

**COMMON FORUM on
Contaminated Land in Europe
Autumn Meeting 2021 online**

**25 November / 2 December 2021
EU Soil Strategy for 2030**

MEETING REPORT



Welcome & Introduction

The COMMON FORUM autumn online meeting in 2021 were held on 2 days in November and December and were opened by Dietmar Müller-Grabherr.

Objectives of the 1st part of the meeting (25 November 2021) were to share information on the new EU Soil Strategy for 2030, published on 17 November 2021, and allow COMMON FORUM members to exchange on any perceptions, concerns and reactions, or as well relevant issues of cooperation.

The 2nd part of the online meeting (2 December 2021) was to reflect on the previous exchanges within the new EU Soil Strategy including further reactions and to discuss in this context on possible joint interests, whether and where CF members have interest in contributing and giving inputs to support

- i. the EU Soil Strategy for 2030
 - ii. the development of an improved joint EU legislative framing
- by joining and co-working (co-creating) in targeted thematic CF teams during 2022.

25 NOVEMBER 2021

EU Soil Strategy for 2030 – Bavo PEETERS

With the adoption of the EU Green Deal in 2019 and the Soil Biodiversity Strategy in 2020 the path was opened for a new Soil Thematic Strategy. After the consultation phase of the respective roadmap end of 2020 and the open public consultation in April 2021 the new **EU Soil Strategy for 2030** was adopted on 17 November 2021 (English). The French and German version are expected by 1 December 2021, all other EU languages by 5 December 2021. The presentation and discussion within the Working Party on Environment of the European Council is taking place in parallel today and by 20 December 2021.

The Soil Strategy answers the request of the European Parliament to propose a legal framework for soil and consists of the

- **Communication** (24 pages) provides a framework for the protection, restoration and sustainable use of soils with a long term vision, accompanied by the
- **Staff working document** containing the essence of the knowledge base as well as the summary of the stakeholder consultations.

The Soil Strategy proposes a combination of voluntary and legally binding measures. The central concept and overall vision is to bring soil ecosystems in **healthy conditions by 2050**. A definition of healthy soils is proposed hence will be further refined within the enlarged EU Soil Expert Group (SEG) which shall include additional experts in future.

The Strategy consists of several objectives on the mid-term (by 2030 e.g. land degradation neutral world, significant progress in remediating contaminated sites) and long term (by 2050 e.g. no net land take, soil pollution no longer harmful, toxic-free environment).

Several key actions are included for example in following fields:

- circular economy (excavated soils, land take hierarchy – avoid, reuse, minimise, compensate),
- healthy waters (soil-sediment-water nexus),
- sustainable soil management (practices and criteria, ‘test for free’ initiative),
- pollution prevention (risk assessment improvement, restriction of PFAS, revisions of several Directives),
- remediation of contaminated sites (e.g. EU priority list for soil contaminants),
- digital knowledge, monitoring and research (e.g. EUSO),
- transition (guide on EU funding opportunities, literacy initiative).

Until 2023, an adequate legislative proposal granting soil the same level of protection as water, marine environment and air will be developed, an EU “**Soil Health Law**” (SHL). Besides the achievement of healthy soils by 2050, the SHL shall include requirements for

- 50 % healthy soils by 2050; no net land take,
- provisions to identify, register, remediate contaminated sites,
- EU passport for excavated soils,
- legal requirements for sustainable soil management,
- legal basis for LUCAS soil survey.

Reactions to the new EU Soil Strategy for 2030

Questions and discussions included:

- Any COMMON FORUM members present at the meeting expressed congratulations to the Soil team at EC for providing such a comprehensive and integrated strategic document.
- Several CF members stated that general ambitions, objectives and goals are good but will be challenging if not difficult to translate and implement to practice.
- For some countries the Soil Strategy is a trigger for implementing soil protection or new aspects (e.g. ecosystem risks). Though, there are as well concerns what will come with new Soil Health Law (e.g. in relation to the passport for excavated soils, the soil health certificate in relation to land transactions, or to possible thresholds).
- Main challenges addressed within the new soil strategy are the transboundary effects of climate change and the biodiversity issues in connection with soil and land. Most MS do not have an adequate policy and therefore it would be smart to team up and harmonise.
- The mix of soil contamination and land management in the Strategy might be a bit awkward since these issues at MS level are often covered in different ministries.
- Soil contamination is already well covered in many MS but there are still some MS missing. One aim of the Strategy and the SHL is to have also a strong system in place in those countries.
- Furthermore it was underpinned that during recent years, most European countries and regions faces increasingly challenges with regard to excavated soils.
 - o Regarding the passport for excavated soil: it would be good to be able to distinguish between residential and industrial soil (see also WFD).
- Link between SEG and EUSO Technical Working Group Soil Pollution?
 - o EUSO TWG Soil Pollution will a.o. present a position paper to SEG.
- Link between EUSO and EIONET?
 - o EEA is member of EUSO and will feed much into the process. EIONET is an important network on technical issues to make sure to use the correct data e.g. regarding the work on indicators, discussion on risk assessment methodology and on threshold values regarding diffuse pollution.
- Link of the Soil Strategy and SHL to the Groundwater Directive and the Water Framework Directive?
 - o This needs further discussion but a starting point would be the term “contaminated land management” which includes soil and groundwater and probably surface water.
- Some concern was raised about the implementation of “thresholds” as it likely might hamper and be conflicting to site specific risk based approaches.
 - o Flexibility for Member States is needed.
- Harmonisation of reporting was welcomed hence keeping in mind that the JRC Indicator report from 2018 proves that background of national programs in EU MS are rather different.

