



INTERNATIONAL COMMITTEE ON CONTAMINATED LAND

QUESTIONNAIRE ABOUT LEGAL FRAMEWORK FOR SOIL/SITE CONTAMINATION MANAGEMENT

COUNTRY: [Hungary](#)

CONTACT FOR FURTHER INFORMATION: (Name / Email address)

Hasznos Gábor / gabor.hasznos@vm.gov.hu

OVERALL CONTEXT

1. Does your national policy have a specific definition of “contaminated site”, “contaminated soil”? If yes, please provide the definition. **Yes:** “Damage in the geological medium” means the contamination of the soil (and deeper layer) by chemicals and microorganisms caused a relevant risk to human health and environment, or above pollution limit values.
2. Is Groundwater included in this definition? **Yes:** “Damage in the groundwater” means the relevant measurable adverse change on quantity or quality of groundwater,
3. Does your policy on contaminated sites/land/soil include other definitions (i.e. brownfield, sediment)? **No.** Brownfield is not defined in the legislation, but used on strategic level and spatial planning process. Sediment – as a part of the surface water is defined in the Gov. Decree on surface water protection.
4. Which sources are you considering? Industrial operations? Transport? Urban contamination? Etc. **Yes, all of them, and :** mining sites, oil refinery, oil tanks and transport pipe, petrol filling stations, landfills, airport etc.

LEGAL FRAMEWOK

5. Does your country have legislation with respect to contaminated land management? **Yes**
 - a. Whatever the situation is, please be precise if it’s a specific or a common legislation, if integrated in a more general one (including prevention of emissions, soil protection, land planning, environment & health, etc.) **GOV. DECREE NO. 219/2004. (VII. 21.) ON THE PROTECTION OF GROUNDWATER:** including rules on remediation, including rules of the preventive measures, and protection soil (and geological media) against hazardous substances.
 - b. If there is no legislation, please be precise how you tackle the problem.



- c. What are the main policy objectives? **Protection of the good quality of the groundwater resources as a basis of the drinking water**
 - d. What are the foundational principles on which the national policy is based? (e.g., polluter pays, risk-based, fit-for-use, stand-still, transparency, ...). **The fundamental principles are declared in the act No. 53. in 1995. on environment protection: polluter pays principle, precaution, prevention, sustainability, cooperation, publicity, and in the specific Governmental decree are ruled the site specific and risk based remediation activity, cost-benefit decision making and the fit-for-use approach.**
6. What is the Chain of Liability for the management of contaminated land?
 - a. Polluter? Land owner? Last operator? Occupier? **Yes first of all the polluter, and then the land user and land owner co-jointly liable until prove of the contrary.**
 - b. Is there any difference between new and historic contamination? **from the legal aspect no.**
 - c. Can a responsible party pass on the liability to a purchaser? (under statutory law? Contractually?) **Contractually.**
 - d. Do you separate the obligation to remediate soil pollution and the liability regarding the damage caused by soil pollution and the related remediation measures? **No.**
 - e. Are you facing specific situations (e.g. privatization of the industrial activities, war impacted areas, ...) needing special programme? **National Remediation Program has specific sub-programs for privatized industrial sites, mining sites, uranium mining sites, state owned railway sites etc.**
7. Are there any specifications at regional / local level? **From legal aspect no.**
8. Are there specifications for site closure? **Duty of remediation.**
9. Is there any legal requirement to conduct investigation for potential contamination in the sale of the property? **No.**
10. Does your national policy have any kind of inventories/registers? If yes, please be precise regarding which sites are registered, how the data are collected and if the databases are public. **Yes, the register FAVI KÁRINFO collects the information from the potentially contaminated, contaminated sites and remediated sites. The data collection based on the data of the site owner or liable person, and the data are supervised by environmental inspectorates. The raw data are not publicly available directly, but the information from the contaminated sites is.**
11. What are the strong, weak points and the major bottlenecks with respect to the current regulations in your country? **Weak points: financial aspects, time**



frame, not really detailed risk assessment methods. **Strong points:** systematic approach and state coordination.

