

2.4 Deputy M.R. Higgins of St. Helier of the Minister for Transport and Technical Services regarding the transfer of thousands of tonnes of heavily contaminated landfill from the Castle Quay site to La Collette Reclamation site:

Can the Minister give the Assembly full details of the transfer of thousands of tonnes of heavily contaminated landfill from the Castle Quay site to La Collette reclamation site in recent weeks and advise under which permits, regulations and laws these movements are being carried out?

Connétable M.K. Jackson of St. Brelade (The Minister for Transport and Technical Services):

The first excavated material from Castle Quay was transferred to the La Collette reclamation site on 8th January 2008 under the Waste Management (Jersey) Law 2005. A pre-notification consignment note number 01531 was received and accepted by the waste regulator. To date - that was of 27th March - 133,132 tonnes of landfill waste has been received at La Collette and treated as follows: 119,557 tonnes has been received as reclamation landfill; 10,990 tonnes of incinerator ash has also been encapsulated into 2 lined bays; 2,585 tonnes has been recovered as stone for recycled aggregates. On a point of clarity, 107,000 tonnes received related to the Les Pas Holdings Agreement and were received at no charge. The full La Collette gate fee was charged for the remaining amount.

2.4.1 Deputy M.R. Higgins:

Could I ask the Minister what precautions have been taken to protect the public with the transfer of some of this material? We know that drivers are wearing masks and that vehicles are being washed down far more than is normal but what measures have been taken to protect the public - including at La Collette - because we believe that large clouds of dust have been generated on this movement?

The Connétable of St. Brelade:

The vehicles transporting the materials from Castle Quay to La Collette are enclosed vehicles. All sensible precautions are taken. When any ash is put into the ash pits of La Collette they are lightly covered with sand to prevent any toxic ash going towards the Havre des Pas area.

2.4.2 The Deputy of St. Mary:

The problem with covering the ash when it has been dumped is that as it is falling off the lorry the wind takes it and casts it all over Havre des Pas. I wanted to ask the Minister whether he regrets the fact that the Waste Management Law which he mentioned does not apply to these consignments because it has not been implemented.

The Connétable of St. Brelade:

The disposal of these wastes being accepted at La Collette was done under the Planning Permit registration number 17742A. The reclamation site at La Collette is permitted to receive these wastes under the agreed conditions. All sensible precautions are taken. The department does not wish to prejudice either its staff or the public in any way whatsoever.

2.4.3 Senator S. Syvret:

The Minister just said all sensible precautions are being taken. I would like to know what his standards of sensible precautions are given that the resultant dumping of rubble which is contaminated with ash is taking place down the tipping faces of the site. This is causing pollution to the water. It has been filmed and photographed by members of the public. Is the Minister seriously trying to tell us that is acceptable standards?

The Connétable of St. Brelade:

I do not agree with the Senator's allegations that any toxic materials have been dumped in the water. The subject of water being pumped out of the excavated bunker pit is the subject of another question. That water is being purified. The analysis produced by the Deputy of St. Mary alluded to the analysis of silt removed from that area and was not in connection with the water that is pumped out and is purified. I am confident that the processes undertaken by my department comply with all regulations and the regulations set by the Environmental Department are of an adequate level to protect the general public and the staff working down there.

2.4.4 Senator S. Syvret:

Can I ask a supplementary on that, Sir? Does the Minister not appreciate the difference between water that is deliberately pumped out and, as he alleges, purified - although it is greatly doubtful that it is in fact pure - and the fact that very huge volumes of contaminated sea water daily move in and out of the site twice because of the actions of the tide?

The Connétable of St. Brelade:

While I would dispute the Senator's allegations about toxic water being pumped out into the sea, I would agree that the water does in fact flow in twice a day as per nature. His allegation, as I understand it, is that toxic water is flowing in and flowing out. That is not the case. Effectively we have clean sea water filtering into the excavated site and the same is working back. The sea water is flowing back out again. There is no indication of any toxicity in that water whatsoever.

2.4.5 Senator B.E. Shenton:

Under the terms of the Les Pas deal, the States of Jersey taxpayer was committed to pick up the tab for moving the toxic waste from Castle Quay. In fact the developer with this in mind increased the depth to which he was going to sink and increase the number of floors with the knowledge that the taxpayer was going to pick up the cost. Would the Minister be able to come back to this Assembly to give us a total cost to his department of undertaking this disposal paid for by the taxpayer on behalf of Les Pas?

The Connétable of St. Brelade:

Yes. In fact I am quite happy to come back to the Assembly with those figures. But referring to my answer, the tonnage if you like was 107,000 tonnes. That is the amount involved. Of course the loss to the department if you could call it that would be the loss of gate fee pertaining to that particular figure. But I can certainly transfer that into a monetary amount for Members and I shall do so.

2.4.6 The Connétable of St. Helier:

Does the Minister agree that an independent regulator we all want to be in place in the Island would do much to reassure the public that all the proper measures are being taken with regard to the ash disposal?

The Connétable of St. Brelade:

We already have a regulator. The regulator operates from a completely different department from mine. I see that as a perfectly adequate measure for safeguarding the public of the Island. I think if the public are not satisfied with the present regulation in place, they need to address that particular department who will take measures to address it.

2.4.7 The Connétable of St. Helier:

A supplementary, Sir. Could the Minister be more specific about where the regulator operates from?

The Connétable of St. Brelade:

The regulator operates from the Environment Department.

2.4.8 Deputy P.J. Rondel of St. John:

Yes, a point of clarification. Could the Minister please try and clarify for me because I am hearing from a member of my Scrutiny Panel that everything in reference to the ash is tipped and it can fly into the atmosphere. Would the Minister confirm or not whether this ash is damp and, therefore, would not be flying in the atmosphere given that it is buried below ground and given that the natural conditions of anything below the surface generally would be moist. Would there be a problem with ash flying or would it be a moister movement of materials?

The Connétable of St. Brelade:

I have no evidence of ash flying around at La Collette. Indeed I would think commonsense would dictate that the soil being removed from the Castle Quay site will be damp because it has been there for several years. From personal experience of working in the La Collette area has indicated that I have not noticed any or none has been drawn to my attention. I am at a loss as to where the evidence the Deputy of St. Mary used is coming from.

2.4.9 Deputy G.P. Southern:

Is the Minister content that after 4 years his department is still operating a dumping policy without a license to reassure that it is achieving best practice?

The Connétable of St. Brelade:

My department is operating under licenses, the numbers of which I quoted earlier on. I am perfectly satisfied that we operate best practice and have no wish to operate in any other manner whatsoever.

2.4.10 Deputy M.R. Higgins:

Really it is following on from the Deputy of St. John. Photographs have been taken of the plumes of dust at La Collette by Save our Shoreline. We will make sure the photographs are circulated.

The Deputy Bailiff:

So your question?

Deputy M.R. Higgins:

My question for the Minister is if the material is damp, why is the ash flying and if it is flying will he please give an undertaking that they will dampen it down in future for movement?

The Connétable of St. Brelade:

Yes.