



# Liability for long-standing groundwater and soil contamination

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DR. PÄIVI KORKEAKOSKI<sup>1</sup>

<sup>1</sup> *University of Helsinki, Faculty of Law, P. O. Box 4  
FI-00014 University of Helsinki, Helsinki, FINLAND  
[paivi.korkeakoski@helsinki.fi](mailto:paivi.korkeakoski@helsinki.fi)*

## Abstract

There are about 20.000 contaminated land areas in Finland, many of them including groundwater contamination in addition to soil contamination. Most of these areas have been contaminated decades ago by former operations, especially sawmills, scrap yards, petrol stations and dumping grounds. Groundwater contamination is particularly problematic issue because soaking of harmful substances usually takes a long time before any damage occurs. Furthermore, groundwater decontamination processes are very time-consuming and expensive.

According to Finnish legislation, the former legislation shall be applied to these long-standing soil and groundwater contamination cases. However, these former regulations concerning waste management and water protection are fragmented, insufficient and overlapping. Main arguable questions are: Who will be liable for the contaminated soil and groundwater: the cause, the owner or the possessor? What is the role of state, or municipality where contamination occurs?

The contamination problem is acute in Finland and it causes constantly trials and other actions, which may last for years and turn to be very expensive. The issue shall be approached not only from the legislation view, but the view of legal practice, literature, expert opinions and scientific and technical research.

**Key words:** Groundwater, soil, contamination, water and waste management legislation, liability.