

Consultant sues over clean-up costs of phosphorus blighted site

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AN INDEPENDENT consultant is to take legal action to force the former owner of what he claims is now a 'toxic time bomb' to clean up the site.

Consultant Julian Parry is preparing to serve a remediation notice on chemical firm Rhodia, formerly Albright & Wilson, which if successful will hit it with a clean up bill estimated at £100M.

Parry fears that 50,000t of waste, contaminated with phosphorus and dumped at the Strode Road site at Clevedon near Bristol by Albright & Wilson in the 1950s and 1960s, poses major health risks (NCE 26 April). Strode Road is now public land and playing fields.

Under Section 9 of the Environmental Protection Act 1990, Part IIa, Albright & Wilson is liable for remediating the site, Parry claimed. Part IIa states that a remediation notice can be served on any person who 'caused or knowingly permitted' contamination.

However, the Strode Road site was sold to Woodspring District Council, now part of North Somerset District Council (NSDC), in 1979.

According to Rhodia, the contract of sale transferred all risk and liability to NSDC.

Albright & Wilson was fully indemnified, a spokeswoman said.

NSDC was unable to comment on the contract when approached by NCE but maintained that Strode Road is not a contaminated site as defined by Part IIa.

The council said that the phosphorus waste is safely contained beneath an engineered capping layer providing no pathway between the contamination 'source' and humans, surface water or ground water.

However this week, Bristol Scientific Services (BSS), public analyst and scientific advisor to NSDC, recommended that all existing data on Strode Road was collated for the first time.

BSS also advised visual inspection be carried out as a prelude to possible intrusive investigation.

This would prove that the site is a toxic hazard, claimed Parry.

A report on the site by consultant Bostock Hill & Rigby in 1987 revealed combustible concentrations of phosphorus dangerously close to the surface and suggested the phosphorus posed a threat to ground water.

Parry claimed that liability for cleaning up the site will fall back to Albright & Wilson if it is found that information about the true extent and seriousness of contamination was withheld when the Council bought Strode Road.