

STATES OF JERSEY



SOLID WASTE STRATEGY: LOCATIONS FOR PROPOSED FACILITIES (P.45/2006) – AMENDMENTS (P.45/2006 AMD.) – COMMENTS

**Presented to the States on 20th June 2006
by the Minister for Transport and Technical Services**

STATES GREFFE

COMMENTS

In order to show the effect that the first and second Amendments have on the Proposition, it is shown below with the wording of those Amendments inserted in bold.

“THE STATES are asked to decide whether they are of opinion –

- (a) [deleted - to agree that the proposed Energy from Waste Plant] **to refer to their Act dated 13th July 2005 in which they agreed that the then Environment and Public Services Committee be charged to investigate fully alternative and conventional technologies to provide the final disposal route for the residual waste remaining following the implementation of the systems and facilities agreed for the recycling and composting of waste, and charged the then Committee to recommend a preferred solution for a replacement for the Bellozanne incinerator to the States with an accompanying cost/benefit analysis, environmental and health impact assessment no later than December 2008; and to agree that any such technologies for the final disposal route for the residual waste to replace the existing Bellozanne Plant should be located at La Collette II reclamation site, immediately to the south of the Jersey Electricity Company Power Station, shown as Area 1 on the attached plan (Drawing No. 10180/S002), subject to [deleted - Environmental Impact Assessment] a favourable Strategic Environmental Assessment, to be received and endorsed by the States, and Planning approval, and;”**

The first requirement of the above Amendments is as follows –

“...the then Environment and Public Services Committee be charged to investigate fully alternative and conventional technologies to provide the final disposal route for the residual waste...”

The then Environment and Public Services Committee (EPSC), in conjunction with its Technical Consultant – Babtie Fichtner, produced a Report entitled Solid Waste Strategy Technology Review, dated 24th October 2005. This Report gave the results of the research and investigations that had been undertaken into the various solid waste management technologies, “alternative” and conventional, and suppliers of these technologies.

This Report was considered by the EPSC and the Waste Strategy Steering Group (WSSG), both of which accepted the Report’s recommendation that an Energy from Waste (EfW) Plant, of tried and tested and proven technology was the correct solution for dealing with Jersey’s residual solid waste, in the particular circumstances and factors that apply to Jersey. This is the recommendation of the Minister for Transport and Technical Services and the WSSG.

The Report on the Technology Review was sent out to all States Members, on 28th October 2005, with an accompanying letter from the President of the EPSC, Senator Philip Ozouf. The letter stated that, as had been agreed during the States Debate on the Strategy in July (2005), a report would be provided to all States Members, giving details of all of the technologies and suppliers of technology that had been and were still being reviewed by the Committee and its advisers for the proposed EfW Plant, and that the report gave the reasons why certain technologies were not right for Jersey, although they may be right for other locations.

Copies of the Technology Review report will be provided to all States Members who have joined the States since October 2005.

The Minister for Transport and Technical Services, therefore, believes that the States has been, or is being, provided with the results of the investigation requested by the States of alternative and conventional technologies.

The second requirement of the first Amendment is as follows:

“and charged the then Committee to recommend a preferred solution for a replacement of the Bellozanne incinerator to the States with an accompanying cost/benefit analysis, environmental and

health impact assessment no later than December 2008.....”

The then Committee (EPSC) agreed, during the States Debate on the Strategy in July 2005, that the tenders that would be received for the proposed EfW Plant would be brought to the States, although normal procedures did not actually require that this be done, with a recommendation for a preferred solution. The Minister for Transport and Technical Services anticipates, on current programmes, that this will be done by summer 2007, well ahead of the agreed deadline of December 2008. The report to the States on the tenders will include a cost/benefit analysis, and an environmental and health impact assessment, as required by the States.

The excerpt from the States Minutes of 13th July 2005, regarding this subject, is attached here for States Members to be able to see what was said at the time.

Excerpt from States Minutes of 13th July 2005:

“THE STATES commenced consideration of an amendment, as amended, of Deputy Robert Charles Duhamel of St. Saviour, that in paragraph (a)(v), for the words *“to implement the replacement of the Bellozanne incinerator with a modern Energy from Waste facility, subject to an environmental and health impact assessment and planning approval, to enable it to be commissioned in 2009, and procured according to section 5.4 of the attached report”*, there be substituted the words, *“to investigate fully alternative and conventional technologies to provide the final disposal route for the residual waste remaining following the implementation of the systems and facilities as set out in paragraphs (a)(i)(A), (a)(ii) and (a)(iii) above, and to recommend a preferred solution for a replacement of the Bellozanne incinerator to the States with an accompanying cost/benefit analysis, environmental and health impact assessment no later than December 2008”*, and the President of the Environment and Public Services Committee made a statement concerning the amendment in the following terms –

“This debate has shown that Members are rightly concerned to fully understand the details and to ensure that it is the States who take the final decision. I agree wholeheartedly with that and that was always the intention.

Because of that the amendment and our original proposition both mean the same and achieve what the States want.

Deputy Duhamel’s report makes a correct and also incorrect statement:

The incorrect statement is to suggest that our proposition would result in a decision without further reference to the States. Not true; we would always have taken the final tendered proposal to the States and we would have done so with a full analysis of the 50 alternative solutions that we have already evaluated.

The correct statement is that the amendment seeks not to delay a decision. The Island cannot suffer any delay with the possibility of having no waste disposal facility.

Therefore, given these comments it is clear to me that our position and the amendment have exactly the same result. The Committee therefore intends to proceed on the following basis –

- (a) it will undertake a full and open tender process in line with the OJEC requirements. Let me be clear that a tender process does not commit the States to accepting the final tender, that will be a States decision;
- (b) alongside the tender process it will prepare a full detailed report of the 50 alternatives that we have already evaluated plus any other technologies which arise during the period;
- (c) it will bring an analysis of the preferred supplier from the tender process, together with the full evaluation of the alternatives to the States;
- (d) the States will make the final decision on how to proceed in the light of all the information

required in the amendment.

On the basis that the States fully accept the way that the Committee intends to proceed, the Committee is happy to accept the amendment.”

THE STATES, following consideration, adopted the amendment of Deputy Robert Charles Duhamel of St. Saviour.

Members present voted as follows –

POUR: 45

CONTRE: 0

**ABSTAIN:
0”**

The second amendment requires the planned Environmental Impact Assessment (EIA) to be replaced by a **favourable Strategic Environmental Assessment, to be received and endorsed by the States.**

A strategic environmental assessment was carried out for the La Collette II area, as part of the Island Plan 2002. This designated the area as 2 zones, one for industrial use, and the other as land for recreation. The proposed site for the EfW Plant is predominantly in the “land for recreation” zone, and, therefore, does not significantly reduce the area of the industrial zone.

The traffic implications of the EfW Plant are being investigated as part of the EIA for the Plant, and this will be dealt with in the formal Planning process. A summary of the key issues of the EIA will be presented to the States, prior to the debate on the Proposition.

The Transport Strategy, which is due to be completed and brought to the States in the near future, will also take account of the location of the EfW Plant.

Therefore, the Minister for Transport and Technical Services believes that the aspects that would be required by a Strategic Environmental Assessment have already been covered for the La Collette II site.

Amendments 3 and 4

As a result of the recent discussions and possible proposals from the agricultural industry to deal with composting of green waste, the Minister for Transport and Technical Services intends to withdraw part (b) of the proposition, relating to the proposed Composting Facility, until ongoing discussions with the agricultural industry have been completed.

The Minister proposes to notify the States of a revised date for this matter to be debated, when the results of these discussions are known.