

DEFRA

Department for
**Environment,
Food & Rural Affairs**

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OUR REF: CLAN 1/02

YOUR REF:

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Dear Sir or Madam

WITHDRAWAL OF ICRCL GUIDANCE NOTE 59/83 (2ND EDITION)

This letter is to let you know of the withdrawal of a guidance note about contaminated land which has been widely used since 1987 but which is now out of date.

Earlier this year, Defra and the Environment Agency published new technical documents relevant to the assessment of human health risks arising from contaminants in soil. The CLEA package, consisting of the main Contaminated Land Reports (CLRs) 7 - 10, the CLEA 2002 software, and the Soil Guideline Values for individual substances (SGV), are now considered to represent the key instruments for generic assessment of the human health risks from land contamination. They represent a cross-Government consensus on the technical approach to undertaking such assessments and are based on the latest scientific knowledge and thinking.

Details of the new CLRs and SGVs (and Tox papers) can be found at <http://www.defra.gov.uk/environment/landliability/pubs.htm> - 3. Technical enquiries about the new CLR series and related material should be addressed as shown there.

On the advice of the Environment Agency, and in consultation with other Government Departments, we have therefore now withdrawn the main DOE technical document previously used to help assess land contamination. This is ICRCL Guidance Note 59/83 (2nd edition), first published in 1983 and updated in 1987, which was prepared by the former Inter-Departmental Committee on the Redevelopment of Contaminated Land (hence "ICRCL").

ICRCL 59/83 contained "trigger values" for a series of substances commonly found in contaminated land. These have been a useful tool, but are now technically out of date and their approach is not in line with the current statutory regime (Part IIA of the Environmental Protection Act 1990) and associated policy. In particular, they are not suitable for assessing the "significant possibility of significant harm" to human health, which the regime calls for.

The new Defra/EA soil guideline values already cover a broadly similar range of contaminants, with more in preparation, and they form part of a wider package of technical material specifically designed for use with the current legislation. It is not sensible to run the two systems in parallel, and withdrawal of ICRCL 59/83 should help avoid any misunderstandings about which guidance and approach should apply to decisions made under the contaminated land regime, or in planning and building control cases.

ICRCL 59/83 (2nd edition) will remain available on request from the Defra publications section, for its "historic" relevance. It might be needed to understand the context for past decisions or past remediation work on particular sites, for example.

It is hoped to review other ICRCL publications, as resources permit, with a view to updating and re-presenting their content where still appropriate.

A copy of this letter is being placed on the Defra webpages referred to above, together with a note giving more technical background.

This letter has been agreed with the Office of the Deputy Prime Minister. A similar letter is being sent to local authorities and a range of interested representative organisations.

Yours faithfully

Steven Griffiths
Contaminated Land Branch