

# Advice To Developers On The Selection Of Consultants To Investigate Potentially Contaminated Land

## 1. Evidence of ability and experience

The consultants should be able to give examples of successful planning applications that their site investigation reports have supported in the last year.

They should have evidence of qualifications and experience in the investigation and assessment of contaminated land. This should include continuing professional development, through training or experience, over the past few years since the new Contaminated Land Regime came into force.

The consultants may have membership of accreditation performance or quality assurance programmes or schemes.

You would be advised to obtain in writing an affidavit confirming that the chosen Consultant will carry out a site investigation and risk assessment based upon ***BS10175: 2001 Investigation of Potentially Contaminated Sites - Code of Practice*** - and that this represents **current best practice**.

## 2. Awareness of the new Contaminated Land Regime

The consultants should be aware of Part IIA of the Environmental Protection Act 1990, the Contaminated Land (Scotland) Regulations 2000, and the statutory guidance in SERAD Circular 1/2000: Contaminated Land.

They should be able to define "contaminated land" as defined in Part IIA:

*"any land which appears to the local authority in whose areas it is situated to be in such a condition, by reason of substances in, on or under the land, that -*

- (a) significant harm is being caused or there is a significant possibility of such harm being caused; or*
- (b) pollution of controlled waters is being, or is likely to be, caused."*

They should understand the principle concepts that have been introduced by Part IIA, that is:

- source -> pathway -> receptor pollutant linkages
- the "suitable for use" approach
- **risk based** site investigation

## 3. Approach to Site Investigation

Consultants should immediately be aware that there is a new British Standard for site investigations - ***BS10175: 2001 Investigation of Potentially Contaminated Sites - Code of Practice*** - and that this represents **current best practice**.

The site investigation will usually require a **qualitative and quantitative risk assessment**. A **Conceptual Site Model** detailing all possible pollutant linkages will be crucial to developing such a site investigation and risk assessment. They should be aware that identification of contamination on the basis of generic "threshold" and "trigger" values (for example, ICRCCL values) are no longer appropriate. A site specific risk assessment approach must be taken, using current and up-dated methodologies (see point 4 below).

They must consider all pollutant linkages affecting the "receptors" of human health, ecological systems, property (animals and buildings) and controlled waters (surface water and ground water).

Publications that they should refer to, or be aware of, include:

- Statutory guidance - SERAD Circular 1/2000: Contaminated Land
- BS10175:2001 Investigation of Potentially Contaminated Sites - Code of Practice
- Planning Advice Note PAN33 (revised): Development of Contaminated Land
- Industry Profiles (DOE)
- Contaminated Land Research Reports (DEFRA/Environment Agency)
- How to Approach Contaminated Land (Scottish Enterprise)
- How to Investigate Contaminated Land (Scottish Enterprise)

#### **4. Methodologies used**

The consultants should be using current and up-dated methodologies that take account of the requirement for a quantitative site specific risk assessment for human health and the water environment. Some of the more common methodologies are:

- CLEA UK
- SNIFFER
- ConSim
- R&D 20
- RBCA
- RISC

#### **5. Remediation**

The consultants should be able to give examples of remediation schemes that have been successfully completed.