

## **City of York Council Environmental Protection Unit**

### **Minimum Requirements for a Contaminated Land Desk Study**

Outlined below are details of the minimum requirements for the contents of desk studies which developers or their consultants propose to provide to the Environmental Protection Unit in connection with Planning Applications.

- Current land use (on and off-site, from a site walkover survey);
- Historical land uses (on and off-site, for instance from Ordnance Survey mapping);
- Geology, hydrology and hydrogeology;
- The locations and nature of any on-site and off-site pollution incidents;
- The locations and nature of any nearby permits, authorisations, licences etc (i.e. discharge consents, waste management licences, Environment Agency and Local Authority permitted processes etc);
- The locations and nature of any past or present landfill sites;
- A review of any existing ground investigation data, borehole records etc; and
- Plans showing the site location and the proposed site layout.

This information should be drawn together to develop a Conceptual Site Model, identifying possible sources (past or present), pathways and receptors of contamination which could impact on the sites' proposed end use. An Environmental Risk Assessment should then be undertaken, identifying any further work elements required.

The desk study should be presented to the council for review and approval prior to the commencement of development activities.

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### **Advice on Presenting Contaminated Land Site Investigation Reports**

In many cases, a contaminated land desk study will identify a requirement for intrusive ground investigation at the site in question. As each site is unique, City of York Council does not supply explicit guidance or minimum requirements for such investigations – instead we request that developers or their consultants contact the Environmental Protection Unit to discuss their proposals in good time before the investigation takes place.

There are, however, a number of aspects which are frequently omitted or not carried-out correctly by developers or their consultants, resulting in delays in discharging planning conditions, and in some cases requiring site investigations to be repeated. These “frequently made mistakes” include:

- Providing geotechnical reports. The requirements of planning conditions relate directly to possible impacts on the health of future site users, controlled waters and the wider environment. Whilst the inclusion of geotechnical information in reports submitted for review is essential, geotechnical reports alone rarely cover these issues in sufficient detail.
- Providing Total TPH concentrations. TPH analysis should include speciation into carbon bands as well as aliphatic and aromatic grouping, in accordance with the TPHCWG protocol.
- Providing Total PAH concentrations. PAH analysis should be speciated to include “US EPA 16” substances.
- Referring to, or using data from, previous reports but not supplying copies of these reports to the Environmental Protection Unit. All data relied on in a report should be provided, to allow review “in the round”.
- Including only summaries of chemical test data. All laboratory data sheets should be provided – summary tables will not be sufficient on their own. In addition, laboratories used should be accredited to the MCERTs scheme as applicable.
- Use of out-of-date or inappropriate screening values. The use of old UK screening values (such as “Kelly” tables and ICRCL 59/83) and values from overseas is not appropriate. All screening values used must be justified in accordance with UK-specific policies.
- Direct comparison of laboratory test data with screening values. CLR 7 describes how 95<sup>th</sup> percentile concentrations should be calculated and how hotspots should be identified.

Avoiding these simple mistakes will reduce the likelihood of delays in the discharge of planning conditions.

In addition, one particular area which is often overlooked in site investigation and risk assessment reports concerns the use of “imported” soils and fill, for instance in garden areas. If it is proposed to use such materials, it is essential that a strategy is agreed with the Environmental Protection Unit prior to their placement. This should include the nature and rate of testing that will be conducted to prove that the materials are safe for use.