

STATES OF DELIBERATION

29th July, 2014

Billet d'État No. XVI Article 9

AMENDMENT

Proposed by: Deputy D De G De Lisle
Seconded by: Deputy C J Green

Environment Department

Waste Disposal (Management) Plan

In Proposition 1 to delete “as attached to the Report” and substitute: “as attached to that Report but replacing the final paragraph of section 3.2.6 as follows:

“At its meeting held on 1st November 2012 and following consideration of the Environment Department’s Report entitled ‘Environmental Pollution (Guernsey) Law 2004, Part VI – Water Pollution’, the States resolved inter alia:

- ‘1. (a) To amend The Environmental Pollution (Guernsey) Law, 2004, to confer functions in relation to regulation of water pollution on the Director and to extend the power to issue anti-pollution notices and related functions in relation to water pollution, or a risk of water pollution, outside the water catchment area, and to include exclusion of liability provisions as set out in Appendix 1 to the Report.
 - (b) To commence Part VI of The Environmental Pollution (Guernsey) Law, 2004, and repeal The Prevention of Pollution (Guernsey) Law, 1989, subject to the savings outlined in Appendix 1 to the report and to repeal the Ordonnance relative au depot de décombres de carrier, d’immondices et d’autres debris sur les Cotes de cette Ile, 1932.
 - (c) To set standards for the Island’s water resources as set out in Appendix 2 to the report.
 - (d) To implement an integrated management approach for prescribed operations discharging into receiving waters in accordance with proposals set out in Appendix 1 to the report.
 - (e) To provide an exemption from the licensing requirement under the Food and Environment Protection Act 1985 (Guernsey) Order, 1987, for operations depositing substances into the sea, within the territorial waters, which are prescribed under The Environmental Pollution (Guernsey) Law, 2004, so as to avoid a need for 2 licences for the same deposit.
 - (f) To carry forward the current prohibition in the Prevention of Pollution (Guernsey) Law, 1989 against causing or permitting water pollution or a risk of the same breach of which would be an offence under the Environmental Pollution (Guernsey) Law, 2004.
 - (g) To replace the current permitting and other provisions under the Prevention of Pollution (Guernsey) Law, 1989 relating to potentially polluting works or activities, with provisions requiring the same to comply with listed requirements breach of which would be an offence.
2. To direct the preparation of the necessary legislation to give effect to those proposals.’

The direction of intent described at paragraphs 28 to 31 of Appendix 1 to that Report, comprising a Report of the Director of Environmental Health and Pollution Regulation, will accordingly be pursued, with the objective to have comprehensive water pollution controls covering the main requirements in Guernsey. All out falls will become 'prescribed operations' under the new Ordinance and will be subject to licences which will apply conditions to ensure the protection of the receiving waters and dispersion zone management. The method of treatment will need to achieve the standards set and conditions applied.'”.

Explanatory Note

Under paragraph 3.2.6 liquid waste, no mention is made of the direction of travel in this a 20 year plan. The direction of intent is described in Part VI of the Environmental Pollution (Guernsey) Law, 2004 and in paragraphs 28-31 page 2075 of Billet XXI October, 2012. The purpose of this amendment is to add clarity to the direction of travel. The forthcoming Ordinance will take account of the local environment in the dispersion zone and the impact of the discharge on that environment, which includes ecosystems and human health. In European jurisdictions this would typically include conditions applied to licences for prescribed operations that would be in compliance with the following EU Directives:- - The Urban Waste Water Treatment Directive (91/271/EEC) - The Drinking Water Directive (98/83/EC) - The Water Framework Directive (2000/60/EC) - The Nitrates Directive (91/676/EEC)'.

STATES OF DELIBERATION

29th July, 2014

Billet d'État No. XVI Article 9

AMENDMENT

Proposed by: Deputy A Spruce
Seconded by: Deputy B J E Paint

Environment Department

Waste Disposal (Management) Plan

To insert a new Proposition 3 as follows -

“3. To direct the Environment Department to report back to the States not later than the January 2015 States meeting with a report detailing whether there are any environmental risks or other associated environmental, veterinary or public health impacts attached to the proposal to have In Vessel Composting (‘IVC’) of food waste and particularly the distribution of the material produced by that process on land in Guernsey as referred to in the Commentary to section 18 of that Report and further, to make recommendations as to whether or not the IVC process represents a cost effective, safe, and Best Practicable Environmental Option in an Island context, taking specific account of the potential impact of Nitrate run off, water pollution risks, or any risks to Cattle health.”

Explanatory Note

Because Guernsey has a relatively small area of farm land which already suffers high levels of nitrate run off, it is considered essential, especially as practically all farm land acts as a water catchment area, that a more comprehensive and independent safety assessment of IVC is undertaken before this element of the currently agreed waste strategy becomes a reality. See also the Commentary to section 18 of the Report.