

4.2 Deputy J.H. Young of St. Brelade of the Minister for Planning and Environment regarding the disposal of asbestos:

Will the Minister for Planning and Environment advise whether he considers it vital that the substantial legacy of asbestos-containing materials is safely stored as soon as possible, pending longer-term disposal, and if so, when will he determine the planning application submitted in December 2010 by the Minister for Transport and Technical Services to allow the use of a hazardous waste cell at La Collette, which was engineered and available for this purpose?

Deputy R.C. Duhamel of St. Saviour (The Minister for Planning and Environment):

I consider it very important that asbestos materials are safely stored and managed and that both short and the longer-term solutions are identified and implemented. My department has and continues to work with the Transport and Technical Services Department in exploring options that offer the best way forward. With regard to the T.T.S. (Transport and Technical Services) planning application to store asbestos at La Collette, I have recently received from T.T.S. written confirmation of an amendment to their application. This now confirms that the intended use of the waste storage cell at La Collette would be for a temporary storage solution pending the introduction of the appropriate technologies to treat this waste in a more sustainable manner. Now that I have received this alteration to the application, I can confirm that I will determine the amended planning application as soon as possible following the expiry of the statutory planning application advertisement period.

4.2.1 Deputy J.H. Young:

I am grateful for the Minister's answer, particularly the final part. Could the Minister for Planning and Environment explain though why it has taken almost 3 years from the time of February 2011, when the 2 Ministries consulted on this question, to arrive at what seems a sensible answer now? Why has it taken nearly 3 years?

Deputy R.C. Duhamel:

It has taken this long because of the nature of the application. The application that was delivered to the department in December 2010 was for, and I state: "Construction and operation of an asbestos cell to provide the final disposal of approximately 1,100 to 1,500 tonnes of asbestos, both fibrous and bonded, which is currently stored in approximately 200 ex-shipping containers on La Collette Phase 2 reclamation site. The development will also provide for the final disposal of asbestos arising on Jersey while the cell is open, anticipated to be approximately 9 years." Disposal of asbestos materials does not necessarily represent the best sustainable method or environmental method for dealing with this particular material. The negotiations that have taken place over the intervening period of time have been to encourage the T.T.S. Department to explore options that offer a more sustainable way forward. I am pleased to report that the penny has dropped and they have amended their application to move forward on that basis.

4.2.1 Deputy G.C.L. Baudains of St. Clement:

It seems to me that what the Transport and Technical Services Department are seeking is to move it twice and there could be a danger that once moved into a temporary state it will stay there and no long-term solution will be found. Does the Minister share those views?

Deputy R.C. Duhamel:

Indeed, that was one of my particular worries, which is why I have held out for an amended application to establish beyond doubt and under proper reasonableness that the longer-term solutions will be robustly explored and hopefully implemented.

4.2.2 Deputy R.G. Le Hérisier of St. Saviour:

If the process works and the application is approved, can the Minister for Planning and Environment tell us when we can see movement on this matter?

Deputy R.C. Duhamel:

I have already indicated that following the expiry of the statutory planning application period, I will determine the application. It depends on T.T.S. It is not my department's responsibility to decant the materials from the containers or to place the sorted or unsorted materials into this storage pit. But we have to be aware that the fundamental difference of opinion has been between the departments on the basis of a long-term disposal route, which would render the site down at La Collette in a toxic dump state for the inevitable future, as opposed to a remediation process, which would still allow for disposal of remediated materials which would not pose similar toxic health or other waste problems.

4.2.3 Deputy R.G. Le Hérisier:

Just a supplementary: could the Minister for Planning and Environment tell us when he will be issuing approval?

Deputy R.C. Duhamel:

When the next Ministerial hearing is convened.

The Bailiff:

Senator Le Gresley, you wanted to ask a question, but it is the policy that we do not normally allow one Minister to question another. It is usually rather friendly, although it may not always be. But I think we must stick to the policy because we do not know in advance.

4.2.4 Deputy S.G. Luce of St. Martin:

What is the earliest possible date that the Minister could determine this modified application?

Deputy R.C. Duhamel:

I think the earliest date is probably 6 to 8 weeks. It may be a little bit longer, but I have not seen the amended application as yet, although I am told it is with the Planning and Environment Department, and an officer will have to write a report in the meantime.

4.2.5 Deputy J.H. Young:

Would the Minister not agree that the public might find it difficult to understand why, notwithstanding all the technical complexities of his very helpful answer, it took 3 years to get an amended application and a letter which allows him to approve this application after 3 years? Would he not say that this is an example of how our Ministerial government system is working in silos and does it really take a question from me to get an answer?

Deputy R.C. Duhamel:

No, I do not think it does, but Members of this House must appreciate that times change and we do have and should have regard to best environmental practice in dealing with our waste materials. Notably, there was a release dated 8th October, Incinerator Bottom Ash set for export. Originally, the A.P.C.R. (Air Pollution Control Residue), and indeed the I.B.A. (Incinerator Bottom Ash), were going to be continued to be placed in pits at La Collette, but times have changed and following work that has been done by the T.T.S. Department, encouraged by my department, we now have 2 suggestions whereby both those materials will be exported for recovery and recycling, not disposal. There is a fundamental difference of approach between the 2 to U.K. (United Kingdom) or other European outfits in order to treat those materials in the best sustainable environmental fashion. Absolutely the same thing applies to asbestos waste.

The Bailiff:

A concise answer, if you would, please, Minister.

Deputy R.C. Duhamel:

I have forgotten what the question was. **[Laughter]**

Deputy J.H. Young:

Shall I repeat it, Sir?

The Bailiff:

No, I think to remind Ministers of the Standing Order which says answers must be concise and they must be directed to the question. We come next to ...

Deputy K.C. Lewis of Saviour:

A point of clarification. I did say since the day I was elected as Minister for Transport and Technical Services ...

The Bailiff:

I am sorry, Minister, this is question time.

Deputy K.C. Lewis:

It is just clarifying the answer, Sir, but I said I would send it away for remediation.

The Bailiff:

It was not in relation to you and I am sure you can clarify it by an email to Members, if necessary.