

Environmental Protection Act 1990: Part IIA Sunderland City Council Contaminated Land Register

The regime for the identification and remediation of contaminated land is laid out in Part IIA of the Environmental Protection Act 1990.

The primary regulatory role rests with local authorities such as Sunderland City of Sunderland Council. As an enforcing authority the Council is required to inspect its area and determine whether any land is "Contaminated Land" as defined in the legislation. Local authorities have been given powers to ensure the remediation of any sites determined to be contaminated land.

The Council has a duty (under section 78R(1)) to maintain a Register which includes details of remediation notices served and other documents in relation to each area of contaminated land for which the authority is responsible.

The particular details to be included in the register are prescribed in Regulation 15 of, and Schedule 3 to, the Contaminated Land (England) Regulation 2000. This will detail the location and extent of contaminated land in the Borough and can include:

- remediation notices and appeals against such notices;
- remediation statements and declarations;
- appeals against charging notices;
- notices relating to the designation of land as a special site;
- guidance issued by the Environment Agency;
- information where a site is formally identified as contaminated land but is dealt with under other legislation;
- site details, and
- details from the Environment Agency regarding the regulation of Special Sites.

The Council is under a duty to keep its Register available for free inspection by the public at all reasonable times (Section 78R(8)(a)). In addition, it is under a duty to provide facilities for members of the public to obtain copies of register entries, for which it can make a reasonable charge (section 78R(8)(b)).

Before including any information on its register the enforcing authority needs to consider whether the information should be excluded on the basis that:

- it's inclusion would be against the interest of national security; or
- the information is commercially confidential.

For full details of the information required to be kept in the register, and the grounds for exclusion, the relevant legislation and guidance should be consulted.

This Register contains the required details of action taken under Part IIA of the Environmental Protection Act 1990 in relation to contaminated land.

1. Index of sites that are included in the Register

Site Ref. No.	Address	Grid Reference	Date of first entry
CL1	Halliwell Banks, Ryhope, Sunderland	NZ41705233	6 November 2008

Information contained in the Register

Remediation Notices

Site Ref. No.	Date	Address

Appeals against remediation notices

Site Ref. No.	Date	Address

Remediation declarations

Site Ref. No.	Date	Address

Remediation statements

Site Ref. No.	Date	Address

Appeals against charging notices

Site Ref. No.	Date	Address

Designation of special sites

Site Ref. No.	Date	Address
CL1	6/11/08	<p>Halliwell Banks, Ryhope, Sunderland</p> <p>Grid Reference NZ 4170 5233</p> <p>Designation of Special Site under Environmental Protection Act 1990 Part IIA Section 78C (1)(b)</p> <p>Sunderland City Council makes this Determination on the grounds that:</p> <p>Solid and liquid waste including Benzene, PAHs, VOC, sVOC, TPH, PCBs, metals and inorganic compounds have been found to pose a Significant Possibility of Significant Harm (Ecological System Effect) on the Northumbria Coast SPA, located to the immediate East of the site.</p> <p>Pollution of Controlled Water is likely to be caused by TPH (Total Petroleum Hydrocarbons)¹, Naphthalene, Benzene, Toluene, Ethylbenzene, Xylene, sVOC, VOC and PCBs entering the underlying Magnesian Limestone Major Aquifer.</p>

		Pollution of Controlled Water is likely to be caused by solid and liquid waste matter containing dangerous substances entering the North Sea.
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Notification of claimed remediation

Site Ref. No.	Date	Address

Convictions for offences under section 78M

Site Ref. No.	Date	Address

Guidance issued under section 78V(1)

