

# Prevent land contamination

## Chemical handling and storage

- store hazardous materials including fuel, oils and chemicals, in correctly segregated, banded and covered areas so that accidental spills cannot reach stormwater drains or soil
- ensure all containers have their lids on, are in good condition and are clearly labelled
- check storage areas regularly for signs of leaks or damage to containers
- ensure you have an up-to-date material safety data sheet (MSDS) for every chemical that is used or stored on-site
- implement procedures for handling and storing chemicals
- comply with the requirements for underground petroleum storage systems.



Spill kit (Impress Photography)

## Chemical spills

- train staff to prevent spills when handling hazardous liquids
- develop an emergency response procedure for chemical spills
- keep spill clean-up materials in a handy place, clearly labelled and ready for use.



Small spill kit (courtesy Spill Control Systems)

## Building and site management

- obtain all necessary consents, permits and licences, and maintain compliance with their conditions
- keep your premises and grounds free from litter and waste materials
- ensure drains and collection pits are clear of debris
- train staff and display signage about the hazards of chemical use.



Sign (DECCW)

## Waste management

- ensure your wastes are sent to facilities that can lawfully receive them
- use a liquid waste contractor to dispose of spent chemicals and other liquid waste
- don't put liquid wastes, such as oily rags or filters, into your waste bins
- separate and clearly label different kinds of waste for easy collection and recycling
- keep lids on your bins or store them in a covered area to prevent the uncontrolled release of waste.



Mobile drum containment unit for spill control (DECCW)

Published by:  
Department of Environment, Climate Change and Water NSW  
59-61 Goulburn Street, Sydney  
PO Box A290, Sydney South 1232  
Phone: (02) 9995 5000 (switchboard)  
Phone: 131 555 (information and publications requests, NSW only)  
TTY: (02) 9211 4723  
Fax: (02) 9995 5999  
email: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)  
website: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

Cover photo: Rusted drums (DECCW)

DECCW 2009/811 March 2010  
ISBN 978 1 74232 510 1 Printed on recycled paper

# Land Contamination

## What are my responsibilities?



## Be aware

Land contamination can devalue your property and risk the health of others. Don't risk prosecution and expensive clean-up costs. Take appropriate action when undertaking any activities that could cause contamination.

**Vital information for land-holders and small businesses**

## What is land contamination?

Contamination means the condition of land or water where any chemical substance or waste has been added at above acceptable background levels and represents, or potentially represents, an adverse health or environmental impact.

Contamination of land most often results from past land uses. It can arise from a range of activities that took place on the land or at an adjacent site. Such activities include improper chemical handling or disposal practices, or accidental spillages of chemicals during manufacturing or storage. Contamination may also come from air emissions, diffuse sources or polluted groundwater.

Contaminants include a broad range of substances such as pesticides, metals and metalloids, inorganic chemicals, solvents and petroleum products.

### Costs of land contamination

**SOCIAL COSTS** Land contamination can have significant impacts on human health and the environment. It can also limit current land use and future land development potential.

**FINANCIAL COSTS** Those responsible for land contamination should investigate and clean-up any contamination. Not only can clean-up be extremely expensive, contamination can also devalue the property.

**ENVIRONMENTAL COSTS** Land contamination can pollute surface water and groundwater resources and harm plants and animals. A legacy of contaminated land may also impact on future generations.

## Report land contamination

Section 60 of the *Contaminated Land Management Act 1997* requires a person whose activities have contaminated land, and the landowner, to notify the Department of Environment, Climate Change and Water (DECCW) when they become aware of contamination. More details can be found in *Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997*.

**If you fail to report certain types of contamination you risk prosecution. Penalties apply – fines up to \$165,000 plus a further \$77,000 per day.**

### Did you know?

**Under the *Contaminated Land Management Act 1997*, a person is responsible for land contamination if:**

- that person caused the contamination
- that person's activities:
  - resulted in the conversion of a substance to cause contamination
  - changed pre-existing contamination or
  - changed the land use in a way that increased the risk of exposure to contamination
- a landowner or occupier failed to take steps to prevent the contamination.

## Am I responsible for land contamination?

### STEP 1: INDICATIONS OF POSSIBLE CONTAMINATION

You should check if:

- the land you own or occupy (and any adjacent land) is associated with potentially contaminating activities
- the land you own or occupy (and any adjacent land) is associated with complaints about pollution or illegal dumping of wastes
- there are gaps or doubts about previous uses of the land
- there are chemical or physical indicators of contamination, such as unusual odours, water discolouration, dead plants or animals, or health impairment due to exposure to contamination.

If the answers to all of the above are 'no', reporting to DECCW is not required.

### STEP 2: FURTHER INVESTIGATION

If you are uncertain (from Step 1) whether contamination should be reported, further investigation may be needed. DECCW recommends engaging a suitably qualified and experienced environmental consultant to undertake the assessment.

### Help and advice

If you suspect your land is contaminated or you are responsible for contamination, please contact the Department of Environment, Climate Change and Water on 131 555.

DECCW has prepared a number of guidelines to provide further information about contaminated land. Copies can be obtained online at [www.environment.nsw.gov.au/clm](http://www.environment.nsw.gov.au/clm)