



This form will report compliance with your permit as determined by an Environment Agency officer

Site	Jameson Road Landfill - Phase 2 EPR/BL9518IE	Permit Ref	BL9518IE		
Operator/ Permit holder	TRANSWASTE RECYCLING AND AGGREGATES LIMITED				
Date	14/03/2024	Time in	13:45	Out	14:25
What parts of the permit were assessed	Active tipping face, tipping bay and uncapped eastern flank.				
Assessment	Site Inspection	EPR Activity:	Installation: X	Waste Op:	Water Discharge:
Recipient's name/position	TRANSWASTE RECYCLING AND AGGREGATES LIMITED				
Officer's name	[REDACTED]		Date issued	20/06/2024	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations (EPR). A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our [Compliance Classification Scheme](#) (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your [local office](#).

Permit Conditions and Compliance Summary			Condition(s) breached
a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	C3	1.1.1
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	O	
	2. Noise	N	
	3. Dust/fibres/particulates & litter	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored
MSA, MSB, TCM = Management System condition A, Management System Condition B and Technically Competent Manager condition which are environmental permit conditions from Part 3 of schedule9 EPR (see notes in Section 5/6).

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response			

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

This CAR form was amended on 13 May 2024 to take into account changes made to CAR ID BL9518IE / 0496909, dated 05 March 2024.

The amendments to this CAR form are as follows –

- **Removal of the C2 score against permit condition 3.3.1 under criterion f1. Amenity – Odour, replaced by 'O' as an ongoing non-compliance which is not scored:**

- **Changes to the text in Section 2 in respect of Odour.**

This was an unannounced site inspection. The weather at the time was moderate to heavy showers and overcast with a moderate to strong gusty (16 to 28mph) wind, which was from an approximate southerly direction.

The Site Manager accompanied the Environment Agency officers during the inspection.

Site observations

Odour

Prior to carrying out the inspection, an offsite odour assessment was carried out, following a prescribed detailed route around the circumference of the site starting up wind of the landfill and covering a 360-degree circumference assessment in the residential areas located around the landfill.

Odours were detected at Radcliffe Road (FY77NR) The odour was persistent and rated intensity 3- Distinct.

Odour was also detected on Addison Road running parallel with Radcliffe Road and was rated intensity 2-Faint and persistent. The odours were detected within an area approximately 200m wide within this area and were noted to be a mix of sulphur/ landfill gas and waste bin type odours. The assessment took place over a period of 16 mins. This area was downwind of the landfill site.

Waste and landfill gas odours were clearly detected on Windward Avenue and rated intensity 4-Strong with the odour being sulphur /landfill gas odours. The odours were detected within an area approximately 50m wide and persistent. This location was downwind of the landfill site.

A second separate odour, approximately 20m wide was also detected along Windward Avenue. This was a waste bin odour was rated intensity 3-Distinct and persistent. This location was downwind of the landfill site.

On site, an odour was detected downwind of the operational working face and rated intensity 4-strong consisting of a waste bin odours from the operational area on the south of the site. These odours were observed to be similar to the offsite odours detected.

The waste bin type odours were observed along the current working face and had been paced out and was approximately 38 paces (35m) wide plume was determined.

The steep bank of waste on the eastern flank of Cell 2 and Cell 5 had no cover applied to it and significantly gas odours were detected in this area. Odours of intensity 5-Very Strong sulphur/ landfill gas odours were noted, and these were persistent. These odours increased when the wind speed dropped resulting in intermittent odours rated intensity 6 -Extremely Strong. These odours were observed to be similar to the offsite odours detected. The width of the gas plume was estimated at 6.5 sections of the litter netting, approximately 42 meters wide.

We consider that the off-site waste bin odours detected on Radcliffe Road and Windward Avenue were resulting from the tipping/operational waste deposits on the southern flank of cell 5.

We consider that the off-site sulphur/landfill gas odours detected on Radcliffe Road and Windward Avenue were resulting from the landfill gas emissions from the area of Cell 2 and Cell 5, including the flank which had no temporary capping or intermediate cover.

The Site Manager also confirmed that offsite odours had been detected when carrying out their daily check procedures – these had been primarily landfill gas odours, but waste odours had been detected on the day of the inspection.

This is **in breach of condition 3.3.1** of the environmental permit which states –

3.3.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.

We have previously clarified that there is currently no approved Odour Management Plan ('OMP') in effect under the environmental permit. We have also confirmed that we do not consider that you are currently applying all appropriate measures to eliminate or minimise odour from the site activities.

Amendment 13th May 2024

This was originally scored as a c2 non-compliance.

Following amendments to CAR ID BL9518IE/0496909, dated 5th March 2024, the C2 non-compliance score as now been removed and replaced with an 'O' ongoing non-compliance which is not scored.

As we have previously advised-

'If there is a link between duration and exposure, then we take into account the length of a continuing non-compliance when we determine the risk category and score. This is because the duration may increase the reasonably foreseeable impact. Or in the case of amenity conditions, the actual impact.

For example, if a fire occurs which cannot be extinguished within 4 hours and as a result people in the local community are exposed to toxic smoke. We would assess this as at least a risk category 2, or significant breach, under the relevant permit condition and appropriate sub-criteria on the CAR form. We would award this a score of 31 points for a category 2 or 60 points for a category 1.

Similarly, we would assess an amenity issue which lasts for more than 7 days as a risk category 2 or significant non-compliance and award this a score of 31 points.'

<https://www.gov.uk/government/publications/assessing-and-scoring-environmental-permit-compliance/assessing-and-scoring-environmental-permit-compliance>

Section 3- Enforcement Response

Only one of the boxes below should be ticked

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with your permit conditions constitutes an offence* and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

**Non-compliance with MSA, MSB & TCM do not constitute an offence but can result in the service of a compliance, suspension and/or revocation notice.*

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

X

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required / Advised	Due Date
See Section 1 above			
C2	C3	Comply with your EMS and approved documents	26/03/2024

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence* and we may take legal action against you.

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.
- A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

See our Enforcement and Civil Sanctions guidance for further information

A breach of permit condition **MSA, MSB & TCM is not an offence but may result in the service of a notice requiring compliance and/or suspension or revocation of the permit.*

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance which could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

MSA, MSB & TCM are conditions inserted into certain permits by Schedule 9 Part 3 EPR

MSA requires operators to manage and operate in accordance with a written management system that identifies and minimises risks of pollution.

MSB requires that the management system must be reviewed, kept up-to-date and a written record kept of this.

TCM requires the submission of technical competence information.

Section 6 – General Information

Data protection notice

The information on this form will be processed by the Environment Agency to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The Environment Agency may also use and/or disclose it in connection with:

- offering/providing you with its literature/services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The Environment Agency will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within 28 days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder may request an appeal of the regulatory decision by emailing enquiries@environment-agency.gov.uk within 14 days of receipt of the outcome.

If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the Parliamentary and Health Service Ombudsman phone their helpline on 0345 015 4033.