

# SiLC Newsletter

News update by the SiLC Champion

November 2013

Issue 11

## SiLC news update



In December 2009 the SiLC Register with support from the Homes & Communities Agency (HCA) published the [Land Condition Skills Development Framework](#) (LCSDF) document. The LCSDF is a capability based system intended to complement existing institutional frameworks in supporting an individual's career development. SiLC is in the process of updating this document which will include additional capability sheets for a range of competency levels. The structure set out in the LCSDF will be used as part of the SiLC Development Scheme which is intended to encourage each individual to pursue professional memberships and qualifications and which will create greater momentum and growth in the SiLC Register and underpin the scheme in the long-term.

## CIWEM Contaminated Land Network (CLN)

CIWEM's Contaminated Land Network (CLN) supports professionals in the contaminated land sector and is free for anyone to join.

The role of the CIWEM CLN is to bring together government/non-governmental bodies, industry, academia and other stakeholders to stimulate sharing of knowledge and good practice in the management of contaminated land. The network, currently with over 400 members, aims to support the relationship between academic research and practice. If you would like to find out more or to join please visit: <http://www.ciwem.org/knowledge-networks/networks/contaminated-land.aspx> or email CIWEM [jrowe@ciwem.org](mailto:jrowe@ciwem.org)

CIWEM's Contaminated Land Network has recently produced its first Policy Position Statement (PPS) on Contaminated Land. In the PPS CIWEM calls on all countries to implement policy and practices to identify land and groundwater previously impacted by contamination as well as preventing future occurrences.

CIWEM supports the redevelopment and regeneration of previously used land and the prioritisation of the development of such land over greenfield land, so long as planning policies appropriately account for contamination and that such development is sustainable, suitable and the land is not of any identified environmental value.

CIWEM also supports the principle that any professionals advising on contaminated land should be suitably qualified and competent through chartership by an appropriate professional body and supplemented as necessary with other specific technical accreditations.

To view the PPS please visit: <http://www.ciwem.org/policy-and-international/policy-position-statements/contaminated-land.aspx>

## Events calendar

A contaminated land related events calendar has been set up on Google calendars initiated by Chris Dainton, Peak Environmental through the contaminated-land-strategies jiscmail group. The regional contaminated land forum groups, together with SoBRA, NICOLE, EPUK, LQM, RSC Environment Chemistry Group, DETS, ALcontrol and Brownfield Briefing have contributed to the events listing and it is hoped other organisation will follow. The link to the calendar is [here](#)

Information on events organised by SiLCs supporting organisations can be accessed by clicking on the hyperlink of the Professional Body listed opposite.

### Key Dates for 2014

#### SiLC Introduction Day

- 9 April 2014, RSK office, Cheshire
- 16 October 2014, ERM office, London

#### Exam dates

Round 1 - 3 February 2014

Round 2 - 31 July 2014

### Events - follow the

#### link

- [Geological Society](#)
- [RSC](#)
- [ICE](#)
- [CIWEM](#)
- [IEMA](#)
- [RICS](#)
- [CIEH](#)
- [REHIS](#)

### In this issue:

SiLC news update	1
CIWEM CLN	1
Events calendar	1
A quality product	2
New SiLCs	2
DGLC web-site	3
The longevity of guidance criteria	4
Linked In	4



**“ Under the Construction Products Regulation (EU) No 305/2011 (CPR), from 1<sup>st</sup> July 2013 all recycled aggregates sold in the EU need to carry a CE-Mark.”**

## A quality product

An update of the WRAP Quality Protocol for recycled aggregates has recently been published. The report entitled ‘[Aggregates from inert waste](#)’ October 2013 is developed as an aid to identify when inert waste has been fully recovered and cease to be waste within the meaning of the EU Waste Framework Directive and that the material comprises a product that can be reused by industry or supplied into other markets for use without the need for waste management controls. This new Quality Protocol which supersedes ‘Quality Protocol for the production of aggregates from inert waste’, revised edition September 2005 has been developed by the Environment Agency, the Northern Ireland Environment Agency (NIEA) and Waste & Resources Action Programme (WRAP) in consultation with industry.

