

Soil protection issues in the baseline report

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Activity 1





IED (Art. 22) – Baseline Report on the state of soil and groundwater

OBJECTIVE

This baseline report should document the state of the soil and groundwater at the site of the installation.

The report ultimately serves to preserve evidence and provide a reference for the obligation to return the site to its baseline state after closure.

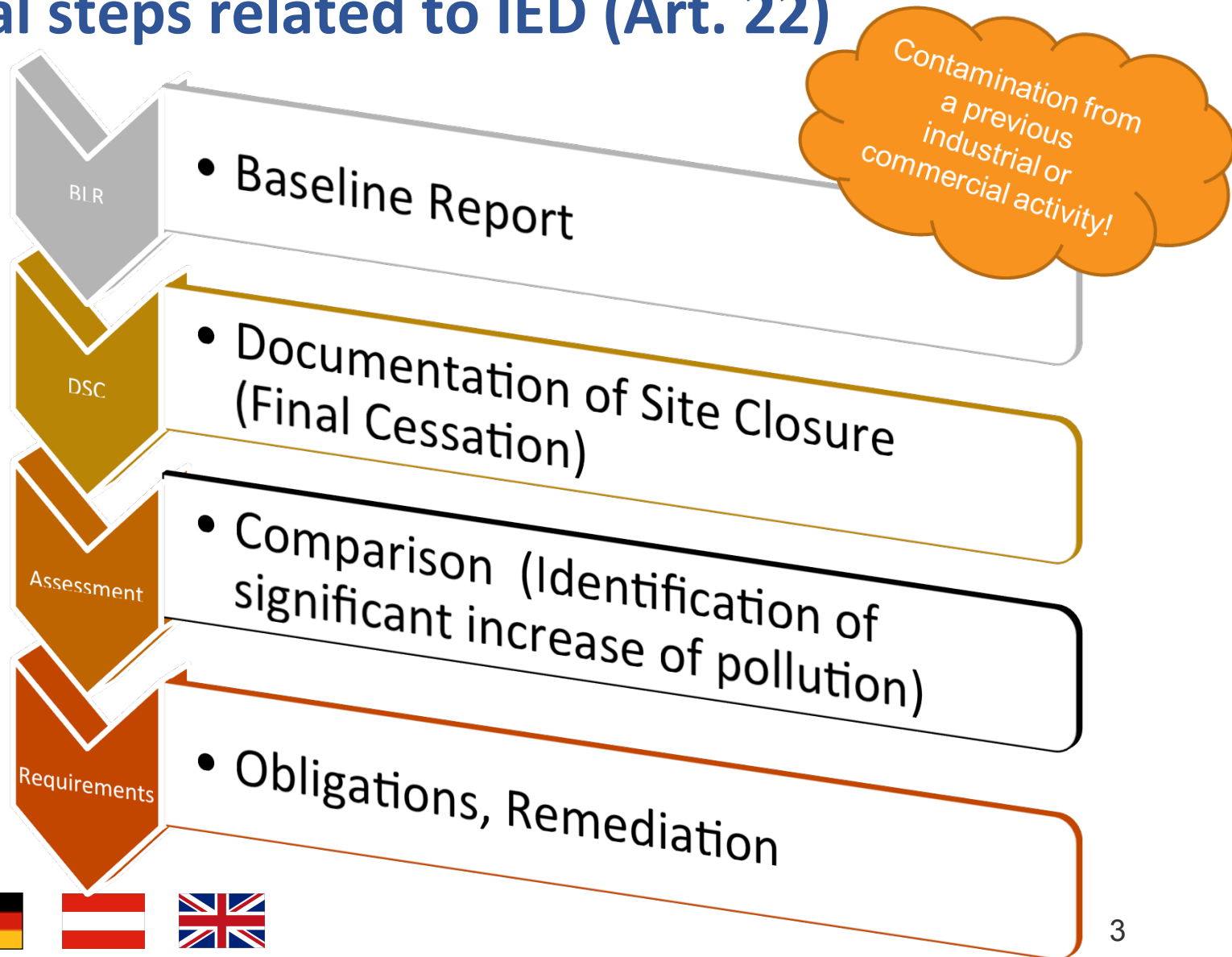
INTENTION OF THE GUIDANCE

is intended to give the **competent authorities** indications for the assessment of baseline reports submitted to them within the context of permit procedures under emission control law, and to **assist installation operators and consultants** commissioned by them when preparing a baseline report.





Procedural steps related to IED (Art. 22)





Positive Effects of a baseline report:

- Continuous documentation on site history in case of industrial or commercial use as duty of the operator;
- Collation of environmental information from sites still in operation (also from subsequent monitoring and inspections during the operation time);
- Early indications about damages and new contamination (in case of failure immediate measures mostly even more inexpensive than later or after dispersal of contaminants);
- Determination of environmental impacts caused by operators during the running time of the installation/site;
- Promptly enforcement of Polluters Pays responsibilities;
- Strengthening of precautionary principles by a better avoidance and reduction of contaminations;
- Opportunity of Data and information exchange to land cadastres;
- Increase environmental awareness and sensibility on operator's side.





Added value of a baseline report

(a) For the competent authority:

- **Exoneration** from investigation and measurement needs after site closure;
- Decreasing effort to gather soil and groundwater information and data for land cadastre;
- Increase of reliable environmental information about industrial or commercial sites in operation;
- Better and direct enforcement of the polluter pays principle;
- Real lowering of remediation costs and of financial duties from government/public;
- Reduction of contaminated land management problems and for designated budgets in a longer term perspective.

(b) For the operator:

- Provide evidence and therefore restriction of liabilities on “own” caused environmental impacts;
- (Voluntary) baseline reports – could be part of a green label certification system for enterprises or for a better green image of the company.





Efforts caused by a requirement of a baseline report

(a) For the competent authority:

- Delivery of existing information on operators request about the site in case of availability, joint determination of a investigation plan;
- Approval of the baseline report and in assessing results from subsequent monitoring and site inspections.

(b) For the operator:

- Delivery of a baseline report to the competent authority (additional effort for the operator might be comparable e.g. to due diligence report);
- Time sensitive element within the permitting procedure;
- Additional investigation and measurements results required within the permit application.





How to support implementation?

- A general guidance document or manual about the baseline report for all relevant stakeholders;
- Reference document for hazardous substances and mixtures with risk related information (e.g. CLP-Regulation);
- Criteria to assess the relevance of hazardous substances and mixtures (qualitative and quantitative, Impact assessment related to soil and groundwater, etc.);
- Common principles for acceptance of still existing data and information for baseline reports;
- Requirements (e.g. grids, hotspots, methods, uncertainties) for sampling, measuring and assessing relevant hazardous substances on the site of installation;
- Certified analytical methods;
- Agenda and Template for a suitable baseline report and for the documents of final cessation (comparability);
- Criteria for the assessment of the significance of soil and groundwater pollution in comparison of these two reports;
- Obligations to return sites to the initial state.



Thank You, any questions?

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