TECHNICAL ISSUES RELATED TO THE LEGAL FRAMEWORK

12. Are there site investigation requirements? **Yes.**
13. Are Risk Assessment & Management the main tools? **Yes.**
14. Are there specific technical approaches used?
 - a. For Human Health (HH), Ecosystems, Groundwater (GW), Surface waters (SW), other targets (i.e. buildings, infrastructures, ... please be precise). **Yes. The risk assessments used specific approaches HH/ecosystem/GW/drinking water supply/SW/building/cultural heritage**
 - b. On a site by site specific approach, or by derivation of guideline values? If possible, please detail your answer. **Site by site approach concerning present or future land use,**
 - c. Do you take into consideration others sources of pollution in the risk assessment? **Yes, we have a ministerial decree on screening process to help definition of all pollutant.**
15. If the national policy uses guideline values, please be precise in describing the following points: **the joint ministerial decree No. 6 in 2009 on guideline values for groundwater & geological medium included the pollution („B”) values which are used in investigation phase. The target level for remediation activity („D”) based on site specific risk assessment.**
 - a. Reasons for derivation of generic values
 - b. Objectives / levels of implementation (investigation, risk assessment, remediation)
 - c. Priority substances
 - d. Protocols of derivation (including acceptable risk levels used).
16. What are the drivers for remediation? **the State and the land-property business.**
 - a. To what level is clean-up required? (i.e. acceptable risk, land use values, ...) **Acceptable risk.**
 - b. Does your national policy use cost-benefits analysis for the choice of the remedial solution? **Yes.**
17. What are the main remediation strategies or treatment techniques used in your countries (including Natural Attenuation)?



a. Distribution of techniques?

| | |
|---|----|
| <i>In Situ Biological Treatment</i> | 5 |
| <i>In Situ Physical/Chemical Treatment</i> | 17 |
| <i>In Situ Thermal Treatment</i> | |
| <i>Ex Situ / Off site Biological Treatment (Assuming Excavation)</i> | 30 |
| <i>Ex Situ / Off site Physical/Chemical Treatment (Assuming Excavation)</i> | |
| <i>Ex Situ/Off site Thermal Treatment (assuming excavation)</i> | 48 |
| <i>Other soil Treatment</i> | |

source: EIONET CLM datasheet-2012

- b. Evolution in time?
c. Acceptance of innovative treatment techniques?

18. Are you considering sustainability in the national approach? **Not generally.**

- a. If yes, how? In particular, how the three pillars of sustainability are considered and balanced.
b. If no, explain the reasons and the future challenges. **The sustainability as an environmental principle declared in the act on environment and apply to all human activity included remediation.**

19. How does your country bridge the CLM approach with:

- a. Land planning programmes? **We have challenges for the future, e.g. brownfield development.**
b. Public health programmes (aggregation of impacts on surrounding populations) **Yes we have Human Health Action Program.**

FINANCIAL ISSUES

20. What are the specific practices with respect to “Orphan sites”? **National Remediation Program – state liability subprograms belonging to different ministries.**

21. Do you have an idea of the annual budget allocated to Soil Contamination Management?

- a. How is it divided between public, private and others? **We have no information from the private site, only the public budget.**
b. What are the main financial / funding systems in place in your country? (e.g. Financial guarantees, insurance, public – private partnerships, special foundation, industrial consortium, enforcement, ...). **Public budget.**
c. Between the different steps of management (investigation, remediation, monitoring...)? **Polluter pays.**



ORGANISATIONAL ISSUES

22. How are stakeholders and in particular communities involved in the approach?
it is differ from site to site, there is not a legal process on it.
23. Is there a specific approach for:
- Brownfields? No
 - Megasites? No
 - Widespread pollutions? No
 - Reuse of excavated soils? (e.g., in relation to their quality) The excavated soil after the cleaning treatment (e.g. composting) possible to use as soil, otherwise the excavated contaminated soil is hazardous waste.
24. Does your national policy include any accreditation system for consultants or service providers? If yes, please provide some details. Registered expert on specific environmental field.
25. Do you have any training / capacity building programme, any management accountability and performance measurement? at the beginning of the National Remediation Program yes it was.
26. How is the necessary inter-governmental coordination for CLM organized? (e.g. with Health Protection Department, with the public site owners, with state or local public sector environmental organizations, with special interest advocacy groups,) We have intergovernmental coordination between the subprogram owners.

CRUCIAL DEVELOPMENTS IN THE FUTURE

Are there any additional issues to be further developed in the following months/years whatever they are (Research and Development needs, organisational issues, ...)?
Nanomaterial in soil and groundwater, in-situ technologies, bioavailability and bioaccumulation.

Unofficially or officially, do you see any opportunities for collaboration in the coming months or years that may improve overall coordination among international organizations? (e.g., conferences, workshops, international (technical or policy) initiatives, growing alliances (e.g., in support of redevelopment /reuse of contaminated lands, etc.). In my point of view it is really important to share the experiences on the field of remediation, to know good and bad examples, to keep in evidence the lot of unsolved problems, to develop new technologies, practices.



REFERENCES

Please give most important references (documents, website, projects, and case studies) that could be relevant for explaining your national approach

www.kvvm.hu/szakmai/karmentes