The procedures set out in the new Quality Protocol are more prescriptive and there is a need to compile more supporting documentation to demonstrate compliance and thereby provide users with the confidence that the aggregate they purchase conform to an approved European standard for aggregates. Under the [Construction Products Regulation \(EU\) No 305/2011 \(CPR\)](#), from 1<sup>st</sup> July 2013 all recycled aggregates sold in the EU need to carry a CE-Mark. The CE-marking scheme requires suppliers of recycled aggregates to declare a defined set of properties and characteristics of the product, and that any recycled aggregates used within other construction products such as concrete, mortar, grout, bituminous mixtures and surface treatments for roads and railway ballast satisfy the requirements of the relevant European Aggregates Standards.

The recycled aggregates need to be processed in accordance with an approved standard applying a Factory Production Control (FPC) system which is specified in BS EN 16236 Evaluation of conformity of aggregates — Initial Type Testing and Factory Production Control, May 2013. Only inert waste types that are specified in Appendix C of the Quality Protocol document can be used for recycled aggregates under the Quality Protocol. These include certain types of bituminous mixtures excluding those containing coal tar, uncontaminated dredging spoil, concrete, bricks, tiles, glass, waste sand, construction and demolition waste, waste from utility trenches, sub-base and track ballast although these materials must not contain any contaminated soil or stone. It is stated that ‘clays and soils’ are not considered to be aggregates for the purposes of the Quality Protocol.

A significant aspect of the revised Quality Protocol is the need to prove evidence of compliance and whilst record keeping is necessary to comply with environmental permit conditions emphasis is placed on providing supporting documentation and retaining records and that they are made available for inspection by the regulator if requested. As part of the Quality Protocol procedures it is necessary to produce a FPC manual which needs to be reviewed periodically, develop ‘acceptance criteria’ which needs to include a list of the types of waste that are accepted for processing including the waste codes, provide details of the source/place of origin of the waste, the supplier and transporting agent and a method of acceptance which needs to include a visual inspection of every load on receipt and after tipping. Appendix B of the Quality Protocol sets out in greater detail the procedures for the FPC including details on training personnel inspecting and testing the wastes and details of specific record keeping and documentation. Details are also provided regarding the types of testing and frequency of testing which needs to be carried out to comply with particular standards and end uses. There is also a need to provide information on good practice relating to the storage, transportation and handling of the recycled aggregate. Quality compliant material will revert to being a waste and waste management controls will apply if the material is discarded or mixed with waste materials or if it appears that the material is being stored indefinitely with no certainty of use. The FPC needs to take account of any environmental impact resulting from production and use of recycled aggregates including the need to protect human health and the environment including soil.

## New SiLCs

The SiLC Professional and Technical Panel would like to congratulate the following people on their successful applications to become registered SiLCs:

- Christopher Barrett, Ove Arup and Partners – C.Sci and member of CIWEM
- Hannah Lucy Thomas, RSK Environment Ltd – Fellow of the Geological Society of London
- Liz Hart, Environment Agency – CSci and Fellow of the Geological Society
- Matthew Pearce, WorleyParsons Ltd – C.Sci and member of CIWEM
- Neil MacDonald, Belfast City Council – member of CIWEM
- James Clay, Campbell Reith Hill LLP – C.Env and member of CIWEM
- Simon Burr, Campbell Reith Hill LLP – C.Env and member of CIWEM
- Ben Smee, AMEC – C.Geol

## DGLC web-site

In January 2013 the Department for Communities and Local Government (DCLG) issued Lord Taylor's [report](#) on the review into Government planning practice guidance identifying what should be axed, replaced or amended. This comprised a review of over 200 various guidance documents comprising statements, circulars, guides, leaflets, letters and reports. The report recommended that the guidance should be kept easily in a single place for example accessed through the DCLG website and must contain formal Government Planning Practice Guidance only and that should align with guidance issued currently by the Planning Inspectorate and structured around the text of the NPPF.

