

DRAFT DATED 12 June 2026

**ADMINISTRATIVE AND
LEGAL AFFAIRS
DEPARTMENT**

**Regulation of the State Secretary for Infrastructure and Water
Management of [date], No. IENW/BSK- , amending the 2022 Soil
Quality Regulation updating standards documents and regulatory
maintenance of Annexes C and D**
[ChainID WGK 028842]

The State Secretary for Infrastructure and Water Management,

Having regard to Article 25(1) of the Soil Quality Decree;

Hereby decrees:

The 2022 Soil Quality Regulation is amended as follows:

A

The table in Annex C shall be amended as follows:

1. In category 2, in the 'Standards Documents Certification and Accreditation Guidelines' column, the words 'with amendment sheet of 24 April 2024' are added to 'BRL 2506-2 Recycled granulates, version of 15 July 2019'.

2. In category 3, in the 'Standards Documents Certification and Accreditation Guidelines' column

- a. 'Until 1 October 2024 it shall be permitted to apply version 9, adopted on 23 June 2016';
- b. 'Until 1 October 2024 it shall be permitted to apply version 10, adopted on 23 June 2016'; and
- c. 'Until 1 October 2024 it shall be permitted to apply version 12, adopted on 23 June 2016'.

3. In category 7, the following is deleted from the 'Sub-sections' column: 'Protocol 6703 – Hydrological measurement of liquid density, version 3.0, adopted on 15 February 2018 with the amendment sheet of 28 February 2020, may be used until 1 April 2025'.

4. In category 8, the following sentences and phrases are deleted from the 'Standards Documents – Certification and Accreditation Guidelines' column:

- a. 'Protocol BRL SIKB 6000, Assessment directive on environmental guidance for soil and water bed remediations, water bed interventions and aftercare, version 5.0, adopted on 1 February 2018 with amendment sheet of 2 November 2021 may be used until 1 January 2026';
- b. **'The essential ILT oversight requirements from BRL SIKB 6000, as indicated in the document 'Essential ILT oversight requirements; Essential requirements for public oversight of the soil management recognition system by the Dutch Living Environment and Transport Inspectorate [ILT]', version of 2 November 2021';**
- c. 'Until 1 January 2025, it is permitted to use BRL SIKB 7000-'; and

d. 'Carrying out of soil and water bed remediation and operations, version 6.0, adopted on 1 February 2018 with amendment sheet of 2 November 2021. The following areas of work are distinguished in BRL SIKB 7000: – Process management.'

5. In category 8, in the 'Sub-sections' column, the following sentences are deleted:

- a. 'Until 1 January 2026, it is permitted to use Protocol 6001, Environmental guidance for terrestrial soil remediation with conventional methods and aftercare, version 5.0, adopted on 1 February 2018 with amendment sheet of 2 November 2021.';
- b. 'Until 1 January 2026, it is permitted to use Protocol 6002, Environmental guidance for terrestrial soil remediation with in situ methods and aftercare, version 5.0, adopted on 1 February 2018 with amendment sheet of 2 November 2021.';
- c. 'Until 1 January 2026, it is permitted to use Protocol 6003, Environmental guidance of water bed interventions and implementation of water bed remediation, version 5.0 of 1 February 2018 with amendment sheet of 2 November 2021';
- d. 'Until 1 January 2026, it is permitted to use Protocol 6005: Environmental guidance for excavation and remediation of soil, version 1.0, version 26 March.';
- e. 'Until 1 January 2026, it is permitted to use Protocol 6006: Environmental guidance on soil remediation with in situ techniques and groundwater remediation, version 1.0, version 26 March 2020.';
- f. **'The essential ILT oversight requirements from Protocol 6001, Protocol 6002 and Protocol 6003, respectively, as indicated in the document 'Essential ILT oversight requirements; Essential requirements for public oversight of the soil management accreditation system by the Dutch Living Environment and Transport Inspectorate, version of 2 November 2021.'**; and
- g. 'Protocol 7002 – Implementation of land and soil remediations using in situ methods, version 6.0, adopted on 1 February 2018 with the amendment sheet of 2 November 2021 may be used until 1 January 2026.'

