Workshop summary

Workshop 1 Adressing diffuse contamination through areabased and circular approaches for excavated soil

In an introduction the main principles of the Flemish policy on excavated soil materials were explained. The rules in the Soil Decree on the use and management of soil materials (e.g. excavated soil) apply the standstill principle but encourage reuse (circularity). Soil materials that are used in accordance with the conditions of the Soil Decree are not waste materials ('end of waste'). Based on volume (above or below 250 m^3) and suspicion of contamination, an investigation by a certified soil expert of the soil material is required to determine the quality and the possibilities for reuse according to a standard procedure. The contractor that excavates the soil has to respect and follow a traceability procedure of a certified soil management organization that defines the responsibilities of the different parties (builder, contractor, transporter, receiver). After the works have been executed as required and if the soil was reused correctly, the receiver of the soil receives a soil management report as a certification of compliance.

There are multiple challenges for the reuse of soil materials with diffuse contamination. In particular, the following challenges are identified for the diffuse contamination of soil materials with PFAS:

- There is a need from the sector for legal certainty;
- As a result of strict toxicological values, the standards for soil and groundwater reach the established anthropogenic background values;
- Diffuse soil contamination can therefore be a reason why soil materials cannot be reused;
- The investigations show that PFAS is widespread in soil and groundwater;
- For PFAS, the leaching properties are determining factors for the possibilities for reuse of soil materials;
- For PFAS as an emerging contaminant, both the standstill provisions for the quality of soil and groundwater are important – the Water Framework Directive is relevant.

The following two questions were addressed in a discussion round:

- Is diffuse contamination an obstacle to the circular use of soil materials?
- Do we allow reuse of soil materials when concentrations in an area are already increased?

The first question mainly asked to what extent and with what percentage of reusable soil materials the regulation should be seen as an obstacle. The objectives of reuse of excavated soil materials still have to be taken into account, namely to provide for the standstill principle and to prevent the spread of soil contamination. In practice it turned out that in approximately 10% of the projects the soil materials contained a higher concentration of PFAS than the values for free use.

Opinions on whether or not the temporary framework for action for PFAS in Flanders constitutes an 'obstacle' varied widely. For a number of attendees soil materials cannot be sufficiently reused without being confronted with high costs. That is why, among other things, a framework was advocated that would work in a more risk-based manner. On the other hand, this would mean an administrative burden and could significantly increase the studies.

The second question showed a majority of supporters to allow reuse of soil materials when concentrations in an area are already increased. This can provide a solution in areas where there is already increased diffuse soil contamination.