In August 2013, the DCLG launched for testing and comment the National Planning Practice Guidance [web-based resource](#). The intention of the web-site is to have access to national planning practice guidance available entirely online. It is stated that *"...This web-based resource has refreshed, streamlined and brought up-to-date the existing planning practice guidance to make sure that it supports national planning policy in an easily accessible way..."*. The current web-site is a fully working prototype with draft planning practice guidance and following feedback to DCLG the web-site will be launched fully with updated guidance which is expected later this year.

In line with Lord Taylor's recommendations, the web-site contains draft planning practice guidance on environmental quality issues including noise, air, land, water and water supply. There is a section on the web-site regarding [land remediation](#) in which 10 questions and corresponding answers setting out an overview of the framework for contaminated land assessment under the planning system. A [flow diagram](#) is presented on the web-site to illustrate the broad steps a Local Planning Authority (LPA) should follow when considering land remediation and reference is made as to how a LPA can use planning conditions to ensure that development should not commence until the identified stages in delivering a remediation scheme have been discharged. These stages and the factors for a LPA to consider in framing appropriate planning conditions are stated on the web-site as follows:

*"...site characterisation – what is required, including what sort of survey, assessment and appraisal, by whom and how the work is to be presented;*

*submission of the remediation scheme – what it should include;*

*implementation of the approved remediation scheme – notification to the local planning authority of when the works will start, validation that the works have been carried out and reporting of unexpected contamination; and*

*monitoring and maintenance – what is required and for how long..."*

Presumably it is then for the LPA to deal with the what, whom and how issues are set out in the planning conditions. There is a hyperlink to the document [Guidance for the Safe Development of Housing on Land Affected by Contamination](#), published by the Environment Agency, NHBC and CIEH. It is unclear as to why this particular guidance document has been chosen other than providing a specific link for *"...Information on the most common industrial activities and the risk of contamination..."*. The guidance document was issued in 2008 and some references need updating in particular the section on waste management. However, the guidance document follows broadly the CLRII framework and is a well structured document setting out good practice and providing practical information for the development of contaminated land.

With regard to land remediation the information on the DCLG web-site provides very basic advice to the questions raised and it includes numerous hyperlinks to various regulations, for example Part 2A, Building Regulations, Environmental Permitting Regulations and the Water Framework Directive. Without a detailed knowledge and understanding of these regulations it may be confusing to a land owner or developer as to the relevance of these regulations and the type of information which needs to be provided when considering the proposed development of contaminated land. In its current format it is unclear as to whom the guidance and information on the DGLC web-site is actually aimed at, although given that the web-site is currently being trialled it may be that the finalised web-site will change including links to the choice of supporting regulations and guidance documents.

As part of a move to centralise information onto a single government web-site, it is understood that the Environment Agency's web-site will be shut down. It is important that there remains access not only to current guidance documents but that former guidance remain accessible which is particularly relevant when reviewing old reports or preparing evidence for legal cases where it is necessary to understand what guidance was in place and when, and how it was applied.



***"...This web-based resource has refreshed, streamlined and brought up-to-date the existing planning practice guidance to make sure that it supports national planning policy in an easily accessible way..."***



## News update by the SiLC Champion

Secretariat  
The SiLC Register  
c/o CIRIA  
Griffin Court  
15 Long Lane  
London EC1A 9PN  
  
Tel: +44 (0) 20 7549 3300  
E-mail: [info@silc.org.uk](mailto:info@silc.org.uk)

