

## Land Remediation

Like risk assessment, the remediation solution will be site specific according to the contaminants identified, the characteristics of the soil and other environmental conditions.

Techniques may be in-situ or off-site and can involve physical removal to landfill, encapsulation, chemical stabilization, biological treatment. The objective being to break pollutant linkages.

### How do I find out more?

If you are concerned that you might live on contaminated land you should contact your local authority's environmental health or planning department as they may have relevant information. You can also contact SEPA (see **Contacts**). In some cases you may have to pay a charge for data.

## Further Information

### Scottish Soil Framework

[www.scotland.gov.uk/Publications/2009/05/20145602/0](http://www.scotland.gov.uk/Publications/2009/05/20145602/0)

### Scotland's Land Use Strategy

[www.scotland.gov.uk/Topics/Environment/Countryside/Landusestrategy](http://www.scotland.gov.uk/Topics/Environment/Countryside/Landusestrategy)

### Scotland's soil website

[www.soils-scotland.gov.uk](http://www.soils-scotland.gov.uk)

### SEPA contaminated land

[www.sepa.org.uk/land/contaminated\\_land.aspx](http://www.sepa.org.uk/land/contaminated_land.aspx)

## Contacts

### SEPA

Web: [www.sepa.org.uk](http://www.sepa.org.uk)

Tel: 0800 80 70 60 (Pollution Hotline, 24 hours)

Email: [info@sepa.org.uk](mailto:info@sepa.org.uk)



**Environmental  
Protection  
Scotland**

### About Environmental Protection Scotland

We bring together individuals and organizations across the public, private and voluntary sectors to discuss and promote ideas, knowledge and solutions to achieve our aim of a **cleaner, quieter, healthier and sustainable Scotland**.

Our main policy areas are **air quality, land quality and noise**. We work to deliver those topics as a means to protect and improve public health, tackle climate change and address sustainable development.

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### Credits and disclaimer

Parts of this document have been drawn from other documents including material from:  
Environmental Protection UK (2007) "Contaminated land"  
Environmental Protection UK (2007) "Contaminated land and your home"

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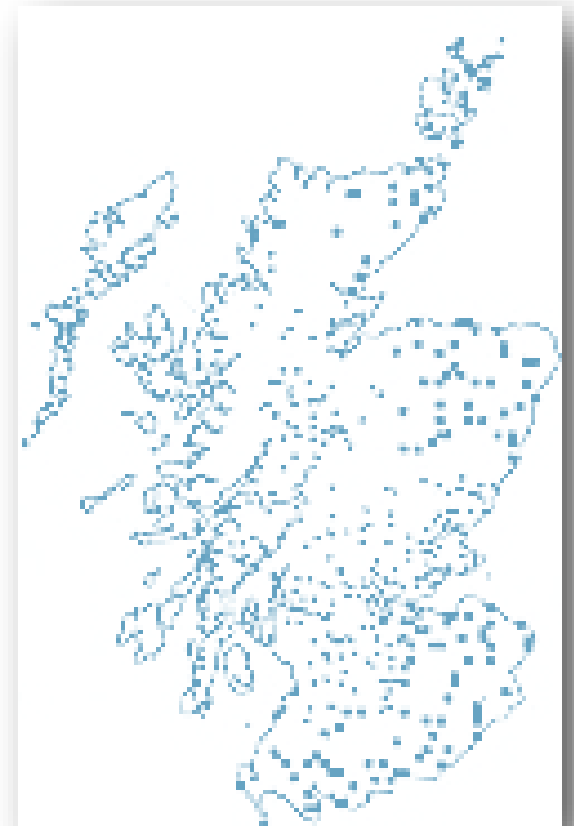
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# ENVIRONMENTAL PROTECTION SCOTLAND

*Working for a cleaner, quieter, healthier, sustainable Scotland*

## Land



**Environmental  
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## Land quality

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From industry to recreation, from farms to allotments and from machair to peat bogs, Scotland's land is an important national resource. As a carbon reservoir soil also plays a role in mitigating climate change. We therefore must ensure sustainable land use through releasing economic potential, community engagement and effective environmental regulation.

The Scottish Government published the Scottish Soils Framework in 2009 (see **Further Information**) which aims to provide a vision for protecting Scotland's soils. The framework has 13 outcomes including reducing and remediating soil erosion, protecting soil organic matter and reduce soil greenhouse gas emissions.

In 2011, the Scottish Government also published the Land Use Strategy (see **Further Information**) which is a long term strategy for sustainable land use. Decades of soil data is now available online on Scotland's Soil Website (see **Further Information**). This data, primarily derived from Scottish Soil Surveys undertaken by James Hutton Institute staff, is now publically available.

Since the Industrial Revolution, human activities such as industry, mining, waste disposal and transport has resulted in the deposition of contaminants on to our soils.

EPS focuses on contaminated land as most of its members have duties relating to the remediation and re-use of contaminated sites. We recognize that Scottish soils play an important role in **storing carbon** as peat and in supporting natural habitats and agriculture as well as other functions such as renewable energy.

## Land contamination

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### Exposure

Humans are exposed to contaminants through inhalation or direct contact with dust, gas or soil. Small children may ingest contaminants if they play in contaminated areas or by consuming food grown on contaminated soil. Contaminant leachate can result in pollution of groundwater, rivers and lochs.

The effects on human health and on the environment depend upon the type of chemical and the amount present at a site.

### Definitions

The term 'contaminated land' is legally defined in Part 2A of the Environmental Protection Act 1990 as any land which appears to the local authority, by reason of substance in, on or under the land, that :

- (a) significant harm is being caused or there is significant possibility of such harm being caused, or
- (b) significant pollution of the water environment is being caused or there is a significant possibility of such pollution being caused.

To be considered 'contaminated land' there needs to be a source-pathway-receptor **significant pollutant linkage**. In other words for human health, it has to be shown that the contaminant can reach the human. If there is no link, it is not contaminated land.

Land contamination, or land affected by contamination, is any land where contamination may be present irrespective of the significance of its presence.

## Responsibility

Local authorities are the lead enforcing authority and have duties to inspect their area, identify Contaminated Land and secure remediation. They are required to maintain a public register of notices served under Part 2A. The risks associated with land contamination are also a material consideration for the local planning authority.

Under Part 2A a local authority can refer sites to the Scottish Environment Protection Agency (SEPA) that regulates industrial processes and waste management to prevent future contamination, as well as issuing licenses for activities associated with remediation.

### Planning versus Part 2A

The contaminated land regime is the management of land through Part 2A and the planning process. For a site to be statutorily determined Contaminated Land under Part 2A there must be evidence of significant possibility of significant harm and intervention is required to remediate only the identified pollutant linkages in respect of the current land use.

Proposed developments are managed through the planning process and developers are required to demonstrate that the land is in a condition that is suitable for its intended use. Risk assessments and remediation plans required by the planning process is therefore much more detailed than for Part 2A.

Scottish Planning Policy requires the majority of new residential development takes place on brownfield land rather than greenfield. Sites. Brownfield land is land that has previously been developed and includes vacant or derelict land. The planning system requires developers to evaluate sites for contaminants and ensure it is remediated appropriately depending upon its intended use.