Land Redevelopment in Hamburg
Handling of Soil and Groundwater Contamination

Information for Land-owners, Investors and Site Developers
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Welcome to Hamburg!

The ‘Land Redevelopment’ brochure shall provide developers and landowners with helpful hints on handling the issue of redeveloping formerly used sites. It explains the most important aspects and evaluation steps prior to tackling a site. It aims to describe a quick and smooth planning and working process. Besides that, it shall improve communication between private parties and the responsible authorities.

Today, soils in Hamburg are still often suspected of being contaminated with harmful substances which could have been spilled and spread during wartime events and industrial land-use over the last hundred years. Even if there is no hazard posed to ground water or to human health, a known and responsive disposal of contaminated soil is needed in many cases. Identification and evaluation of environmental risk is becoming increasingly important as it may cause significant costs for investors.

The objective of Land Redevelopment is to reintegrate sites back into the economic cycle for residential, commercial, or green-space development in a resource-saving manner.

Information on Land Redevelopment in Hamburg can be found in the Internet at: www.hamburg.de/flaechenrecycling
Contemporary building at the water-front – right in the city centre.

Hamburg is a green city with many parks and other green spaces for play, fun and recreation.

In real estate terms ‘location’ is key in Hamburg. This often means proximity to the rivers Alster or Elbe. But it is more than that. Almost all sites in Hamburg benefit from being located in a major city equipped with a well-developed infrastructure. This includes a dense grid of streets and roads, a comprehensive local public transport system and utilities like town gas, water and electricity as well as waste disposal and wastewater-discharge services. This state-of-the-art infrastructure has been expanded and improved over decades.

Hamburg is a thriving metropolis – the city aims at combining its economical growth with the preservation of its natural resources. Therefore, emphasis must be put upon re-claiming previously used sites for new development to achieve economically smart growth of developed land.

Hint:

Here is another advantage for you:

➔ Usually, re-use of a previously developed site does not affect the natural ecosystem. Re-use sites instead of sacrificing precious fertile greenfield land. Makes sense.
People often are hesitant regarding former industrial sites. Indeed, there are risks. Who knows what has happened on the site? Could the previous use have impacted the bearing capacity of the building land or the chemical conditions of the soil? What additional work must land-owners and investors factor in when thinking about redevelopment? How much more effort is that compared to building-up a ‘greenfield’ site? Sometimes used sites lay fallow for a period of time and nature struggles its habitats back. Even low-fertile soils can develop habitats of rare and protected plants and animals species. That may affect a development project too.

The Ministry of Urban Development and Environment tries to remove the unknown and to make risks calculable.

For you being a landowner, builder, or investor it is advantageous if you contact us early-on in the process (see the Hint in the box). We have decades of experience in land re-use and know quite a bit about construction. Together we can develop solutions for the best implementation of your ideas and intentions in compliance with the construction-, planning-, and environmental rules and regulations.

Hint:

For comprehensive advice get in touch with your point of contact at the responsible district office or, for larger projects, directly with the Ministry of Urban Development and Environment.

→ Key addresses are listed on the foldout flap at the back of this brochure.

It doesn’t always take an exclusive city centre location: Hamburg has many attractive areas to offer.
Every location has its own history. In a city filled with tradition that could be: decades or even centuries of use, dozens of previous owners and just as many different use variations. It is not always clear whether and how the land was contaminated during the ages. What’s the saying? You never know!

Historical file-searches help to collect information on a site’s history. Find out about previous buildings and use of your site early-on in the process. It will protect you from expensive surprises during construction.

**Hint:**

Collect information on your site by searching:

- In the construction file that is kept by the Building Inspection Department of the district. If you have a legitimate interest to take a look at the file, you are allowed to do so, even if you are not the owner.
- At the Division for Consumer Protection, Trade and the Environment at your district office.
- In the register for potentially contaminated land at the Ministry of Urban Development and Environment (Thomas Prüfer, Tel.: 040/4 28 40-5278, Fax: 040/4 27 31-0752, E-mail: Altlasthinweiskataster@bsu.hamburg.de),
- In historical maps and aerial photographs at the State Centre for Geoinformation and Surveying (Tel.: 040/4 28 26-5720, Fax: 040/4 27 31-0409), E-Mail: info@gv.hamburg.de

A consultant may be helpful for evaluating these documents.
Many areas in Hamburg have no natural but man-made building land. You can find fill materials here such as construction or wartime debris that makes excavation substantially more difficult and can cause increased disposal costs. The same is true for old foundations, basement structures and old floor slabs present in the ground.

You should expect to find Elbe sludge in the vicinity of the river. Old fill sites, clay layers under levelling fill and former municipal waste-dumps which might generate landfill-gases posing risk to people and buildings.

Warfare materials like unexploded ordnances in Hamburgs subsoil are a dangerous heritage from World War times. According to the Ordinance on Warfare Agents, the particular sites owner is responsible for searching and uncovering of ammunition in the ground. The UXO Clearing Service (KRD) of Hamburgs Fire Department provides services which are in the state’s responsibility like defusing, controlled explosions and the securing of ordnance. The KRD issues a constantly updated list of specialist companies in Hamburg who are permitted and registered for the physical search and uncovering of ordnance. You can submit a request to the Department of Risk Investigation for Perceived UXO (GEKV) at Hamburgs Fire Department in order to find out whether it is likely that your land holds ordnance in the subsoil. This department evaluates e.g. aerial photographs and written documentation from war-times to determine the risk of ordnance being present on the site.

