



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 | 04/04/2024 | Time in | 13:00 | Out | 14:30 |
| 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 | 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 | C3 | 2.10.3 (a) |
| b) Infrastructure | 1. Engineering for prevention & control of pollution | C3 | 2.10.1 |
| | 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 | 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 | C2 | 3.3.1 |
| | 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 | 3 | Total compliance score (see section 5 for scoring scheme) | 39 |
| 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.

CAR form reissued date 20 June 2024

This CAR form has been reissued to reflect a change in the Compliance Score of 0 ("ongoing") to 2 in relation to permit condition 3.3.1. This is to be consistent with our guidance in relation to scoring amenity issues and this was the first score of the month.

Health & Safety

PPE was worn by all parties – hard hat, high viz jacket, and safety footwear. 2 gas alarms were carried by the EA staff. We were accompanied by Wyre Borough Council staff who had their own PPE. We were accompanied by site staff.

Site Observations

The site continues to receive significant reports of odour from the community close to the landfill. We observed the area of the landfill known as Cell 5 where waste has recently been tipped. The top, flat area of this now has intermediate cover of inert material. We observed that 4 new gas wells are in place and connected to the landfill gas management system. There are a further 2 gas wells near the tipping face. CLP are currently balancing the gas wells in order to gradually increase the draw of landfill gas but with caution so as to avoid drawing in oxygen.

The flank of Cell 5 and where it joins with Cell 1 & Cell 6 is too steep and intermediate cover cannot be adequately applied. There were exposed areas of waste evident on this flank and intermediate cover was thin at best.

This area of the site now requires temporary capping as per guidance. Intermediate capping has been applied but is not adequate for long term gas control. Significant gas odours are being noted off site by Environment Agency officers. The prolonged nature of complaints and observations result in this being scored as a **category 2 breach of permit condition 3.3.1.**

We were informed by site management that a consultant was due on site in the afternoon to discuss temporary capping.

This is also considered to be a breach of condition **2.10.1** of the permit:

2.10.1 *The operator shall take appropriate measures, including, but not limited to, those specified in any approved landfill gas management plan, to (a) collect landfill gas; and (b) control the migration of landfill gas.*

Action - Install engineered temporary capping on:

- the part of the flank of cell 1 from which temporary capping has been removed, and
- the flank of cell 5 adjacent to cells 6 & 8,

The engineered temporary cap shall be capable of preventing air ingress to the waste mass and minimising odour emissions for a period of at least 12 months. REQUIRED BY 5pm ON 15 MAY 2024
(Subsequently to the visit but before this CAR form was issued, notice was served requiring this capping and the works were started)

Tipping bay – The bay previously used to tip waste into for transfer to different vehicles was not in use at the time of the inspection.

Tip face – The current tipping face was observed to be at a minimum with recently deposited waste well covered. No waste was tipped during the inspection period. Horizontal gas wells were observed being installed at the time of the inspection.

The Landfill Gas Management Plan does not reflect current operations. This is considered to be a **category 3 breach of permit condition 1.1.1a** which requires the site to be operated - *"in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints "*

The existing one was produced by the previous operator Suez. There is a need to review this plan to produce a revised version to reflect current operation of the landfill by Transwaste Recycling and Aggregates Limited.

This will need to include any changes such as the use of pinwells and horizontal collection pipes and any extra steps such as the provision for gas to be treated prior to utilisation / piped directly to the flare.

Action – Provide a revised Landfill Gas Management Plan, as per Condition 2.10.3 (a). REQUIRED BY 5pm ON 15 May 2024.

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.

X

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 | | | |
| A1 | C3 | Provide a revised Landfill Gas Management Plan, as per Condition 2.10.3 (a). | 15/05/2024 |
| B1 | C3 | Action - Install engineered temporary capping on: <ul style="list-style-type: none"> the part of the flank of cell 1 from which temporary capping has been removed, and the flank of cell 5 adjacent to cells 6 & 8, Install engineered cap capable of preventing air ingress / minimising odour emissions | 15/05/2024 |
| F1 | C2 | 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 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.