

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT
BY THE DEPUTY OF ST. MARY
ANSWER TO BE TABLED ON TUESDAY 24TH FEBRUARY 2009**

Question

Could the Minister provide the Assembly with the dates and the minutes of all the meetings held to scope the Environment Impact Assessment for the Energy from Waste plant?

Answer

EIA procedures in Jersey are governed by the Planning and Building (Environmental Impact) (Jersey) Order 2006 which came into force on 30th October 2006. A project falling within Schedule 1 of this order is required to submit an Environmental Impact Statement in accordance with Schedule 2.

The Order provides at article 4 that *'the Minister may indicate scope of environment impact statement'*. This is done where the applicant makes a request to the Minister as set out in Article 5 of the Order. This is not a mandatory step and the applicant is entitled to use their own judgement on what scope the Environmental Impact statement should cover and to take the risk that this will be considered sufficient when they submit this with their application.

Prior to the enactment of the Order on 30th October 2006 the Department operated a system by which there was a consultative based approach to arrive at an agreed Scoping Report which identified key issues.

In the case of the proposed EFW there was never any doubt, because of the size and nature of the plant, that it would require EIA. The process was initiated in November 2005 with a pre-scoping report prepared by Babtie Fichtner which set out the range of possible issues that would need to be considered. This document formed the basis of subsequent information gathering conversations with officers in the Environment Department, the Planning Department, TTS Transport and Health Protection to further develop the scoping.

These conversations are noted in the table of Consultee meetings that forms Appendix 1 to the Environmental Impact Statement. The purpose of these meetings was for Babtie Fichtner and their client TTS, to gain a more informed view of existing information and how well the pre-scoping report addressed the likely significant impacts of the plant and minutes were not taken by officers of the Department

The final agreed scope is referred to in the letter on the 4th May 2006 from the Policy Manager to TTS (attached). The scope referred to was arrived at by way of a workshop session on the 3rd April that identified the relevant issues. The 'minutes' of that workshop are reflected in the attached information 'Scoping Issues for Proposed Energy from Waste Facility at La Collette – Flipchart Notes'

Attachments.

Pre scoping report 17th November 2005 (see attached word file)

Appendix 1 of the Environmental Impact Statement (see attached word file)

Letter of 4th May 2006

Workshop flip chart notes (the agreed scoping referred to in letter of 4th May 2006)

Addendum

Once an Environmental Impact Statement is submitted accompanying a planning application, the statement is scrutinised by the Department as well as being publicly advertised through the normal planning process, including direct consultation with relevant statutory, government and public bodies. Thus if a significant issue had been overlooked there is a further opportunity for the Department, consultees and other interested parties to identify this. Under Article 6 of the Planning and Building (Environmental Impact) (Jersey) Order 2006, the Minister is able to require any further issues to be considered.

The public advertising process for the planning application and the accompanying Environmental Impact Statement for the Energy for Waste plant began on 17th January 2007 and representations were accepted up until the public Ministerial Meeting on 19th October 2007. During this 10 month consultation period, no concerns were raised about the methodology or scope of the Environmental Impact Assessment.

Environment and Public Services
Environment Department

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4 May 2006

Quintin Murfin
Principal Engineer
Transport and Technical Services
South Hill
St Helier
JE2 4US

Our ref: ESU/11/01/01
Your ref:

Dear Quintin,

EfW and Composting Waste Management Facilities: EIA confirmation of scope

Further to this morning's meeting, I would like to confirm that I am happy with the scope of the Environmental Impact Assessments identified for both the Energy from Waste facility and the composting facilities as developed to date. Clearly, final site selection for both facilities is dependent not just on environmental issues and will be an important determinant in the final emphasis of each of the elements that need to be presented in the final Environmental Statements.

Whilst it is important to recognise that the Planning and Environment Department operates in a regulatory role for the EIA process, the flexible and co-operative approach that we have engaged in so far has been very productive in enabling the scope to evolve as the process develops and other factors are considered. I look forward to continuing in this manner as the project develops further.

