Practicable ways out of the normative, financial, organisational and personal deficits in the mastering of contaminated soils in the Federal Republic of Germany

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1. The rapid development in the protection of soil

Already for more than one hundred years mankind at least in the westerly orientated industrial nations understands the necessity of keeping water clean and to purify it.

The same is valid for air for three or four decades. But the soil is paid noticeable attention for only little more than ten years. It might be due to the trivial fact, that man needs water and air for life but does not eat soil.

Only by damages the implications for the foodchain and the fact, that soil does not always function as a filter for contaminants have been noticed or recognized.

Nevertheless, we should not take our impatience, which is due to the contemporary circumstances, as a scale!

I do not want and have to demonstrate the different determining factors for the, in my opinion, rapid development, which has experienced the problem of contaminated soils since 1979.

In that year, a casuality within the Stoltzenberg-case in Hamburg not only has demonstrated dramatically the risk potential to a shocked public but also the lack of knowledge, competences and awareness of the problem among the Hamburg officials. Due to that case the problem of contaminated soils has become a systematically done task for the state.

Fourteen years have been passed since then - why did I speak of a rapid development?

As an explanation, one should take the same time-scale which was necessary in the development and realisation of large water purification plants or for the filtration of waste gas from largescale power stations. From these comparisons one only can draw the justified conclusion, that within the problem of contaminated soils the developments have been very rapid just as in other areas.

Already there are plants for the purification of contaminated soils and anothers are just before realisation.

Another confirmation for my thesis can be the enactment of a soil protection law if one remembers that the law for the protection and balance of water consumption only exists since 1957.

F. Arendt, G.J. Annokkée, R. Bosman and W.J. van den Brink (eds.), Contaminated Soil ’93, 69–79.
2. The pressure of problems and areas of deficits

Still we are not content with the situation and we should not be either, because the problems of contaminated soils suddenly have experienced an immense pressure on the solving of problems from a direction that nobody was prepared for. I mean the situation in the new federal states of Germany.

Interestingly it is not the danger for the ecology or the fear of the population of the contaminants but has to do with economic questions. Apart from the takeover of contaminated areas by investors, the use of these areas, the avoidance of not used industrial locations in infrastructural well developed regions instead of consumption of new land, it concerns with the following:

- jobs,
- economic build up,
- welfare of the population and the state.

Following the Munich Ifo-Institute, 26% of the last erman communes regard the unsolved problems within the question of contaminated areas as one of the biggest blockages for investments. No investor is prepared to accept the costs of soil contaminations, which are extremely difficult to evaluate.

Therefore the instrument of "exemption of liability for contaminated areas" has been introduced to offer a solution.

In the course of this enactment ten thousands of application forms have been submitted.

Moreover, there are thousands of contracts for privatisation with the Treuhand-Holding which include regulations for contaminated areas. The key point herein is, that buyers of areas do not should and not have to pay for damages by contaminations which they have not caused.

The assumed thirty to fifty thousand locations cause a pressure for action like in no other place in the world, even if groundwater is highly contaminated or a building site is constructed on a dangerous waste deposit. By that amount of cases, fifteen years of discussion and the development in different concerned scientific and technical subjects have not been enough to come to reasonable solutions within a short time. Solutions need to answer the question wether or not a suspect area really is contaminated in such a way that there is a risk for the public and how to handle it.

There are practically no experiences in East Germany and much has to be taken over from West Germany.

But what experiences exist and which ones can be further used? The situation in West Germany is characterized by an immense diverserity of problemloaded literature and only a little number of solutions for single cases. These solutions have been achieved by a vast expense of analysis, performances of engineers and experts as well as administrative efforts. Unfortunately, the still existing deficits have taken the pressure off the political instances to provide the necessary resources.