

## Update with Camille Lachenal President "Cessy, les Riverains de Chauvilly"

### The Chauvilly association wants to put an end to environmental damage, operators appeal and hang on.

Chemical pollutants in sensitive areas for water, a deafening silence from the public authorities, an ISDI project that arouses massive opposition from local residents, such is the current situation of a site that has been controversial for 40 years. Opponents win in court and want to look to the future, operators hang on and appeal.



#### In Chauvilly, a historic pollution not absorbed.

- The Chauvilly site has been exploited since 1985 with legal and illegal landfills. As early as 1992, a spectacular environmental accident spread biological and bacteriological pollution in watercourses. Two years later, a note in the prefecture reports chemical pollution. The state's BASIAS database then indicates "proven pollution of relatively high toxicities attesting to the probable presence of ordinary and special industrial waste" while household waste landfills are not equipped to receive industrial waste. An order ended the legal operation of the landfill in 1999.
- It was in 2020 that the Aténa Pays de Gex association launched the first alert by detecting pollution in the water. This pollution is confirmed in 2021 by analyses carried out by the Municipality of Cessy on the western edge of the site, by taking water and soil samples. These samples show abnormally high levels of heavy metals, and in particular arsenic, some of which may fall into the category of "hazardous waste". The town hall of Gex does not react.
- These results are in total contradiction with those of the preliminary analyses ordered by the operator and validated by the prefecture before the registration of the ISDI, between 2019 and 2020. These analyses indicated a "total absence of pollution".

**The Chauvilly site is located on a strong protection zone for the water resources of the Pays de Gex\***

- The Chauvilly site is affected by two levels of groundwater, one deep and the other superficial. The first level concerned is the superficial groundwater level. As early as 1992, the hydrogeologist commissioned by the department indicated that the traps of the landfill "bathe in water".
- Water is very present on the site: Since 1998, 15 springs have been referenced around the landfill, including two that feed the fountains of Grilly and Sauverny, and one that feeds the well of the castle of Cessy.
- The old Cessy reservoir is also right in the middle of the site and has been rendered inactive.
- Pré Bataillard is located a few hundred meters upstream, and the Chauvilly well, located 200 m from the landfill, was referenced in 2012 as being able to produce 800,000m<sup>3</sup> of drinking water per year, the equivalent of what we import from Switzerland for Pays de Gex. Despite the water stress experienced by the Pays de Gex (global warming and sharp increase in drinking water needs), no procedure to protect and perpetuate this water resource has been officially initiated.

\*By the department's career department.

**Variable water inflows over time are the probable cause of contradictory results.**

- This surface aquifer is fed by water coming from the Jura with a relatively large flow but variable over time.
- It is probably this variability that explains the contradictory results on the levels of pollution produced by the state and opponents of the new project on the site. The level of pollution depends on the amount of water circulating underground.

**The restoration of the site late and contested.**

- The CSD Azur office produced the studies for the restoration of the site. After noting that the site is located in the middle of gravelly cells in which water circulates, and faced with the economic impossibility of emptying everything, which would probably be the best technical solution, he produced drastic containment measures included in the prefectural decree of 1999.
- The main purpose of this rehabilitation is to protect water resources.
- In 2002, CSD Azur found that the restoration work on the site had only partially been carried out and estimated the remaining work at €1 million.
- No control is carried out on the site between 2002 and 2018, a period of 16 years, date of a new environmental accident that sweeps away the fauna and flora over several kilometers of the Oudar. The embankments of a settling basin collapse and wash away about 1 hectare of protected natural areas as well as part of the road to Mourex. OFB inspectors indicate that the affected environments will never return to their original state.
- In 2021, 22 years after the prefectural decree ordering the restoration of the site, the Valdech design office, commissioned by the operator, indicates that the site is being restored, which is strongly contested by opponents of the new extension project. Indeed, Valdech's conclusions almost completely ignore the presence of water on the site, a presence that would have required rigorous and controlled restoration, and are essentially content with declarative and sometimes contradictory data.

**Justice has ruled 4 times in a row in favour of the Town Hall of Cessy and the Association Riverains of Chauvilly who oppose the new ISDI project.**

- A new ISDI project that is an extension of the site's activities is presented to residents as a 2021 rehabilitation. This involves covering the site with 7 to 10 meters of construction waste on 24 hectares.
- It is not a question of restoration at all, which from the outset marks a confusion in procedures and in informing residents.
- ISDI are not made of polluting products but covering a polluted site prevents any subsequent intervention.
- Aware that this landfill appears as a real time bomb on the increasingly precious water resource, the residents of Chauvilly and the Municipality of Cessy have opposed the ISDI project.
- A first victory is recorded in June 2022 with the suspension of the activity in summary proceedings, a second in January 2023 with the confirmation of the summary judgment, a third victory is recorded in June 2023 which cancels the prefectural registration order of the ISDI, a fourth in July 2023 which cancels the order of destruction of protected species. The judge therefore confirms 4 times in a row the validity of the approach of the opponents of the project.
- However, the operators appealed these decisions.

