



SOS JERSEY - SUBMISSION TO SCRUTINY - GOVERNMENT PLAN REVIEW

To Chairman and Members of the Environment, Housing and Infrastructure Scrutiny Panel:

Government Plan Review 2021-2024

Written submission re: additional expenditure set out in R91/2019

Dear Chairman and Members of the Panel,

Thank you for approaching us as to our views on certain aspects of the above review that fall within our areas of interest.

We would like to comment on two areas of interest - the first being the groundwater contamination at the Airport and the subsequent leaching of PFAS into boreholes and then into the wider water supply.

The second is the area of subsidy for seawater testing and other studies on our foreshore carried out by Environment and how that relates to our work and funding and our suggestions relating to this.

PFAS / PFOS ISSUES AND THE ISLAND'S WIDER WATER SUPPLY

Prioritisation of Expenditure

Due to the unremediated PFAS contamination at Jersey airport in the past, its spread into the the drinking water supply via the Val de la Mare reservoir by means of streams and pumping from the St.Ouen's aquifer and the realisation that precautionary measures will eventually need to be taken by Jersey in order to bring its water regulations into line with other countries, financial provision should be made far in excess of that included in the proposed levels set out in the Government Plan.

Thus, both these additional proposals together with expenditure already included in the Government Plan should be revisited in order to prioritise expenditure in order to ensure first and foremost that mains water is made unquestionably safely drinkable and harmless to the environment. The Panel should without fail, relay this message to the Government.

Two remedial measures required:

1. Stop PFAS leaching into the environment

- Removal of deposit that was merely covered up at the airport's fire training ground
- Investigate and then remediate if necessary the site of the Citation crash
- Analyse and then remediate if necessary all areas where PFAS have been deployed by the fire-fighting services

2. Stop adding PFAS into the public water supply.

- Minimise use of polluted sources i.e. Blanche Banques boreholes and Pont Marquet
- Install PFAS removal mechanisms in these supplies for when they have to be used

Monitor PFAS contamination

- Commission a fate analysis for the PFAS that are known to have been deployed by the fire-fighting services
- Set up a program to routinely conduct analyses (specific PFAS and total PFAS) of all significant sources of water employed by JW together with its reservoirs and treatment works products and publish these

Perils of not acting:

- Health of Islanders
- Reputation
- Tourism
- Agriculture, fisheries.

Ball park size as to potential expenditure

Guernsey had a similar but not identical pollution incident at their airport and as a result decided to remove large areas of contaminated soil and install a specially designed PFOS groundwater treatment plant. (It brought an action against the manufacturer 3M for £27m which failed as the time limit for such an action had expired). It has recognised that considerable remediation has to be undertaken and thus made provision for a further £3m for the long-term treatment of contaminated soil. It should be noted that the very magnitude of the aforementioned sums dwarfs the proposals made for any expenditure of a similar nature that may need to be undertaken in Jersey should the proposed ongoing investigations deem action necessary.

Currently the Jersey Health and environment authorities contend that no risks exist and look to nitrates being the main cause of concern. However, nitrates are not non-biodegradable and unlike PFAS do not accumulate in the soil and the body (when ingested) and one has to question why the EU is in the process of debating how to limit PFAS contamination with current thinking revolving around a total safe weekly ingestion amount which, when translated into drinking water, would have seen Jersey Water exceeding this level seven-fold. This question, together with that as to why in one settlement alone (DuPont USA) over £500m has been paid out to the victims of similar contamination causes one to consider the

casual approach of Jersey's no doubt highly qualified and informed authorities to this potential problem. Is their current approach to this issue, denial and refusing to even discuss it likely to continue for very long whilst the rest of the world is taking more and more notice of it year on year?

ASSESSMENT OF PUBLIC INFRASTRUCTURE AND RESOURCES (MARINE RESOURCES MANAGEMENT – NATURAL ENVIRONMENT)

Even prior to any consideration of the very substantial amounts of funding required to remediate PFAS, funding generally has proved itself to be far too low as has been repeatedly evidenced by SOS Jersey (a self-funding NGO) having to undertake fundamental research work supplementing that of the Environment Department either due to the latter's lack of funds or adequate level of staff competency.

A prime example of this was the department's failure, over many years, to recognise the direct connection of their own data relating to the measurement of nitrate levels in the First Tower outflow from Bellozanne and the sea lettuce problem. It was only through SOSJ's privately funded sampling and testing that it came to light that the legal levels of nitrates had been exceeded by many times for many years, with no warnings to the public.

Another example was the ED's failure in 2019 to allow polluted seawater into the Horizon site knowing full well that heavy metals would be released into the Elizabeth Marina; it was left to SOS Jersey and Earth Project Jersey to collect the water under the correct conditions and times, using the correct apparatus and have the results tested by the States Analyst. Even then, the ED failed to accept the data provided, claiming that the States Analyst was not complying with international testing criteria which inferred, incredibly, that all States Analyst's results in general were invalid, even though Jersey does not have to comply with the protocols referred to.

Furthermore, as a result of this very same incident, ED incurred budgeted investigation costs of £30,000 which related to an incident whose cost should have rightly been borne by an Independent Regulatory Department. The latter did not exist which has not only put the ED's financial resources under more pressure but reduced the integrity of the investigation process.

We strongly recommend that the chronic underfunding of resources allocated to the protection of the Island's Environment particularly relating to the ED's Human and Regulatory resources be addressed - a step change in funding that far outweighs the paltry 'additions' set out in the government's proposals.

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21st October, 2020