6. In category 9, in the 'Standards Documents Certification and Accreditation Guidelines' column, the following is deleted: 'BRL SIKB 1000, Assessment Guideline on Sampling for Batch Inspections, version 9.0, adopted on 1 February 2018, with the amendment sheet of 2 November 2021, may be used until 1 April 2025.'

7. In category 9, in the 'Sub-sections' column, the following sentences are deleted:

- a. 'Protocol 1001, sampling for batch inspections of soil and dredging spoils, version 9.0, adopted on 1 February 2018, with amendment sheet dated 2 November 2021 may be used until 1 April 2025.';
- b. 'Protocol 1002, sampling for batch inspections of non-designed building materials, version 9.0, adopted on 1 February 2018, with amendment sheet dated 2 November 2021, may be used until 1 April 2025.'; and
- c. 'Protocol 1003, sampling for batch inspections, version 9.0, adopted on 1 February 2018, with amendment sheet of 2 November 2021, may be used until 1 April 2025.'

8. In Category 11, in the 'Standards Documents Certification and Accreditation Guidelines' column, the sentence 'Until 1 January 2026, it is permitted to apply BRL SIKB 7000 - Implementation of (water-bearing) soil remediation and interventions in the water-bearing layer, version 6.0, adopted on 1 February 2018 with amendment sheet of 2 November 2021' is deleted.

9. In category 11, in the 'Sub-sections' column, the following sentences are deleted:

- a. 'Until 1 January 2026, it is permitted to use Protocol 7001 - Carrying out of soil remediation by conventional methods, version 6.0, adopted on 1 February 2018, with amendment sheet of 2 November 2021';
- b. 'Until 1 January 2026, it is permitted to use Protocol 7002 - Carrying out of land and soil remediations using in situ methods, version 6.0, adopted on 1 February 2018 with amendment sheet of 2 November 2021.';
- c. 'Protocol 7003 - Implementation of water bed remediations and water bed interventions, version 6.0, adopted on 1 February 2018 with amendment sheet of 2 November 2021 may be used until 1 January 2026.';
- d. 'Until 1 January 2026, it is permitted to use Protocol 7004 - Temporary removal of soil, version 6.0, adopted on 1 February 2018, with amendment sheet of 2 November 2021.';
- e. 'Until 1 January 2026, it is permitted to use Protocol 7005 - Excavation and remediation of the soil, version 1.0 adopted on 26 March 2020'; and
- f. 'Until 1 January 2026, it is permitted to use of Protocol 7006 - Carrying out of soil remediation with in situ techniques and groundwater remediation, version 1.0, adopted on 26 March 2020.'

10. In category 12, in the 'Standard Documents: Certification and Accreditation Guidelines' column, the sentence and, in the passage in bold, the phrase:

- a. 'BRL SIKB 2000, Assessment Directive on Fieldwork in environmental soil and water bed testing, version 6.0, adopted on 1 February 2018, with amendment sheet of 2 November 2021 may be used until 1 October 2024.'; and
- b. 'BRL SIKB 2000, respectively'.

11. In category 12, in the 'Sub-sections' column, the following sentences are deleted:

- a. 'Protocol 2001, Application of hand drilling and test tubes, making drilling descriptions, taking of soil samples and water levels, version 6.0, adopted on 1 February 2018, with amendment sheet of 2 November 2021 may be used until 1 October 2024.';
- b. 'Protocol 2002, The taking of groundwater samples, version 6.0, adopted on 1 February 2018, with amendment sheet dated 2 November 2021 may be used until 1 October 2024.';
- c. 'Protocol 2003, Fieldwork in environmental hygiene water bottom testing, version 6.0, adopted on 1 February 2018, with amendment sheet dated 2 November 2021 may be used until 1 October 2024.';
- d. *"Protocol 2018, Ground level inspection and sampling of asbestos in soil, version 6.0, adopted on 1 February 2018, with amendment sheet dated 2 November 2021 may be used until 1 October 2024."*; and
- e. **'The essential ILT oversight requirements from Protocol 2001, Protocol 2002, Protocol 2003 and Protocol 2018, respectively, as indicated in the document 'Essential ILT oversight requirements; Essential requirements for public oversight of the soil management**

**recognition system by the Dutch Environment and Transport
Inspectorate [ILT]', version of 2 November 2021.'**

12. In Category 13, in the 'Standard Documents Certification and Accreditation Guidelines' column, 'BRL SIKB 7800, Assessment Guideline for Tank Installations (design, install, modify, (re)classify, approve and repair), version 1.0, adopted on 1 October 2018 with amendment sheet of 3 April 2020' is replaced with 'BRL SIKB 7800, Assessment Guideline for Tank Installations (design, install, modify, (re-)classify, approve and repair, version 1.0, adopted on 1 October 2018 with amendment sheet of 29 March 2024'.

