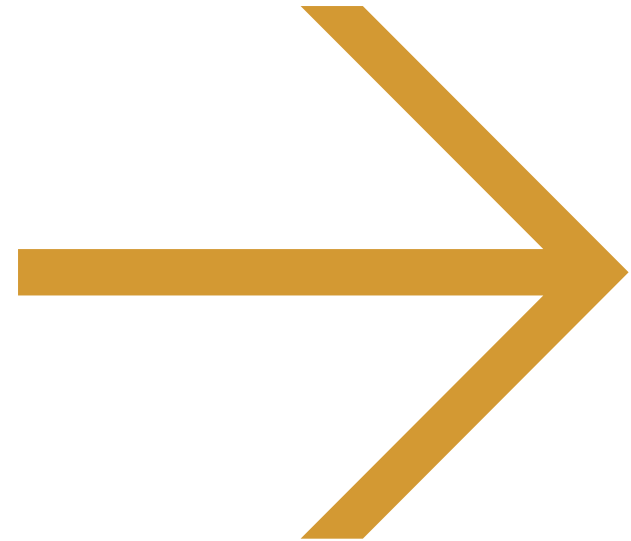


Registration soil contamination

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Introduction

1994 introduction of remediation rules in de Soil Protection Act and the term 'guilty owner'

1995 duty for registration of serious soil contamination in the real estate register (article 55):

- using restrictions for the soil
- duty to remediate urgent contamination
- aftercare decision (since 2006)
- authorities used the registration for a wider purpose



New Law

1 July 2007 Law recognizability public restrictions real estate

Basic term: public restrictions

About 16 Acts have restrictions based on this Law,

For instance:

- the Monuments and Historic Buildings Act
- the Public Works Act
- the Earth Removal Act
- the Housing Act
- the Soil Protection Act
- etc.



Soil regulation based on the new Law

The Regulation Restrictions Registration Soil Protection Act:

- gives the rules for uniformity
- interprets 'public restrictions'
- less freedom for interpretation by the authorities

The Regulation indicates:

- the restriction in the allowance to use
- the guilty owner

when decision about the soil have been taken



Notification of the decisions

The competent authorities, i.e

- the Provincial Executive, or
- the Burgomaster and Alderman of 29 cities

notify their decisions.

The Provincial Executive directly to the Cadastre, the national register

The Burgomaster and Alderman to the local register, which is linked to the Cadastre



Registration

Decisions to be registered:

- Decision whether the site is seriously contaminated
- Decision about the necessity for urgent measures to manage unacceptable risks
- The order to cease the act of causing the contamination
- The order to make a site assessment or to take temporary measures
- The decision of the approval of the aftercare plan



Cadastre (Real estate register)

The real estate register contents for the serious soil contamination:

- a well-defined duty registration
- the liabilities of the owner

It can be consulted on line: www.kadaster.nl (not free of charge)



Bodemloket

Bodemloket (i.e. soil portal), a website of the government, shows:

- the taken measures with regard to the soil and the remediation in the past years
- the former activities of industrial sites
- if a survey of the soil has taken place
- other steps and the decisions

The site www.bodemloket.nl is free of charge.

Let's have a look!