The end of liability

NICOLE Workshop | 22 and 23 October 2020 | Digital

The NICOLE network strives to develop and promote site specific, sustainable, 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. Land stewardship is one of the key focus points of Nicole.

The understanding of the risks associated with subsurface impacts and the development of treatment technologies have improved significantly over the past decades. Meanwhile the number of treatment technologies available to the practitioner has also increased. However, the definition of fit-for-use approaches, the determination of the desired endpoint of remedial activities and acceptability of residual contamination continue to be subject of discussion. Further challenges arrive considering the variety of national regulatory regimes, the continuous emergence of newly identified contaminants, new insights in toxicology and the progressively increasing importance of sustainability issues.

The Porto workshop aims at providing a platform for a discussion and an exchange of perspectives related to the beginning, the management, the transfer and the end of the liability of a contaminated site. The topics on which this workshop will focus are:

- Legal and contractual issues
- Technology approaches
- Insurance, accounting and investment aspects
- Sociological and stakeholder perspectives

Please contact NICOLE Secretariat at nan.su@nicole.org for more questions.

NICOLE organizing Committee:

Johan De Fraye (Chair NICOLE SG) – Signify
Tomas Albergaria (Chair workshop) – ISEP
Wouter Gevearts – Arcadis
Jean Pierre Davit – Golder
Paul Bardos – r3 environmental technology
Dietmar Müller-Grabherr – Umweltbundesamt
Oliver Phipps – ERM
Elise Noël – Shell
Phillippe GERGELY – Practicway

Jim Day – Jacobs
Peter Wouters – Ramboll
Thomas Hayes – Venator
Alexa Lee – WSP
Manuel Marti – AECOM
Rick Parkman – AECOM
Martin Slooijer – GreenSoil Group
Johan Ceenaeme – OVAM
Jim Wragg – Geosyntec
Thursday 22 October 2020
Workshop Day 1

09.00 - 09.15 Opening & Intro
Johan de Fraye – Chair of NICOLE
Tomás Albergaria – Chair of this workshop

09.15 - 10.45 The quantification of Risk - The investment, insurance and contractors view

Chair: Tomás Albergaria | ISEP

09.15 - 09.35 Peter Vanneck – Antwerp Management School
Risks and Liabilities from Contaminated Sites: To Embrace or To Avoid? Tools for improving decision-making regarding environmental liabilities

09.35 - 09.55 Wilson Hull – AIG
Managing Environmental Exposures via Environmental Impairment Liability (EIL) Insurance

09.55 - 10.15 Graeme Merry and Mathew Hussey – Gallagher
Insurance and the End of Liability

10.15 - 10.45 Q&A

11.00 - 12.30 The quantification of Risk - The investment, insurance and contractors view

Chair: Wouter Gevaerts | Arcadis

11.00 - 11.20 Euan Hall - Land Trust
Investment Aspect of Contaminated Land- The Hidden Cost to a Company Environment, Social and Governance (ESG)

11.20 - 11.40 Wolf Depraetere and Koen Meskens – DEME-Group
Risk allocation and contractual organization as a key Success Factor for Brownfield Redevelopment

11.40 - 12.00 Kris van Doren - Nokia and Rogier de Waele - Green Soil
Bioengineering and Remedial Liability Take-over as solution for conflicting site cleanup and windmill constructions in Geel, Belgium

12.00 - 12.30 Q&A

Friday 23 October 2020
Workshop Day 2

09.00 - 10.30 The social context of managing environmental liabilities or the regulator’s view

Chair: Jean Pierre Davit | Golder Associates

09.00 - 09.20 Johan Ceenaeme – OVAM
From regulator perspective

09.20 - 09.40 Thomas Held – Arcadis
End of Liability in Germany: a case study - Jörg Ortmüller, Heiko Lampe
Isabelle Olivier, Wouter Gevaerts, Jack Schreurs

09.40 - 10.00  Frank Volkering – Tauw
Evidence for natural attenuation as a decisive factor in the closure of a creosote-contaminated site

10.00 - 10.30  Q&A

10.45 - 12.15  The stakeholder view or the social context of managing environmental liabilities

Chair: Jim Day | Jacobs

10.45 - 11.05  Marc Boussemart – Total
Can the LIABILITY end?

11.05 - 11.25  James Henderson – Corteva and Gary Wealthall - Geosyntec
Alternative strategies for determining the endpoint of liability management

11.25 - 11.45  Mark Travers – Ramboll
Pitfalls and Opportunities in Managing Environmental Damage and Contamination

11.45 - 12.15  Q&A

12.15 - 12.30  Closing

Tomás Albergaria – Chair of this workshop