### SiLC Champion Feedback

**Do you have something to say about SiLC or any other topics? We would welcome contributions to the Newsletter**

**Presentation materials about SiLC are available - contact the secretariat**

Regards

**Kevin Eaton  
SiLC Champion**

## Supporting Organisations



## The longevity of guidance criteria

As the sector eagerly awaits the outcome of the C4SL project, for those of us who have been working in the sector for many years we may look back fondly on the simplicity of the use of the ICRL guidelines. It was in 1983 that the Inter-Departmental Committee on the Redevelopment of Contaminated Land (ICRCL) published the document 'Guidance on the Redevelopment of Contaminated Land' 1st Edition May 1983, ICRCL 59/80 although it was the 2nd Edition Guidance Note 59/83 published in 1987 that was to become a key reference document used throughout the late 1980's and throughout the 1990's.

ICRCL was set up in 1976 to provide advice and guidance and to fund research into the risks associated with the redevelopment of contaminated land and the publication of the 1st Edition document in 1983 built on earlier government guidance documents relating to contaminated land. The importance of Guidance Notes 59/80 and 59/83 is that it was recognised that the development of contaminated land presented a number of challenges and the guidance document set out a methodology for assessing contaminated land together with the publication of 'trigger' and 'intervention' values for a range of contaminants including a suite of metals and contaminants associated mainly with gas works pollutants such as cyanide and phenol. The intention of publishing guidelines was to standardise and simplify the approach to evaluating risks associated with the redevelopment of contaminated land.

Contaminants	Planned Uses	Trigger Concentrations (mg/kg air-dried soil)
Coal Tar (1)	Domestic gardens, amenity areas	200
	Public open space	500
	Industrial (no landscaping)	5,000
Phenols	Domestic gardens and all uses with mains water services	5
	All other uses	100
Free cyanide	Domestic gardens, amenity areas, open space	50
	Industrial (no landscaping)	500
Complex cyanides	Any uses where plants are to be grown	50
Thiocyanate	All uses	50
Sulphur	All uses	1,000
Sulphide	All uses	250

These guideline values originate from an earlier report entitled 'Problems arising from the redevelopment of gas works and similar sites' the first edition which was published in November 1981 and was subsequently taken forward by ICRCL and developed into Guidance Note 59/83. Possibly one of the earliest reports in which guideline values for soils were published was prepared by Greater London Council Department of Architecture and Civic Design. Development and Material Bulletin No98 (2nd series) August/September 1976 prepared by the Materials Information Group.

In 1979 The Greater London Council (GLC) also prepared a table of contamination criteria for classifying soils into one of five categories A-E; A being uncontaminated and E being unusually heavily contaminated. The GLC criteria are often referred to as 'Kelly's Table' named after the principal author. The tables were derived on the basis of empirical evidence arising from the analyses of hundreds of soil samples from a range of sites across the Greater London Council area. The criteria were developed mainly to assist in the characterisation of contaminated soils for disposal purposes and whilst they were not specifically intended to be used as risk assessment criteria for assessing land that was to be redeveloped, they provided a useful indication of the severity or otherwise of contamination of the ground. Kelly's table included a broader suite of contaminants than were included in the ICRCL Guidance Note 59/83 and consequently were used by many practitioners in the sector during the 1980's and throughout the 1990's to assess contaminated land.

The 'trigger' guideline values which had first appeared in the document ICRCL 59/80 published in 1983 and which had their origins in even older guidance documents going back to 1976 were not withdrawn formally until December 2002 as they were considered to be incompatible with the risk based approach set out in the Part 2A of the Environmental Protection Act 1990 which was established in 2000.

So will a new generation of soil guideline criteria see us through to the 2030's ?

## Linked In



SiLC has established a group on Linked In. It is open to all SiLCs on the register and there are 78 members currently. So if you are a registered SiLC and want to raise any issues, start a debate or flag up what's happening in the sector why not submit a post. All views are welcome on this and how best we can use the group as a means of meaningful communication. For any formal communication regarding the SiLC scheme please use the e-mail [info@silc.org.uk](mailto:info@silc.org.uk)