

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT BY THE
DEPUTY OF ST. MARY
ANSWER TO BE TABLED ON TUESDAY 28th APRIL 2009**

Question

“Would the Minister inform the Assembly whether tests have been carried out on the sea-water which has been flooding the excavation pit at the Castle Quays site on the higher tides, and if so, would he give the Assembly full details of the chemical composition of this water, any variations in the test results and the causes of these variations?”

Answer

Environmental Protection staff have not carried out tests on sea-water in the Castle Quays site because, to date, there has been no requirement to do so.

Prior to any works commencing on site, and in accordance with Condition 1 of their planning permission, the developer produced a *Construction Environmental Management Plan (CEMP)*. This CEMP, which was submitted to the Department after significant negotiation establishes that whilst it is likely that groundwater will be present in the excavation, these waters will not require controlled discharge.

This is because, as the CEMP states, if groundwater were to seep into the excavation, work would cease in order to allow the water to drain away naturally. In addition, it notes that the construction of the basement floor slab is timed to avoid high tides and that any surface water drainage from the site will be connected, by gravity, into the existing public sewer in Rue de L'Eau.

The CEMP requires that the Principal contractor will ensure that any water that may have come into contact with contaminated materials will be disposed of to the satisfaction of the States of Jersey. The contractor is therefore bound by the terms of the CEMP to be aware of the potential for waters to become polluted and to look out for any such occurrences.

Disposal methods may, in these instances be to Foul sewer, the receipt of which is the responsibility of TTS, or if the waters are capable of cleaning to strict standards imposed by discharge consent conditions, to controlled waters. If therefore, at any point, the developer requires to discharge, he is bound by the terms of the CEMP and The Water Pollution (Jersey) Law 2000 to consult Environmental Protection and, before any controlled discharges would be allowed, a permit must be applied for and granted. During this process the applicant and the regulator would take samples of the waters as part of the determination process.