The remediation of contaminated land in the HafenCity makes good progress – and creates good perspectives for investors.

Re-use options for old hydraulic fill sites must be evaluated in each individual case.
Contaminated Land is a calculable Risk

Soil contamination is investigated and – if necessary – removed. Previously used sites are thought to be of limited usability. This is an incorrect and generalized prejudice – the risk of contaminated land is frequently overrated.

In order to be sure it is usually recommendable to send an enquiry to the Ministry of Urban Development and Environment (Altlasthinweiskataster@bsu.hamburg.de) even if there is no actual reason to suspect contamination. When making this enquiry you must, however, prove that you are either the landowner or a prospective purchaser (with an authorization letter from the landowner). You should include a location map in order to simplify the processing of your request. Your expenses for this initial enquiry at the data base service will be minor.

If the suspected contamination is confirmed, early contact with the officials at the District Office or the Ministry of Urban Development and Environment (the address is given on the flap-out page) will save you a lot of effort and money. The experts at these offices can lay-out further steps with you. There is no silver bullet: it takes an individual decision if and how a remedial action is needed.

Please note: even if there is no hazard-removal action necessary, excavated material (like back filling, debris or else) may still be contaminated requiring proper handling and disposal.

Hint:

→ You can enquire with the Division for Consumer Protection, Trade and the Environment in your district or with the Ministry of Urban Development and Environment whether contamination is suspected at your site.

→ Always investigate potential contamination before purchasing the land. It might be too late to do this on short term before starting construction work. Early action will avoid costly delays.

→ Strive for synergy: combine the mandatory building land investigation with soil, soil vapour, and groundwater investigation. It will save you money.

→ Coordinate remedial measures with construction pit excavation. It helps to streamline construction processes. Specialized civil engineers can help you.

You should enclose a site map in order to smooth the processing of your request. Your expenses for this initial enquiry at the data base service will be only minor.
Even if you are not responsible for causing the contamination, being the landowner you can still be held liable for its removal. Public-law-contracts give you legal and planning certainty. They regulate information, investigation, and coordination measures as well as remedial liabilities. If applied for by the landowner or within a public-law-contract, the Ministry of Urban Development and Environment can bindingly set the frame of liability for investigation and remediation. That secures your right to handling the site. The Ministry of Urban Development and Environment also provides advice on evaluating contamination in purchase negotiations between private owners and purchasers.

If you take advantage of professional help early-on in the process, it might save you a lot of money. Expert opinions are costly – but unexpected soil contamination at later phases of projects can cause much higher costs.

Private owners can commission site investigations to clarify suspected contamination. The Office will then provide them with an evaluation of the test results at a reduced fee.

**Hint:**

- Experts who are licensed in accordance with §18 of the Federal Soil Protection Act will guarantee you a qualified evaluation of soil contamination.
- The Ministry of Urban Development and Environment can provide you with professional support during a remedial action and will enter into binding agreements with you, giving you legal certainty. (Jürgen Hilbers, Tel.: 040/4 28 40-35 12, Fax: 040/4 27 31-0752).

Experience shows that an evaluation of the site contamination by the Ministry of Urban Development and Environment is usually required before lenders take decisions on a loan.
1. Terms according to the Federal Soil Protection Act (BBodSchG):

Contaminated sites (**Altlasten**) are
→ closed-down waste management installations, and other real properties, in/on which waste has been treated, stored or deposited (former waste disposal sites – **Altablagerungen**)
and
→ real properties that house closed-down installations, and other real properties, on which environmentally harmful substances have been handled, except for installations that can be closed down only under a license pursuant to the Atomic Energy Act (former industrial sites – **Altstandorte**), that cause harmful changes to the soil or other hazards for individuals or the general public.

Harmful changes to the soil (**schädliche Bodenveränderungen**) are harmful impacts on soil functions that are able to pose hazards, considerable disadvantages, or considerable nuisances to individuals or the general public.

Suspected sites (**Verdachtsflächen**) are sites suspected of containing harmful changes to the soil.

Sites suspected of being contaminated (**altlastverdächtige Flächen**) are former waste disposal sites and former industrial sites that are suspected to carry harmful changes to the soil or other hazards for individuals or the general public.
For Good Reasons

The map on the previous page shows at a glance the locations of responsible authorities for the redevelopment of potentially contaminated sites in Hamburg. The listed points of contact are ready to help and to guide advice where and how necessary applications can be handed in.

The Unexploded Ordnance Clearing Service holds a special position, because it can only be activated by the fire department or the Police in the event of suspicious findings at sites.
2. Officially used terms for the evaluation of contaminated sites, sites suspected of being contaminated, harmful changes to the soil or suspected sites:

**Under supervision**
The site is subject to supervision or aftercare by the responsible authority or as part of a self-monitoring program.

**Decontaminated (partially)**
Decontamination has been carried out but further remedial measures are necessary for at least a part of the site or to protect a resource.

**Decontaminated (completely)**
Evaluation by the responsible authority shows that all required remedial measures have been carried out.

**Secured**
Evaluation by the responsible authority shows that all required safeguarding measures have been carried out.

**Resolved**
The suspicion of contamination was resolved or the site was not suspected of being contaminated.

**Sites**
are plots of land that have been completely decontaminated, where suspicion of contamination has been resolved by research or investigations ("resolved"), and/or sites without need for governmental action under the current zoning conditions.