Date	Issued by	Title

Other environmental controls

Site Ref. No.	Date	Address

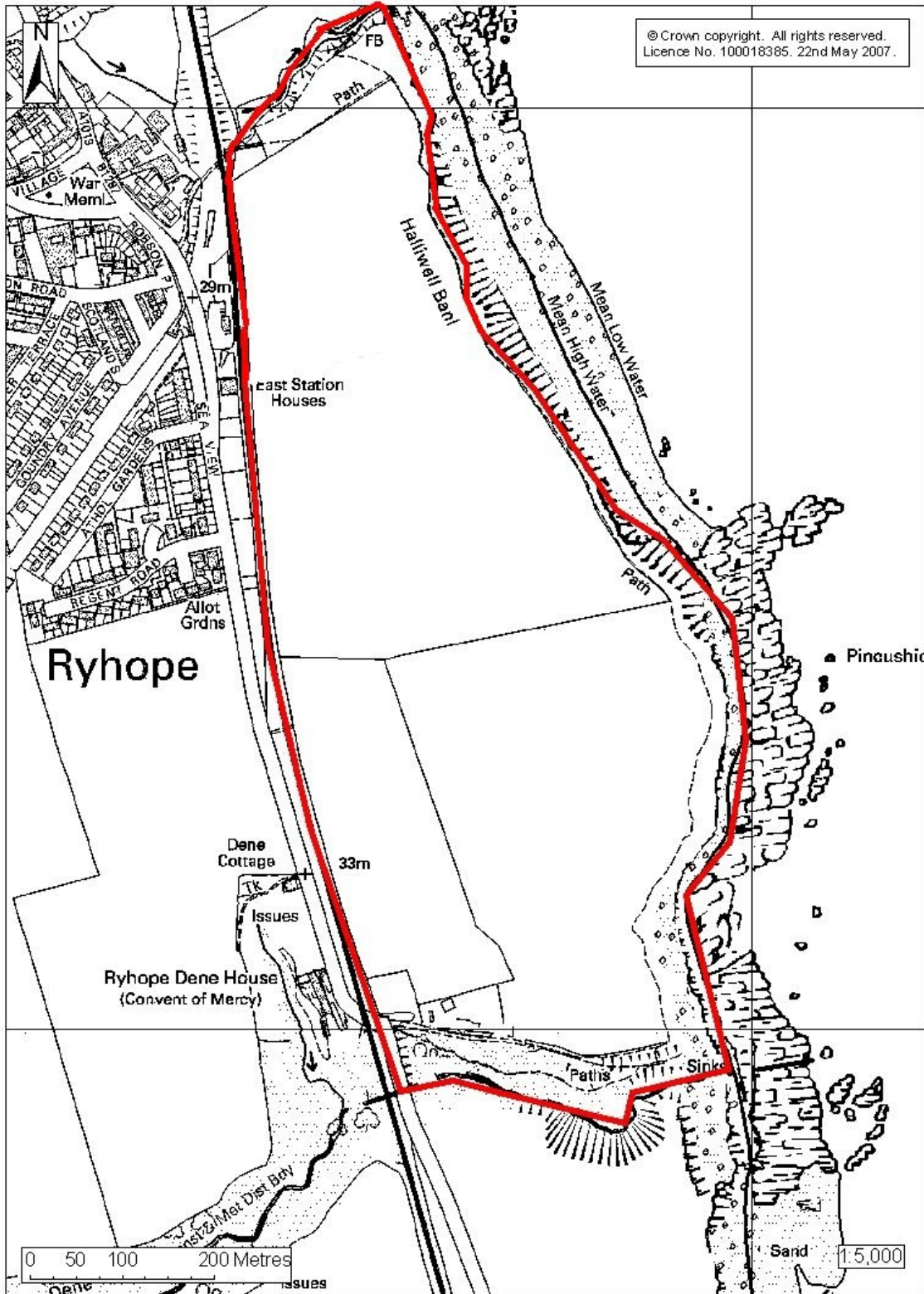
This Register is updated to include the latest available information and therefore it is essential to check for the current issue:

- by checking on the Sunderland City Council web site
- by phoning the Pollution Control Team on (0191 561 1661)

Updated: July 2009

- by e-mail: public.health@sunderland.gov.uk
- in person: at the Civic Centre Sunderland, SR2 7DN

CL1 Halliwell Banks



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