

2.11 Deputy P.V.F. Le Claire of the Minister for Planning and Environment regarding the treatment and management of ash water in St. Aubin's Bay:

May I ask the Minister, further to the response given on 16th November 2010 regarding the treatment and management of ash water, is the Minister now able to furnish Members with the full management report and is he also able to provide Members with a copy of the discharge permits and certificates relating to the treatment and subsequent release of treated waters into the marine environment in St. Aubin's Bay?

Senator F.E. Cohen (The Minister for Planning and Environment):

Sir, the Assistant Minister who has special responsibility for the environment will answer.

Deputy R.C. Duhamel (The Assistant Minister for Planning and Environment - rapporteur):

I confirm that the Planning and Environment Department has requested information from Transport and Technical Services on the chemical composition and the rates and volumes regarding the disposal of water from the ash cells into the foul sewage system. When this information is received it will then be reviewed by the regulator and made available to Members. The treated effluent leaving the sewage treatment works is regulated through a discharge permit issued under the Water Pollution (Jersey) Law 2000, this is a public document and is openly available to Members upon request.

2.11.1 Deputy P.V.F. Le Claire:

It was difficult to catch the answer because of some background noise. But I would like to ask the Assistant Minister, and maybe other Members can follow this up as well, how come it has taken so long and the Minister still does not have the chemical content of this ash water if it is being discharged through the sewage system or the foul water system into St. Aubin's Bay, and who issues this discharge permit that he has referred to? Can we see it as I first requested?

Deputy R.C. Duhamel:

I have already indicated that certain permits can be seen. I must remind the Deputy and the House that any input into the foul sewage system, including water from ash cells, is controlled through the Drainage (Jersey) Law 2005 and is the responsibility of the Transport and Technical Services Department. It is only when the treated effluent leaves the sewage treatment works and enters into the marine environment that it is controlled by Planning and Environment Department through the Water Pollution (Jersey) Law 2000. There are 2 pieces of legislation basically that do different things.

2.11.2 Connétable A.S. Crowcroft of St. Helier:

Would the Assistant Minister say whether he is confident that the handling of ash and its storage at La Collette is not compromising the Island's precious Ramsar site?

Deputy R.C. Duhamel:

I would hope that is the case and certainly I have confidence in the authorities that do have this responsibility.

2.11.3 The Deputy of St. Mary:

I was concerned when the Assistant Minister - maybe it was a mistake and maybe he can clarify - said that certain discharge permits can be made available to Members and the public. Could he confirm that all discharge permits are matters of public record and, if not, why not?

Deputy R.C. Duhamel:

Certainly the discharge permits that are issued by the Planning and Environment Department under regulator authority, I can give that assurance to the House. But in terms of any drainage permits that are issued by the Transport and Technical Services it is not the responsibility of myself or the department, it is the responsibility of the Minister for Transport and Technical Services.

2.11.4 The Connétable of St. Helier:

If I could I would like to ask the Assistant Minister if he is more or less confident in the storage and management of toxic ash at La Collette than he is in the storage of asbestos? I understand he is going to a meeting about it this evening.

Deputy R.C. Duhamel:

I think I am concerned about any storage of any elements or materials that do have a toxic or toxicity component.

2.11.5 Deputy P.V.F. Le Claire:

Can I ask the Assistant Minister to furnish Members with the information that I have requested in this question today? I tabled the question: it is clearly set out what it is I am asking for. I do not want general answers or information about who oversees laws. I understood the Minister for Transport and Technical Services was able to certify what he puts in the drains, even if that is ash water content. What I have asked of this Minister as protector of the environment - and I am asking for again - is a management report circulated to Members with copies of the certificates so I can then follow from there to the Minister for Transport and Technical Services' door as I have been wanting to do for a number of weeks.

Deputy R.C. Duhamel:

Yes, when the information comes through and it is reviewed and I am in a position to forward the reports to Members I will be able to do so. Until that time I am unable to do so.

2.11.6 Deputy P.V.F. Le Claire:

Could I ask one last supplementary, very briefly? What has been the reason for the delay? It has now been several weeks, why can the Environment Department not get a response from the Minister for Transport and Technical Services when it comes to ash water entering into the marine environment?

Deputy R.C. Duhamel:

As I said, there are 2 different laws. Water entering into the foul sewage system is the responsibility of Transport and Technical Services and they determine whether or not any of those waters are toxic or hazardous or would cause problems for the sewage system. It is only when waters are discharged out from the Bellozanne outlet, or indeed from any other parts of the network that are freely discharging into the marine environment that steps can be taken by Planning and Environment to determine whether or not that is a harmful process to the environment. As I said, I will do

everything that is available to me to try and expedite the information coming to my department so that these reports can be freely distributed. I do not have a stick and the carrot is not working at the moment.

The Bailiff:

We then come to question 12 but, Deputy of St. Mary, I gather you feel you have got an adequate answer to this in the written questions and do not need to proceed. Thank you very much. Then question 13 is from Deputy Shona Pitman but she is unfortunately malade and therefore that will fall. So we move to question 14 which Deputy Southern will ask the Minister for Health and Social Services, but he is not here. So we will move to question 15 which Deputy Higgins will ask of the Minister for Treasury and Resources.