13. In category 19, in the 'Standards Documents Certification and Accreditation Guidelines' column, the sentence 'Until 1 April 2025, it is permitted to apply BRL SIKB 2100, Mechanical Drilling Assessment Guidelines, version 4.0, adopted on 1 February 2018, with amendment sheet of 2 November 2021.'

14. In category 19, in the 'Sub-sections' column, the sentence 'Protocol 2101, Mechanical Drilling, version 4.0, adopted on 1 February 2018, with the amendment sheet of 2 November 2021, may be used until 1 April 2025,' is deleted.

15. In Category 21, in the 'Standards Documents, Certification and Accreditation Guidelines' column, the following sentences are deleted:

- a. 'BRL SIKB 11000, Assessment Directive on Design, Realisation, Management and Maintenance of the Underground Part of Soil Energy Systems, version 3.0, adopted on 20 June 2019, with amendment sheet of 6 October 2022, BRL SIKB 11000, Assessment Directive on Design, Realisation, Management and Maintenance of the Underground Part of Soil Energy Systems, version 3.1, adopted on 2 November 2021, may be used until 1 April 2025.'; and
- b. 'BRL SIKB 11000, Assessment Directive Design, Realisation, Management and Maintenance underground part of soil energy systems, version 3.0, adopted on 28 March 2019, with amendment sheet of 2 November 2021 may be used until 1 April 2025.'

16. In category 21, the text in the 'Sub-sections' column shall be amended to read:

Protocol 11001, Draft, Realisation, Management and Maintenance of the underground part of geothermal energy systems, version 3.1, adopted on 2 November 2021, with amendment sheet version 3.1 of 6 October 2022.

B

Annex D is amended to read:

1. '*NEN 5717*: *NEN 5720*: 2023, Soil – Water bed – Strategy for carrying out environmental hygiene research' is replaced by '*NEN 5720*: *NEN 5720*:2023, Soil – Water bed – Strategy for carrying out environmental hygiene research';
2. '*NEN 5740*: *NEN 5740*: 2023, Soil - Terrestrial soil - Strategy for conducting exploratory soil studies - Studies on the environmental hygiene quality of soil and earth' is replaced by '*NEN 5740*: *NEN 5740*: 2023+C1:2024 nl Soil - Terrestrial soil - Strategy for conducting exploratory soil studies - Studies on the environmental hygiene quality of soil and earth'.

Article II

This regulation enters into force on 1 October 2026.

This regulation and the explanatory notes shall be published in the Government Gazette.

THE STATE SECRETARY FOR INFRASTRUCTURE AND WATER MANAGEMENT,

EXPLANATORY MEMORANDUM

General part

1. Introduction

This Regulation amends Annexes C and D of the 2022 Soil Quality Regulation. This amending regulation designates a number of amended standards documents. These are standard documents used within the Kwalibo system (Appendix C). In addition, Annex C of the Regulation is updated. The documents for which the transitional period has expired shall be deleted. In Annex D, a typographical error has been corrected and an omission rectified.

2. Outline of this Regulation

The amendment concerns in the table to Annex C the designation of two amendment sheets and in Annex D the correction of a typing error and the correction of an omission: Correction sheet C1 dated November 2024 is missing from NEN 5740. There is an incorrect reference in the standard. This has been adjusted with a correction sheet. The standard itself has not been changed.

Annex C to the 2022 Soil Quality Regulation in force prior to this amending Regulation lists a number of standards documents which may no longer be used because, after a transitional period, they have been replaced by more recent versions. The transitional periods during which both the old and the new documents were permitted to be used have now expired. That is why the old documents are being deleted. This also applies to the documents containing essential requirements linked to the old standard documents. This will improve the readability of the 2022 Soil Quality Regulation.

3. Impact on businesses and citizens, impact on public authorities and impact on the environment

The impact of the standards documents for which new versions or amendment sheets are designated is detailed below for each standards document.

