

**WRITTEN QUESTION TO THE MINISTER FOR TRANSPORT AND TECHNICAL SERVICES BY DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT  
ANSWER TO BE TABLED ON TUESDAY 24th SEPTEMBER 2013**

**Question**

With regard to the Energy from Waste Plant, could the Minister advise -

- (a) how many tons of rubbish are presently stockpiled waiting for incineration and where are the stockpiles;
- (b) how many months the plant has now been operating and detail, during that period –
  - (i) how many times it has operated continuously for more than a week;
  - (ii) whether flue temperature was maintained at operational levels at all times and whether supplementary fuel had to be used to achieve that;
- (c) what length of time the plant must operate continuously before it can be formally 'accepted' or signed over;
- (d) at what point in time he will conclude the plant is unlikely to ever be 'acceptable';
- (e) what he intends doing in the event acceptable operation cannot be achieved;
- (f) given the problems with the incinerator, why 95% of the contract has been paid and whether such payment was contractually required; and,
- (g) in the event payment could not be avoided, who was responsible for drawing up the contract and was legal advice taken?

**Answer**

- (a) There are approximately 6,500 tonnes of shredded bulky waste stockpiled at La Collette awaiting incineration and it is planned to process that waste during the remainder of this year and possibly into the early part of next year.
- (b) The plant first started burning waste in January 2011 which is 32 months of operation, which equates to 139 weeks.
  - (i) During this period the plant has been operating "continuously for more than a week" on 96 occasions. To assist with answering this question "continuously for more than a week" means that the plant processed waste for a minimum of 7 days without stopping.
  - (ii) The flue temperature is maintained at operational levels when the plant is processing waste and allowed to cool when the plant is not. Supplementary fuel is not used to maintain the flue temperature. Supplementary fuel is used to start the incineration process and on rare occasions is used for short periods to support combustion should the

furnace temperature start to drop below 880<sup>0</sup>C. This is to ensure that the furnace temperature stays above the minimum Waste Incineration Directive (WID) limit of 850<sup>0</sup>C whilst the plant is processing waste.

- (c) The plant has successfully dealt with the Islands municipal waste since December 2010. The plant was formally accepted at “Takeover” which was achieved on the 29th July 2011. Takeover is the point at which the plant is handed over from the contractor CSBC (Jersey) Limited to the purchaser, The Minister for Transport and Technical Services.
- (d) The plant has been, and is, processing the municipal waste generated on the Island. Therefore, the plant is acceptable. However due to the robust contract my officers are making sure all aspects of the plant are working to a high standard. My invitation to the Deputy to visit the plant is still open and I would be very happy to show him the facility and allow officers from the department to discuss the operational detail of the plant.
- (e) There is a strong contract in place which has a range of remedies which may be applied if the plant does not meet the agreed specification. These remedies can range from financial penalties to mechanisms whereby the contractor is given the opportunity to rectify problems.
- (f) The payments to the contractor CSBC (Jersey) Limited have been made in accordance with the Energy from Waste contract signed on the 14th November 2008.
- (g) Contract payments are made against “Milestone Events” defined in the contract. For a payment to be made the contractor must submit an invoice when the relevant Milestone has been achieved. Once submitted, an independent Project Manager will verify that the Milestone has been satisfactorily achieved and then certify that payment is due. Eversheds LLP were engaged to provide legal advice and contract drafting. The contract has worked well for duration of the project and is still working well for the States of Jersey.