- Regarding contaminated sites, the Soil Strategy foresees legally binding provisions within the SHL regarding identification, registration and remediation of contaminated sites posing a significant risk. Has the term “significant risk” already been defined?
 - o Reflecting and support by COMMON FORUM on the issue of risk assessment would be of help. To embed risk assessment in an appropriate legal provisions will require any expertise in finding the right balance of a clear and transparent frame (e.g. definitions) which at the same time supports complementary adaptation at MS level and site-specific tailor-made solutions in sustainable and resilient remediation.
 - o A starting point for internal discussion within COMMON FORUM could be the alternative text proposal (2013 - see https://commonforum.eu/eusoilstrat_CFStatements.asp) to the former EU Soil Framework Directive proposal (2006).
- The pending definition of “healthy soils” might bring the focus on concrete targets and thus on the definition of particular tools and actions.

2 DECEMBER 2021

Spotlights – EU Soil Strategy for 2030

Provides for

- Stronger recognition of soil related to big global challenges (climate change & mitigation, circular economy, biodiversity, water resources),
- Improving the knowledge base to provide for a good common understanding,
- Improve contact among actors (soil literacy financing, Coalition for Healthy Soils C4HS, enlarged EU Soil Expert Group),

EU Soil Health Law and CLM issues:

- Recalls EU STS 2006 and its legal proposals (identify, register and remediate contaminated sites until 2050, significant progress until 2030; definition of “significant risks”?)
- Soil health certificate (which land uses?, feasibility?)

Contaminated land management related legislative issues:

- Nature Restoration Law (proposal postponed to 2022),
- Revisions: IED and Urban Waste Water Treatment,
- Evaluation: ELD and Sewage Sludge Directive,
- Restrictions: REACH and soil contaminants

How could COMMON FORUM support the developments around the EU STS

Within the discussions, several topics to support the developments around the EU Soil Strategy by co-creation processes were mentioned, where COMMON FORUM sees its strength and competence:

- Risk Assessment (principles, scientific frames & technical toolbox)
- (Guidance on) EU passport on excavated soil
- The bigger picture and combating the Climate & Biodiversity Crisis
- EU priority list of soil contaminants (EUSO TWG Soil Pollution)
- EU Soil Strategy for 2030 & SHL – analysis/update of the CF alternative SFD text proposal (2013)
- Soil Health Certificate; Research & Innovation; Communication
- PFAS and microplastics

As a common ground it was seen that it is important to work on topics where CF and its members have expertise in as well as on topics where position papers and comments have already been published (e.g. CF-statement public consultation ZPAP October 2020, [PFAS Memorandum](#) December 2020, [CF Soil Framework Alternative](#) 2013).

Thus, a list of topics were identified to be most relevant for COMMON FORUM members. It is planned to team up in small dedicated thematically groups, provided with a mandate, tasked by defined objectives and timelines. New teams (“task forces” in support to the EU STS 2021) will as well need dedicated leaders to be identified among CF members. Where appropriate a cooperation with other networks such as SOILveR, EmConSoil, EIONET WG Soil Contamination or NICOLE shall be envisaged. According to the specific mandates discussions within any new CF task force can result in CF strategic or thematic support documents like position papers, statements on public consultations, proposals on regulatory provisions or guidances et.

Preliminary results regarding interests of CF members to cooperate and support the implementation of the new EU STS 2022 are summarised in Annex 1.

Complementary information

- In Norway, a new risk assessment tool is under development at the moment.
- In the [IMPEL project Water and Land Remediation](#), the 2 remediation technologies are currently looked at: multi-phase extraction (MPE) and soil washing. Guidelines on how to apply these remediation technologies are going to be developed. Please contact IMPEL directly (marco.falconi@isprambiente.it) if you are interested in joining the work on these guidelines.

