Contaminated Land Management Policy development in Europe: Evolution in Member States and at European Union Level, need for harmonisation or Common Ground?

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Abstract:
Soil Environment is complex, due to several reasons:

- we're facing "invisible" problems,
- with a multitude of "local" problems and stakeholders,
- leading to political impacts,
- with large differences in Member states, due to geographical (from permafrost to Mediterranean climate and related soil types) and perception reasons.

The Contaminated Land policies evolved since the early 80s at the national level. Three types of national policies were successively generated:

- a systematic approach (inventories, protocols) with a drastic control of soil contamination, in the early 80s,
- around 1990, a contaminated land and risk assessment approach, with a real focus on land use as the main criteria for assessing and decision-making,
- Since 2000, in some experienced countries, a risk based land management approach (RBLM concept developed by the European CLARINET network) including sustainable solution design, which integrates spatial planning, soil & water management, socio-economy issues.

At the same time, the regulatory environment at the European level evolved rapidly and some of the European legal documents have tried to take soil issues into consideration (i.e. IPPC or Environmental Liability Directives). Recently, a Soil Protection Strategy has been published and a proposal of Directive is being discussed since end of 2006. Some experienced Member States have main concerns on the recent developments of EU legislation related to soil issues.

The discussions at the European level have shown various levels of knowledge and experiences in the Member States (the three types of national policies still co-existing at the time in Europe), but also political differences of points of view. There is a demand from different stakeholders (i.e. European Commission, Industries operating in different European Countries ...) for a more "harmonised" framework for dealing with Contaminated Land Management in Europe.

But what does "harmonisation" imply? One set of Soil Standard values? One blueprint at the European level? No. This is simply impossible, in particular to geographical / geological differences (such as soil and aquifer materials, climate, food and water consumption, land use planning & scenarios).

But there is an opportunity to derive a common ground on technical issues, such as:

- Tool box for Risk Assessment, Decision Making
- Common protocol for choosing the appropriate models or the best sustainable remediation technologies, …
- Common set of exposure factors, reference doses?
- Criteria for assessing the sustainable efficiency of remediation techniques

Using the available experiences existing in the different member states.

There is also an important challenge to continue to discuss on more political issues (i.e. what could be an acceptable risk level for different land uses, what targets should be protected? Scales for acting?). Therefore there is a persistent need for collaboration and cooperation (for not reinventing the wheel, avoid the errors of the past, tackle the same problems and identify the best solutions).