Yours sincerely,

Sarah Le Claire
Policy Manager

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Scoping Issues for Proposed Energy from Waste Facility at La Collette Flip Chart Notes – Re-visited Notes – 03/04/06 QM/SED/SLeC)

| Issue | New site at La Collette |
|---------------------------------------|---|
| Hazard assessment | <ul style="list-style-type: none"> • Fire • Explosion (dust / gas) • Dust release • Spillage • Toxic gases • Residue disposal - hazards • Starter fuel / ignition • Heat release • Explosion (boilers etc) • Fire fighting effluents • Steam • Fire fighting / incident • Access provisions <p>TO BE CARRIED OUT</p> |
| Cultural Heritage and property issues | <ul style="list-style-type: none"> • Property values – statement • Loss of income - statement • Sterilisation of disposal sites - statement • Heritage – statement • Archaeology – scope out <p>SEEN AS SCOPED OUT</p> |
| Landscape | <ul style="list-style-type: none"> • Visual impact assessment <p>UNDERWAY</p> |
| Planning | <ul style="list-style-type: none"> • Planning context assessment • Island Plan assessment • Waterfront Plan assessment • Interaction with other facilities – e.g. major incident / petroleum / gas / power station <p>NEED TO REFER TO EAST OF ALBERT ETC.</p> |
| Sustainability | <p>CO₂ emissions and climate change</p> <ul style="list-style-type: none"> • Operation evaluation • Construction evaluation • Transport – fuel use statement <p>Material resources – statements on</p> <ul style="list-style-type: none"> • Construction materials • Displaced infill disposal • Construction waste • Old plant demolition • Fly ash – includes disposal sites • Bottom ash • Demolition and decommissioning • Waste hierarchy - statement <p>TO BE DEVELOPED</p> |
| Water Resources | <ul style="list-style-type: none"> • Groundwater – scoped out • Surface water disposal – statement • Coastal waters – scope out • Flood risk management – coastal assessment (climate change) |

| | |
|--------------------------|--|
| | <ul style="list-style-type: none"> • Water supply statement • Waste water / sewerage statement <p>NO CHANGE</p> |
| Ground Conditions | <ul style="list-style-type: none"> • Soils – scope out • Agriculture – scope out • Contaminated land – statement • Ground conditions – statement • Geology statement <p>NO CHANGE</p> |
| Land use | <ul style="list-style-type: none"> • Recreation and amenity – statement • Shoreline statement <p>NO CHANGE</p> |
| Waste licence | EIA Draft Working Plan – being developed in conjunction with Willie Peggie |
| Odour and air quality | <ul style="list-style-type: none"> • Statement on odour and air quality • Dispersion modelling • Traffic impact • Fog / mist <p>MODELLING PLUS CRITIQUE</p> |
| Noise | <ul style="list-style-type: none"> • Operation • Traffic assessment • Plant – noise and vibration assessment • Shredding noise assessment • Construction noise assessment • Construction traffic assessment • Piling – noise and vibration <p>FURTHER DISCUSSIONS WITH STEVE SMITH PENDING</p> |
| Biodiversity | <ul style="list-style-type: none"> • Ramsar site – cooling water plume statement • Airborne emissions • Flora and fauna – scoped out • Habitat • Microclimate – scoped out <p>REPORT FROM DAVID FEE RECEIVED</p> |
| Construction | <p>Statement on:</p> <ul style="list-style-type: none"> • Population • Employees (local) • Existing population • Proximity & numbers • D & B contractor’s staff • Construction Village |
| Operation | <p>Statement on:</p> <ul style="list-style-type: none"> • Population • Employees (local) • Existing population • Proximity & numbers |
| Health impact assessment | <p>Stakeholders</p> <ul style="list-style-type: none"> • Facility users • Population in vicinity (residents) <p>Workers not included – covered under H&SatW</p> <p>Effects during Construction</p> <ul style="list-style-type: none"> • Emissions |

| | |
|--------------------------|---|
| | <ul style="list-style-type: none"> • Visual • noise • dust • traffic • light <p>Effects during operation</p> <ul style="list-style-type: none"> • Working hours • Emissions • Traffic • Light • Dust <p>HEALTH IMPACT ASSESSMENT – TO BE DEVELOPED WITH STEVE SMITH</p> |
| Transport operation | <p>Traffic – baseline and traffic generation</p> <ul style="list-style-type: none"> • Refuse • Collection vehicles • Transfers from CA • Export of recyclables • Employees and maintenance <p>JERSEY WASTE STRATEGY TRAFFIC IMPACT STUDY CARRIED OUT – REPORT APRIL 2006</p> <p>Other issues – statements on</p> <ul style="list-style-type: none"> • Outward shipping • Guernsey waste import? – traffic and shipping • Local HGV access • Pedestrian / cycle route from Havre des Pas • Travel plan • La Collette development • Future access strategy <p>NO CHANGE</p> |
| Transport - construction | <ul style="list-style-type: none"> • Construction traffic – generation study <p>Statements on</p> <ul style="list-style-type: none"> • Works area • Parking • Plant import – road and shipping <p>NO CHANGE</p> |