Next CF meeting:

2022

- Spring 2022 – If possible: Orléans (France)

Tasks List

Action	Responsible	Deadline
Minutes of autumn meeting 2021 and possible topics of interest	Dietmar	2 December 2021
Feedback and mapping of CF-interests	COMMON FORUM	16 December 2021
Start work of thematically teams	COMMON FORUM and team leaders	Beginning of 2022

Annex 1: cooperation and support for implementing EU STS 2021 – interests of CF-members (preliminary results: January 2022)

- ❖ **EU Soil Strategy for 2030 & SHL – analysis (& update) of the CF alternative SFD text proposal (2013)**
 - DMG (AT); Johan (BE-Fla)
- ❖ **Risk Assessment (principles, scientific frames & technical toolbox)**
 - Jörg (DE); DMG (AT); (BE/FI-Bru-Wa); Jussi (FI); Christian (DK); (FR); (CH)
 - Further ideas: organising a workshop; cooperation to NICOLE (?); look out for: PARC partnership
- ❖ **EU priority list of soil contaminants (EUSO TWG Soil Pollution)**
 - Jörg (DE); DMG (AT); Marco (IT)
 - watch out: complementary cooperation & support to EUSO (no duplication of work!)
- ❖ **(Guidance on) EU passport on excavated soil**
 - Jörg (DE); (NL); FI, Wallonia (BE); Brussels (BE); (DK); Jussi (FI); Marco (IT); Vivienne (IE); (NO); (FR); (CH)
- **Contaminants of emerging concern** (= Emerging Contaminants)
 - (DE); (BE-FI); (BE-Wa); Christian (DK); (IT); (NO); (FR); (CH)
 - „actual agents“: PFAS, microplastics
- **The bigger picture and combating the Climate & Biodiversity Crisis**
 - „WG SaR“ (?); Co (NL); (AT)
 - Wider issues of: No Net Land Take/ soil sealing; Carbonfarming
- **Soil Health Certificate**
 - (BE-Wa); (IE)

SUPPORT BY CO-CREATION PROCESSES

- **Indicators on „Progress in Contaminated Site Management“**
 - Marco (IT); Vanja (NO); (AT)
- **IED Revision (2022)**
 - Jörg (DE); (AT)
- **Research & Innovation**
 - (BE-Wa); (AT)
 - „Living Labs“ & RTD Mission Soil Health
- **Diffuse Pollution**
 - (CH); (AT); (DK – organic contaminants)

OPEN QUESTIONS/ISSUES

- **„Healthy Soils“**
 - How to define? Which team(s) to discuss?
- **„Good ecological status“?**
 - might be connected to: „soil ecosystems“ & healthy soils; TRIAD-approach; issues under the WFD
- **Communication**

The CF 2021 autumn meeting was attended by

25 November 2021

Norman	Ahmed	Norway
Ana Isabel	Alzola Echazarra	Spain / Basque Country
Christian	Andersen	Denmark
Rainer	Baritz	European Environment Agency
Juan	Bartoll Navas	Spain / Catalunya
Antonio	Callaba de Roa	Spain
Eva	Castillo Esteban	Spain
Johan	Ceenaeme	Belgium / Flanders
Margot	De Cleen	The Netherlands
Marco	Falconi	Italy
Jörg	Frauenstein	Germany
Esther	Goidts	Belgium / Wallonia
Valérie	Guerin	France
Arwyn	Jones	JRC Ispra
Sami	Kaabouch	France
Co	Molenaar	The Netherlands
Dietmar	Müller-Grabherr	Austria
Luisa	Nadal Jaume	Spain / Catalunya
Bavo	Peeters	European Commission
Rasa	Radiene	Lithuania
Diana	Simoës Vieira	JRC Ispra
Rudolf	Stähli	Switzerland
Pol	Tock	Luxembourg
Åsa	Valley	Sweden
Mariska	Van Hintum	The Netherlands
Kris	Van Looy	Belgium / Flanders
Regina	Vilão	Portugal
Bente	Villumsen	Denmark
Martha	Wepner-Banko	Austria

2 December 2021

Vivienne	Ahern	Ireland
Vanja	Alling	Norway
Ana Isabel	Alzola Echazarra	Spain / Basque Country
Christian	Andersen	Denmark
Rainer	Baritz	European Environment Agency
Juan	Bartoll Navas	Spain / Catalunya
Eva	Castillo Esteban	Spain
Johan	Ceenaeme	Belgium / Flanders
Octavian	Coltoi	Romania
Saïd	El Fadili	Belgium / Brussels
Marco	Falconi	Italy
Jörg	Frauenstein	Germany
Marie	Jailier	Belgium / Wallonia
Sami	Kaabouch	France
Gita	Maas	The Netherlands
Daniela	Marin	Romania
Co	Molenaar	The Netherlands
Dietmar	Müller-Grabherr	Austria
Luisa	Nadal Jaume	Spain / Catalunya
Sabine	Neulen	Germany
Yvonne	Ohlsson	Sweden
Jussi	Reinikainen	Finland
Åsa	Valley	Sweden
Kris	Van Looy	Belgium / Flanders
Regina	Vilão	Portugal
Bente	Villumsen	Denmark
Martha	Wepner-Banko	Austria
Christiane	Wermeille	Switzerland

Note: presentations of this meeting are available for download at www.commonforum.eu

6 December 2021
Dietmar Müller-Grabherr, Martha Wepner-Banko