in polluted soils

- Collaborate with the administrations with strategic projects (Provincial Council of Bizkaia, Sociedad Gestora of Zorrozaurre, JAIZKIBIA (Pasajes Bay) and SPRILUR)
- Monitoring allocation of subsidies for local administrations

THE DEVELOPMENT OF THE PLAN. YEAR 2008

Program **EKIN**

LA.6

Prevent the appearance of new polluted soils

- Assess the content of the Preliminary Reports on the Situation of the Soil
- Suggest measures according to the results of the assessment
- Keep on using administrative procedures in other fields, in order to encourage the adoption of soil protection measures

THE DEVELOPMENT OF THE PLAN. YEAR 2008

Program **EKIN**

LA.7 Look for solutions for the recovery of polluted soils

- **Carry out the pre-design of a centre for the treatment of contaminated soils**
- **Design economic tools to finance/encourage the recovery of polluted soils (public-private fund, landfill tax)**
- **Develop the “risk management” concept**
- **Design a procedure that facilitates the reuse of materials in uses that require being in contact with the soil**

Investigate industrial estates

THE DEVELOPMENT OF THE PLAN. YEAR 2008

Program **EKIN**

LA.8

Reuse unoccupied soils whose quality has been altered

- **STRATEGIC REFLECTION** - To design a suitable method to measure, assess and reduce the sealing of the soil
- **STRATEGIC REFLECTION**- To include the soil reuse criterion in the urban development tools

THE DEVELOPMENT OF THE PLAN. YEAR 2008

Program **EKIN**

LA.9

The management of potentially polluted soils without planned measures

- Intervention strategy in abandoned landfills
- Intervention strategy for sites located in sensitive areas
- Develop a concept for landfill reuse

BASQUE CONTAMINATED SOIL PLAN DECISION SUPPORT SYSTEM?

YES!!

FOR ADMINISTRATION

CRITERIA = VALUES

FOR STAKEHOLDERS

AWARENESS RAISING

INFORMED, TRAINED

Euskal Autonomia Erkidegoko Lurzoru Poluituen 2007-2012ko Plana

**ESKERRIK ASKO !!! MUCHAS GRACIAS!!!
THANK YOU FOR YOUR ATTENTION.**

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Madrid, 9th October, 2008

Basque Contaminated Soil Plan 2007-2012