**A clear lack of transparency on the part of public authorities.**

- The association of residents of Chauvilly had to force to obtain administrative documents from the Prefecture - file initially "lost" then sent a few days before the end of the appeal period.
- Solicited by email, the ARS (Agence Regionale de Santé) remained silent.
- Asked several times about the pollution spotted on his territory, the Mayor of Gex did not provide any answer. It did not respond to the request for consultation of the technical file produced by CSD Azur in 1999.
- The Mayor of Gex qualified in a letter to the Prefect of May 2023 the arguments of the opponents of Chauvilly as "fallacious" or "ideological", which is totally inappropriate in the context of a judicial procedure, especially since the judge has so far ruled in favour of the opponents, and does not allow to move forward on the merits of the case.
- The environmental officer of the agglomeration, Mrs. Charillon visited the site by transferring the responsibility to the prefectural authority.
- Some elected officials would like to reduce the problem to a question of people, it is more of a diversion than a rational approach.
- The engineer DREAL (Prefecture) still refuses to this day to make analyzes on the "unofficial" emergences of the site and recalls that these are under the responsibility of the Mayor. (See extract from the letter of the sub-prefect below)

**The responsibility of the Mayors is also engaged, as that of the prefecture. (Letter from the sub-prefect to the Atena association in 2022) (following quotation, only in French)**

En tout état de cause, le site de Chauvilly a connu depuis plus de quarante ans une succession d'activités telle que l'inspection des installations classées n'est pas en capacité de connaître, avec précision et de manière exhaustive, ce qui a été réalisé sur ces deux parcelles, ainsi que sur certaines parcelles aujourd'hui exploitées par la SAS ISDI DU CHAUVILLY et antérieurement non réglementées au titre de la police des installations classées.

Il ne peut notamment pas être exclu la présence par le passé de dépôts sauvages de déchets divers ou de remblais pollués au droit ou à l'amont hydraulique des parcelles BC59 et AB79 ; cependant, dès lors que l'inspection des installations classées ne dispose pas de données sur la réalité de tels dépôt et /ou sur leur exploitant, elle ne dispose d'aucun pouvoir de police au titre de la réglementation relative aux installations classées pour la protection de l'environnement.

Par conséquent, le contrôle de ces deux points de rejets et les éventuels travaux de remédiation ne relèvent pas de la police des installations classées.

Par défaut, ce genre de situation relève généralement de la compétence du maire de la commune concernée au titre de la police des déchets.

**A need for storage of inert waste that is not exceptional.**

- The population of the Pays de Gex (100,000 inhabitants) grows by 2000 people per year, which creates a need for construction and in ISDI, it is new constructions and very few rehabilitations.
- The municipalities in France renew their housing stock by 2% per year, this represents housing for 2000 inhabitants in demolition reconstruction on average for municipalities of 100,000 inhabitants, which is very generating waste.
- The production of inert waste in the Pays de Gex is therefore quite banal and is not exceptional.
- The fact remains that the canton of Geneva officially indicates that it exports waste to the Pays de Gex, waste that is not officially received anywhere.

**Concerning Heavy Vehicles and nuisances for local residents.**

- The Ain has many sites that can accommodate inert waste, at a greater distance from Chauvilly. Ain is a net importer of waste.
- The extra distance generates CO2 which is a fight that concerns us all.
- However, this environmental nuisance is related to fine particle pollution in urban areas and the obvious health and safety risks associated with heavy goods vehicle traffic.
- In order to deny the interest of the Municipality of Cessy, the operator claims that it will pass all its trucks through Gex, which represents a cumulative traffic for the site of 180 heavy goods vehicles (90 round trips) on average per day. (According to our calculations, it takes 250 to 300 trucks on busy days)

**A decree for the destruction of protected species broken.**

- 66 protected species have been referenced on the site, including three of Community interest. The destruction order was quashed.
- **Next: since the operator has appealed, we must continue to fight. Local residents want to put an end to this headlong rush that has lasted for forty years by stopping the ISDI project. This will allow everyone to be brought to the table to know the situation of the site in a comprehensive way. It will be a question of considering the measures to protect water, nature and local residents to be adopted on Chauvilly.**
- **This will also open up the possibility of reviewing the problem of inert waste in the Pays de Gex by assessing the real volume of waste produced. Contradictory figures circulate ranging from single to triple. The canton of Geneva also officially communicates exporting waste to the Pays de Gex without this issue being curiously officially addressed in France. The evaluation of these volumes will allow the implementation of constructive and urban planning measures limiting their quantity, and also to consider adequate storage channels by freeing itself from the historic site of Chauvilly as a "mandatory crossing point"**

**How can we support us?**

Renew your participation in the association "Les riverains de Chauvilly"

Donate to [Hello Asso residents of Chauvilly](#)

Find us on [the website](#)  
[www.stopcarrièrechauvilly.fr](http://www.stopcarrièrechauvilly.fr)



THANK YOU!