BRL 2506-2

This standards document shall be accompanied by an amendment sheet. BRL 2506-2 is used for the product certification of recycled granulate. This certificate allows a producer to apply for approval for the production of this material. The producer may then place the material on the market with an approved quality statement. This is one of the types of environmental statement on soil quality that are possible on the basis of the 2022 Soil Quality Regulation. The use of the approved quality statement is not mandatory, but offers considerable advantages in terms of implementation and recognisability. For this reason, many producers have an approval.

This amendment to BRL 2506-2 introduces a number of administrative changes and minor clarifications, as well as two substantive amendments. As only the substantive amendments have an impact on the implementation of the provisions and, consequently, on the substantive rules, no further explanation is provided here regarding the other points.

The first substantive amendment is to regulate the maximum plastic content that may be present in recycled granulate produced and placed on the market in accordance with the rules set out in this standards document. This shall be a maximum of 0.1% by mass. If the plastic content in the recycled granulate exceeds this level, BRL 2506-2 and the recognised quality declaration based on this BRL can no longer be used; in that case, a different type of environmental declaration must be chosen.

The reason for amending the standards document and the sector's request for inclusion in the regulations is the occurrence of cases where plastic was visibly present in recycled granulate that had been used in nature reserves. These situations caused unease and damaged confidence in the product.

The use of the BRL 2506-2 therefore ensures that no visible plastic is present. See also the letter of 19 January 2023 from the State Secretary for Infrastructure and Water Management to the House of Representatives.¹

It is important that recycled granulate can be reused responsibly, without causing harm to the environment or raising any doubts about its quality. Recycled granulate is a major stream in the circular economy. This involves approximately 40 Mtonnes of granulate from demolition works that are reused annually, limiting the use of primary raw materials.

The second substantive change is a correction in the BRL 2506-2. BRL 2506-2 stipulates that, in cases where (in accordance with Annex H of the 2022 Soil Quality Regulation) each batch must be tested separately, the material may be delivered even if the test results are not yet known. This is not desirable because there is then a real risk that material will be used that does not meet the environmental quality requirements set out in Annex A of the 2022 Soil Quality Regulation. This could then cause damage to the environment, and the material would have to be removed again. This option has therefore been removed from the BRL 2506-2. This brings the BRL into line with the objectives of the legislation. In practice, however, this situation appears to be rare, because the quality assurance that occurs as part of BRL 2506-2 produces and supplies recycling granulate with a good and sufficiently consistent environmental quality. The amendment ensures that this cannot happen again.

Consequences for citizens, public authorities, businesses and the environment

There is no direct or quantifiable impact for citizens. For public authorities, the amended BRL provides additional assurance that there will be no doubt as to the environmental quality of the recycled granulate used, due to the presence of visible plastic.

This adjusted maximum limit for plastics is already widely used in tenders and specifications for works where recycled granulate is used (such as the standard RAW system). As a result, the amendment does not have any (negative) consequences for the business community. There is, however, one positive effect: the new rules help to build confidence in the product.

By limiting the amount of plastic, the chance that plastic particles will enter the environment when recycling granulate is applied is reduced.

¹ Parliamentary Papers II 2022/23, 30015, No 112.

BRL SIKB 7800

This standards document regulates the requirements regarding the physical quality of tank installations.² Under these rules, certificates are issued to companies for the associated processes. Certified companies, in turn, issue certificates for these tank installations.

As of 1 January 2008, accreditation under the Kwalibo scheme is mandatory. Management of the assessment guideline was transferred from KIWA to SIKB in 2017. Therefore, designation of the new document is necessary.

The document is of great importance for the protection of the environment. Leaks from tank installations in or on the soil, for example due to incorrect construction or maintenance, lead to soil contamination. If such contamination occurs, it often leads to high remediation costs.

The BRL was drawn up by the REIT Committee, which consists of representatives of suppliers, installers, clients (customers, owners), and inspection companies. The BRL was adopted by the Central Board of Experts on Tank Installations (set up by SIKB). The amendment sheet introduces a number of changes to bring the BRL more closely into line with practice. Unnecessary elements have been removed and new techniques have been made possible. In addition, a number of administrative changes have been implemented. These issues have emerged during the regular consultations of the REIT Committee. No fundamental changes will be made to the structure or content of the BRL.

