



NICOLE

Network for Industrially Contaminated Land in Europe

Environmental Liability Directive: Implementation, experience and national case studies

NICOLE Network Fall Meeting & Workshop Brussels, 4-6 November 2015

Introduction

The NICOLE network continually strives to develop and promote site specific risk based and cost effective management and remediation of contaminated land, optimized through careful consideration of the environmental, social and economic impacts and benefits in choosing the most appropriate management plan. It recognizes that the Environmental Liability Directive, and its implementation in Member States has had variable levels of take up and application, and brings a number of new approaches to bear on sites which may be subject to this regime.

Our Autumn workshop focusses on the Environmental Liability Directive and its impact across Europe. The workshop will draw together experience from across the Member States on how ELD is being applied, and where there are issues which need to be resolved for fair and equitable application of the regime. We anticipate attendance by a cross-section of Operators, Research Institutes, Consultants, Legal Advisers and Regulators, including our normal liaison with Common Forum.

The Workshop provides a range of papers, including an overview of ELD and its current status, country specific overview, and case studies on particular sites. It considers how ELD interacts with existing legislation, approaches to definition of baselines for both the contaminant condition of a site and the status of biodiversity, primary, complementary and compensatory remediation, the valuation of ecosystem benefits and the interaction with societal needs and expectations. A formal debate is also included to allow an open discussion on the challenges of regulatory-driven remediation. The workshop concludes on Friday afternoon with a session looking at the application of geostatistics to contaminated site characterization, a subject which has close relevance to ELD, where remediation objectives may include returning a site to the condition it was in before pollution occurred. This session is run by Geovariances.

Supported by:





Thursday 5 November 2015

CONFERENCE DAY 1

Venue: Solvay Campus Brussels, Rue de Ransbeek 310 , B-1120 Brussels

08.30-09.00	Registration
	OPENING SESSION 1 <i>Chair: Lucia Buvé</i>
09.00-09.15	Opening and welcome - by Lucia Buvé, session chair (Umicore – Belgium)
09.15-09.30	Keynote speech Xavier Houzard Head of Environment Rehabilitation, Solvay, Belgium
09.30-10.10	Update on NICOLE - Steering Group – by Lucia Buvé, Steering Group chair - Working Groups – by Working Group Leaders
10.10-10.30	Framing the workshop topic - Phil Crowcroft (ERM – UK)
10.30-11.00	COFFEE BREAK
	SESSION 2: Current Status of ELD Chair: Arthur de Groof, Grontmij, Netherlands
11.00-11.30	Overview of the ELD and current status of evaluation and report. Hans Lopatta, European Commission
11.30-12.00	Environment's protection between law, science, public and private interests and goals. An overview on the Italian experience on ELD implementation Emanuela Gallo and Michele Bianco, ENI, Italy
12.00-12.30	NGO notification of harm, and the associated challenges, experience in Ireland, Andrew Jackson, University College Dublin, Eire
12.30-13.00	Questions and discussion
13.00-14.00	LUNCH



Thursday 5 November 2015 (continued)

CONFERENCE DAY 1

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SESSION 3: Relative use of ELD and other National Legislation, Defining Baselines

Chair: Anna-Maria Sexton, BP, UK

14.00-14.25	A new integrated approach to help in defining baselines using the existing data, Francesco Pititto, Golder Associates S.r.l Italy
14.25-14.50	Chemie-Pack disaster in the Netherlands: where does the ultimate liability lie? Willemien Bras, Tawu and Mieke de Boer, Province of North-Brabant, Netherlands
14.50-15.15	Rehabilitation of a nature reserve contaminated by crude oil, Patrick Suffren, Chef de Division DPI Société du Pipeline Sud-Européen, France
15.15-15.40	Improving pollution prevention to eliminate the need for compensatory remediation, Presenter to be confirmed
15.40-16.00	Questions and discussion
16.00-16.30	COFFEE BREAK
16.30-17.30	SESSION 4: Debate: This House believes that damage to environment is better prevented and remedied by requiring investment in pollution prevention, rather than imposing the polluter pays principle for clean-up and compensation measures after a pollution event' Proposing the Motion: Kristel de Smedt Assistant Professor of Economics, Department of Law, University of Maastricht, Netherlands Opposing the Motion: Carlos de Miguel Perales Associate Professor at the Faculty of Law, Universidad Comillas (ICADE), Madrid, Spain



