



NICOLE

Network for Industrially Co-ordinated Sustainable Land Management in Europe



International workshop on Emerging policy challenges on New SOil contaminants (ENSOr)

NICOLE Reflection

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The NICOLE/Industry Perspective

- A science and fact based approach exists that provides a successful counterweight for **the precautionary principle**.
- A crucial element for a proportionate response is strong **stakeholder engagement** in a process that encompasses social, environmental and economic elements.
- This **holistic** combination of a proportionate approach within a precautionary, risk-based context is a key element to create certainty on how a new chemical or a newly identified exposure pathway may be dealt with.



Current approaches suffice to handle CECs

In order of market entry – production – end of pipe:

1. Pre-market: REACH – in particular Evaluation portion
2. Existing products: enhanced (precautionary) prevention and SVHC listing
3. Clean-up: risk based contaminated land management – mainly for point sources; growing expertise to treat or buy time
4. Diffuse pollution: specific risk-based measures and land use restrictions
5. Environmental Liability Directive: underdeveloped/underused scheme of complementary mechanisms for environmental damage that cannot be fully restored



Liability question needs resolution

- Producers vs societal users
 - Fire brigade
 - Composting facilities using PFAS polluted paper mill waste (Germany case)
 - Diffuse pollution



Future evolution

- Growing understanding
- More CECs will be identified:
 - Laboratory detection limit: mg/l -> µg/l -> ng/l
 - Decreasing societal acceptance of risk (also impacts existing/classic set of contaminants, ex. asbestos in soil)
- Uncertainty is a given => decide with what you know now (ex. Flemish provisional PFAS values) and refine as knowledge grows
- Need to balance trend for more local decision making vs centralized knowledge and experience (Netherlands case)
- Remediation remains case-specific and should take future risks of increasing CEC knowledge into account



THANK YOU

Disclaimer

This presentation does not necessarily reflect the opinion of all members of NICOLE.