The amendment sheet has been drawn up in anticipation of a comprehensive revision of the BRL (following the transfer of responsibility to SIKB as the scheme administrator). The purpose of this revision is to better structure the document and make it usable for both implementing parties and public and private supervisors. This is a multi-year project.

Consequences for citizens, public authorities, businesses and the environment

There are no direct or quantifiable consequences for citizens, public authorities or the environment. For the companies, the feasibility is improved by repairing some minor inadequacies in this standards document.

4. Feasibility and enforceability

The Living Environment and Transport Inspectorate (ILT) tested the standards documents to be designated in Annex C for enforceability, feasibility and fraud-proofness (HUF test). The tasks of the ILT consist of monitoring and enforcing the use of the standards documents within the Kwalibo system and monitoring of the Soil Quality Regulation 2022. The results of the HUF tests were provided during the drafting process of this amending regulation.

HUF test BRL 2506-2

The ILT concluded that the scheme is enforceable, practicable and fraud-proof.

HUF test BRL SIKB 7800

² This standards document is the successor to BRL-K903 'Regulation on the Accreditation of Tank Installation Contractors (REIT)' [Regeling erkenning installateurs tankinstallaties (REIT)].

With regard to the amendment sheet, it has been stated that this amendment sheet is not particularly useful for the ILT's tasks on its own. This is partly due to the scope and complexity of the BRL SIKB 7700 standards document, to which the amendment sheet relates. The scheme manager has indicated that a consolidated version will become available upon the entry into force of the amending regulation. This is also in order to prevent the bottleneck identified by the ILT. In addition, BRL SIKB 7700 is undergoing a complete revision.

5. Consultation and participation

Subject of consultation

Only the designation of the standards documents has been the subject of consultation. The content of the standards documents to be designated were not. The scheme administrators had previously conducted a public consultation on the content of the standards documents.

Explanation of the public consultation procedure for scheme managers

In general, the procedures are as follows:

Representatives of the activity covered by the standards document, e.g. the installation of fuel tanks, sit on a group of subject-matter experts responsible for preparing the amendments. An amended or new standards document is then submitted in draft to a (Central) Board of Experts, Accreditation Board or Standards Committee in which all interested parties are represented. If the Board or Committee agrees with the proposed amendment, this is generally followed by a public consultation. The draft standards documents will be made available for consultation on the scheme administrator's website, and comments may be submitted in response to them. In addition, special stakeholders (such as sector organisations for small to medium-sized enterprises and certification bodies) are expressly notified of the planned amendments to the standards documents. After the end of the consultation round, the comments will be processed. In some cases, this leads to an adaptation of the draft. In a single case, in the event of a minor change to the existing standards document, a public consultation session is waived. The final document is submitted for approval to the (Central) Board of Experts, the Accreditation Board or the Standards Committee.

This procedure has also been followed for the present amendments.

Online consultation

During the period [PM], an online consultation was carried out for this Bill/Decree/Regulation.

[PM- comments received]

On the site www.internetconsultatie.nl, comments received are made public if the person who commented has given permission for this. A short report is also published on the site, giving a general overview of the results of the online consultation and the main changes to the proposal or explanatory memorandum in response to the comments received.

Opinion of the Advisory Board on Regulatory Burden

PM

6. Review of standards documents by the Ministry of Infrastructure and Public Works (Annex C)

Backgrounds

All standards documents were submitted by the scheme managers to the Ministry of Infrastructure and Public Works for inclusion in the table in Annex C of the 2022 Soil Quality Regulation. Standards documents may be designated if the requirements laid down in Article 25 of the Soil Quality Decree are met. The assessment in accordance with this article shall result in an official opinion. The conclusion is that there are no obstacles to design the amended standards documents.

7. Notification

PM

8. Entry into force

This regulation enters into force on 1 October 2026. This is in line with the fixed moments of change for regulations as set out in Guideline 4.17 of the Regulatory Guidelines. An exception is being made to the minimum implementation period for regulations, as this will prevent significant undesirable consequences for the public. The existing private standards documents that have been adapted as a result of advancing insights, are now also enforceable by the ILT.

THE STATE SECRETARY FOR INFRASTRUCTURE AND WATER MANAGEMENT,