Contributions from the floor will be encouraged during the debate

Chairman for the debate: Phil Crowcroft, Technical Fellow, ERM, UK

17.30-19.30

Close of day, and travel back to hotels and on to Conference Dinner

19.30-22.00

NICOLE CONFERENCE DINNER

Venue: Restaurant La Manufacture

Rue Notre Dame du Sommeil 12-20, 1000 Brussels

www.manufacture.be

**Friday 6 November 2015****CONFERENCE DAY 2****Venue: Solvay Campus Brussels, Rue de Ransbeek 310 , B-1120 Brussels**

	SESSION 5: Significant harm and approaches to remediation Chair: Pieter Schrooten, ERM, Belgium
09.00-09.30	Economic assessment of ecosystem benefits generated by environmental interventions, Giorgia Quadri, Ramboll Environ, Italy
09.30-10.00	Sediment management: case studies under ELD Luciano Zaninetta, Syndial, Italy
10.00-10.30	Integrating Primary and Complimentary/Compensatory Remediation: Creating a Win-Win Scenario in Aquatic Environments, Rebecca Gardner, Anchor QEA, Norway
10.30-11.00	Questions and discussion
11.00 -11.30	COFFEE BREAK
	SESSION 6: Evaluating harm and the cost of harm to society Chair: Rebecca Gardner, Anchor QEA, Norway
11.30-12.00	The ILVA case in southern Italy: balancing economic prosperity with environmental and health damage. Could ELD have done better? Carlo Monti, Exponent International, Italy
12.00-12.30	Example approach to meet regulatory requirements for hydrocarbons storage sites, Chiara Senzolo, Steven Whittall, Advisian WorleyParsons, Spain
12.30-13.00	Administrative and legal procedures against the regulator / State in case they do not intervene (enough) in the prevention, avoiding or compliance enforcement related to environmental liability, Pascal Mallien, Baker McKenzie, Belgium
13.00-13.20	Questions and discussion
13.20-13.30	Closing
13.30-14.30	LUNCH



Friday 6 November 2015 (continued)

CONFERENCE DAY 2

Venue: Solvay Campus Brussels, Rue de Ransbeek 310 , B-1120 Brussels

14.30 -16.30	AN OVERVIEW OF GEOSTATISTICS FOR CONTAMINATED SITE CHARACTERIZATION – A workshop run by Geovariances Ltd Provided by Nicolas Jeannée and H�el�ene Demougeot-Renard <ul style="list-style-type: none">- How to optimize a sampling plan?- How to integrate all available data in order to improve the contamination understanding?- How to quantify uncertainties related to the delineation of impacted areas?- How to contribute to the remediation of environmental damage back to original condition, in the framework of the Environmental Liability Directive?
16.30 – 16.40	FINAL COMMENTS & CONFERENCE CLOSE





NICOLE Organizing Committee

Phil Crowcroft (Chair) – ERM
Roger Jacquet – Solvay
Arthur de Groof – Grontmij

Emanuela Gallo – ENI
Pieter Schrooten – ERM
Carlo Monti – Exponent
Luciano Zaninetta – Syndial
Fabio Colombo - Ramboll Environ
Anna-Maria Sexton – BP
Rebecca Gardner – Anchor
Rick Parkman - AECOM

NICOLE Secretariat

For further information on NICOLE membership, workshop program, registration & fees, or any other practical issue with regards to the conference, please contact:

Nan Su (Dutch Sino Business Promotions)
P.O. Box 28249 – 3003 KE Rotterdam, The Netherlands
Phone: +31 (0)6 41374680
E-mail: nan.su@nicole.org

Venues

NICOLE Network meeting	Solvay Campus Brussels <i>Rue de Ransbeek 310 , B-1120 Brussels</i>
Conference & workshops	Solvay Campus Brussels <i>Rue de Ransbeek 310 , B-1120 Brussels</i>
Conference dinner	Restaurant La Manufacture Rue Notre Dame du Sommeil 12-20, 1000 Brussels www.manufacture.be

Registration

Please complete the conference registration form, available online through NICOLE.org and/or the [NICOLE secretariat](http://NICOLEsecretariat). Deadline for registration: 26th of October 2015.

Fees

Participation in the NICOLE 2015 Workshop is free of charge for NICOLE members, and conference speakers. Information on admission fees for other participants can be obtained through the [NICOLE secretariat](http://NICOLEsecretariat)