



NICOLE
A Network for Industrially Contaminated Land in Europe

Using baselines in liability management; what do upcoming Directives require from us?

NICOLE Network Meeting on 14-16 November 2007

Hosted by Solvay S.A., Rue de Ransbeek 310, B-1120 Brussels, Belgium

Preliminary program

Managing liability for contaminated land and groundwater is a topic that naturally is of interest to NICOLE members. Crucial questions asked when liability is on the agenda are:

- How far does my liability reach?
- To whom does the liability belong?
- Is it historical or more recent?
- How far do I have to go with the mitigating measures to manage risks (to human health and environment)?

Baselines are a useful tool in liability management. The definition of a baseline condition may vary for different applications and could, for example, represent the starting condition, the condition that prevailed before the site was contaminated or the condition to which a site has to be restored. The importance of baselines has been emphasised as the transposition of the Environmental Liability Directive is being completed in the EU member states. However, also other pieces of legislation such as the IPPC Directive and the Groundwater Daughter Directive include elements of baseline thinking.

In terms of managing liability the “real” question that underpins any transfer of risk or remediation requirement is: What is the baseline condition that needs to be reached and does the liability for reaching it belong to me?

Hence baselines play a role in scenarios concerning, for example, sales and acquisitions of sites, insuring for pollution and remediation, liability transfers and contractual negotiations, land valuation, redevelopment, etc.

The objective of this workshop is to investigate what requirements current and upcoming legislation will put on the site owner, the seller of a site and the buyer of a site. Sessions will deal with regulatory aspects, financial aspects and methodologies for dealing with the definition of baselines and for designing risk management approaches to meet those baselines. In an interactive session the participants will be asked to make a plan for defining a baseline condition for a predefined case.



WEDNESDAY 14 NOVEMBER 2007

Meetings of NICOLE Working Groups, Industry Subgroup and Service Providers Subgroup:

- 10:00-12:00** Parallel meetings of
- NICOLE Working Group Monitored Natural Attenuation
 - NICOLE Working Group Waste
- 12:00-13:00** Lunch
- 13:00-18:00** Meeting NICOLE Industry Subgroup
- 15:00-18:00** Meeting NICOLE Service Providers Subgroup
- 18:00-18:30** Drinks & snacks
- 18:30-19:30** Training session for NICOLE chairpersons, WG leaders and secretaries how to use the new NICOLE website facilities

THURSDAY 15 NOVEMBER 2007

Chairman: Bertil Grundfelt, KemaktaKonsult, Sweden

08:30-09:00 Registration

INTRODUCTION

09:00-09:15 Opening and welcome
Bertil Grundfelt, KemaktaKonsult, Sweden

09:15-09:30 Update on NICOLE
Johan De Fraye, Honeywell, Belgium / chairman NICOLE

09:30-10:30 Update on activities of the NICOLE Working Groups
(Monitored Natural Attenuation; Soil; Waste; Ecological Risk Assessment;
Site Characterization and Monitoring; Groundwater)
By the NICOLE Working Group Leaders

10:30-11:00 Why this workshop?
Lucia Buvé, UMICORE, Belgium

11:00-11:30 Break

REGULATORY ASPECTS

11:30-12:00 Determining baseline conditions – a regulatory agency's viewpoint
Martin Schamann, Umweltbundesamt, Austria / Common Forum

12:00-12:30 Update on the Soil Framework Directive
Speaker CEFIC (European Chemical Industry Council)

12:30-14:00 Lunch

FINANCIAL AND LEGAL ASPECTS

14:00-14:30 Due diligence – Fast track baselines – the financial aspects
Marianne Blom, Environcorp, NL

14:30-15:00 **Turnkey and liability transfer**
Erhard Robolt, Arcadis, Germany

INTERACTIVE CASE

15:00-17:00 **Interactive session in subgroups: “Develop a well defined baseline”**

17:00-17:30 **Plenary reporting of the interactive subsessions**

17:30-17:45 **Closure of day 1 – introduction day 2**
Bertil Grundfelt, KemaktaKonsult, Sweden

19:30-22:00 **Conference dinner in restaurant Chez Léon – www.chezleon.be**
(contribution of Euro 50 requested from all participants)

FRIDAY 16 NOVEMBER 2007

Chairman: Paul van Riet, Dow Benelux, NL

METHODOLOGIES

09:00-09:30 **Liability assessment: the RISQUE methodology**
Andrew Kube, URS, Belgium

09:30-10:00 **The TRIAD approach to site characterization and remediation**
Speaker to be confirmed

10:00-10:30 **Ecological baselines; level of detail**
Mark Kamilow, Honeywell, USA

10:30-11:00 **Break**

FINANCIAL AND LEGAL ASPECTS (CONTINUED)

11:00-11:30 **Insurance and legal issues**
Stefan Remmerswaal, Crawford & Company, NL

11:30-12:00 **Methodology for resource equivalency**
Ece Ozdemiroglu, Economics for the Environment Consultancy Ltd., UK

SUMMARY, CONCLUSIONS

12:00-12:30 **Wrap-up, discussion, conclusions and closure**

12:30-13:30 **Lunch**

Meetings of NICOLE Working Groups:

- 13:30-15:30** **Parallel meetings of**
- NICOLE Working Group Soil
 - NICOLE Working Group Site Characterization and Monitoring
 - NICOLE Working Group Ecological Risk Assessment



NICOLE is a network for the stimulation, dissemination and exchange of knowledge about all aspects of industrially contaminated land. Its 125 members of 15 European countries come from industrial companies and trade organisations (problem holders), service providers/technology developers, universities and independent research organisations (problem solvers) and governmental organisations (policy makers).
 The network started in February 1996 as a concerted action under the 4th Framework Programme of the European Community. Since February 1999 NICOLE has been self supporting and is financed by the fees of its members.

Organising Committee:

- Lucia Buvé – UMICORE, Belgium
- Johan De Fraye – Honeywell, Belgium
- Jacques Gillette – MWH, Belgium
- Bertil Grundfelt – KemaktaKonsult, Sweden
- Roger Jacquet – Solvay, Belgium
- Paul van Riet – Dow Benelux, NL

Secretariat:

Marjan Euser – NICOLE Secretariat

Registration:

A registration form can be downloaded via www.nicole.org
 Please send your completed form to the NICOLE secretariat.

Workshop venue:

Solvay S.A., Rue de Ransbeek 310, B-1120 Brussels, Belgium

Conference dinner:

Restaurant Chez Léon, rue des Bouchers 18, 1000 Brussels

Hotel accommodation:

IBIS Brussels Sainte Catherine, rue Joseph Plateau 2, B-1000 Brussels
 Tel. +32 2 513 7620
 Fax +32 2 514 2214
 Email H1454-RE@accor.com (ref: NICOLE 19591)



Participation fee:

	Central and Eastern Europe	Other countries
Conference fee:		
NICOLE members	No fee	No fee
Members Common Forum	No fee	No fee
Others:		
- Representative of an industrial or service providing company (*)	€ 250	€ 500
- Representative of a small or medium sized company (*)	€ 150	€ 250
- Representative of a research institute/university/ governmental organisation	€ 100	€ 150
Conference Dinner on 15 November 2007		
For all participants who join the conference dinner	€ 50	€ 50

(*) Representatives of companies who are not yet member of NICOLE are welcome to the workshop to get acquainted with the network. When attending a next workshop they will need to have become NICOLE member.

For further information about NICOLE-membership and registration for the workshop:

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