



**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	21/03/2024		Time in	11:15	Out	12:45
What parts of the permit were assessed	Operational Areas					
Assessment	Site Inspection	EPR Activity:	Installation: X	Waste Op:	Water Discharge:	
Recipient's name/position	site manager					
Officer's name	[REDACTED]		Date issued	03/05/2024		

**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	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	C3	1.1.1
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	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	A	
	4. Pests, birds & scavengers	A	
	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).**

<b>Number of breaches recorded</b>	1	<b>Total compliance score</b> (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.

### Before arrival on site

Environment Agency Officers went to Windward Avenue and the nature reserve in order to be downwind of the site to undertake a sniff test to assess odour. A persistent (mainly) waste rather than gas odour was noted on the nature reserve. In accordance with the H4 Odour management guidance published on .gov.uk this was assigned a hedonic score of 3/6

### H&S

Usual PPE (Personal Protective Equipment) was worn – hard hat, hi-viz jacket, gas alarms and safety footwear. Officers signed in in accordance with site rules. We were accompanied by representatives of the site operator at all times. There were a number of pieces of mobile plant and other vehicles moving on site during the visit. Weather was overcast with showery rain, wind was blowing from the south / south east.

### Inspection

The site has received a significant number of odour complaints in recent weeks. In addition to the pin wells installed in early March, the site landfill gas contractor ("CLP") are proposing to install 6 gas wells week commencing 25 March to address fugitive landfill gas emissions. The site operator has also tried to cover the steep flank using clay placed with a long reach excavator. This work is nearly complete, although it appears that the corner between cell 1 and cell 5 is very soft and the effectiveness of the cover at this location is questionable. Cover over the flatter working areas was improved since previous visits. Litter pickers and pest control falconer were observed on site.

Landfill gas odour was noted on site. In accordance with national guidance this is being recorded as an **"ongoing" breach of permit condition 3.3.1 as it has already been scored as a category 3 breach this month.**

The representative of the landfill gas contractor shared the concerns of EA officers that the pegged proposed well locations were too close to the covered, but uncapped flank. They are going to move the locations approximately 4m into the site to reduce risk of air ingress, although are balancing this against the locations of existing wells. These will be resurveyed on Monday (25 March) and target depths confirmed. The plan is to install 6 wells to approximately 15m depth thus providing a minimum of 5m standoff from the basal liner and to have these connected via a 160mm diameter pipe (*subsequent to the visit but before this report was finalised this work was undertaken as discussed and revised locations approved and 6 additional gas wells installed and connected*)

CLP indicated that following covering the flank, the pin wells were collecting more gas than before the works were undertaken. This highlights the need to maximise the thickness of cover over the flank as it appears to be a significant source of landfill gas odour off site.

Although this will be reviewed in light of the effectiveness of the new gas wells; the Environment Agency offer the following **Advice and Guidance: Consider what measures can be undertaken to improve the thickness of cover or otherwise provide temporary capping of this flank.** (*Subsequent to the visit but before this report was finalised a Section 36 notice was served requiring capping works of these flanks*)

Whilst cover is discussed in section 4.8.3 of the site EMS, please consider the following **Advice and Guidance:** The document "Guidance on the use of Landfill Cover Materials" was withdrawn on 21 April

2021 and replaced by guidance set out at [Landfill operators: environmental permits - Develop and maintain management plans - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/landfill-operators-environmental-permits-develop-and-maintain-management-plans). The Environment Agency expect operators to manage their sites in line with the latest guidance and keep their EMS and site procedures up to date. I recommend that you produce a Cover Plan inline with the guidance on .GOV.UK and specifically set out minimum thicknesses for different materials that will be used as cover on a daily basis and for areas that will not be tipped over again for a period of time.

Although a FID was used during the site visit this did not provide any additional information helping to identify point sources of landfill gas. However, elevated levels were recorded adjacent to the leachate chamber on the southern flank of cell 5 that is scheduled for remedial works.

An area of mud / slippage of the outer perimeter bund was noted at the corner of the site adjacent to the contractor's cabins. This affected a small area of the flood plain adjacent to the site, but does not appear to have caused significant pollution. The site perimeter fencing was noted to be in poor condition at this location. This is being recorded as a **category 3 breach of the site management system (permit condition 1.1.1)**, as this issue should have been identified and remediated as a consequence of routine perimeter checks. **Advice and Guidance: ensure that issues such as this and remedial actions are recorded in the site diary.**

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### 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.	X
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.	

### 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			
B3	C3	No action specified	N/A



## 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 <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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](mailto: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.