



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	13/05/2024		Time in	12:00	Out	13:00
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	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	C2	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	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	2	Total compliance score (see section 5 for scoring scheme)	35
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.

Preamble:

Before attending site Officers met on Windward Avenue and H2S readings were taken using a Jerome and subject odour assessment made by officers. A distinct waste "bin" (rather than gassy) smell was noticeable at times this was subjectively considered to be a 2 out of 6. The wind was noted as being moderate / gusty from the south east.

On site, Officers wore appropriate PPE, including hardhat and gas alarm. We signed in at the weighbridge and met the site representative.

Site Inspection

The PMD was used to detect to trace levels of methane to attempt to identify any point source emissions and to provide further baseline information to assess the effectiveness or otherwise of capping areas to reduce offsite odour. The PMD logs (GPS) location as well as gas readings in PPM

Progress has been made towards capping the flanks, although no membrane was being laid during our visit due to the gusty wind. The works were roughly 2/3 of the way along the flank of cell 5. The corner / interface between cells 1 and 5 was not complete – it was tied in at the top but not at the bottom. The CQA engineer indicated that this would be tied in when works to uncover the leachate drainage blanket were complete. This would require works in the bottom of cell 6 to permit machine access. The membrane was moving with gas / air underneath it. I expect that this was mainly a consequence of the wind, although there may also have been an accumulation of landfill gas between waste and membrane. This is a potentially a serious hazard containing an explosive atmosphere.

a **category 2 breach of permit condition 2.10.1** against criteria b1 "Infrastructure - Engineering for the prevention & control of emissions". The condition requires "*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*". A category 2 score has been applied as the uncapped areas of cells 1& 5 are producing landfill gas which is not being effectively collected in the landfill gas management system and is causing significant off site odour. This is suspended whilst the enforcement notice is in place.

(Subsequent to the visit but before the CAR form was issued, the suspended score was reinstated as the enforcement notice was not complied with.)

Additional Advice & Guidance:

Ensure that the temporary capping is suitably anchored / weighed down to prevent a potentially explosive atmosphere from developing. Bring forward plans for the installation of "scavenger" wells.

Material from the area of cell 6 which had been contaminated by leachate was being removed at the time of the visit. (See comments CAR form dated 7 May 2024) The site representative commented that instead of moving the litter fence that he wanted the capping to work around it and seal up gaps with bentonite as opposed to creating demountable concrete feet for it.

The PMD recorded moderate readings (between 40 & 90 ppm) along the top edge on cell 1. This confirms the need to tie in the temporary cap with the permanent cap to avoid creating point source. This is recognised

in the design submitted as part of the CQA proposal for the temporary capping of the site. There also appeared to be a point source associated with the leachate chamber on cell 1 which warrants further investigation.

A point source was identified in the tuck trench along the top of the flank of cell 5. There was a split in the membrane as it went into the trench and highlights the need for the anchor trench to be back filled swiftly to stifle any potential gas leaks in the short term and for cap to tie into the membrane placed on the flanks in the medium term. This was highlighted to the CQA Engineer from Ayesa, who is supervising the capping works.

The PMD recorded high readings around the leachate chamber on the southern flank peaked around 6000ppm. This is a potentially potent point source for landfill gas odour, however, it is within the area of planned capping works which should address this issue.

An additional area of cell 4 has been opened up and the cap removed (despite previous reassurances that no further areas would be uncapped.) PMD readings from this area were moderate/ high varying between 60 and 245ppm. This indicates that landfill gas is already present across the newly opened area. As discussed on site, given what happened on the eastern flank of cell 5, it is essential that capping works are extended to cover all of the open areas and that the edges are tied into the existing capping.

When crossing cell 5 / 4 I noted a distinct bin waste odour coming from trommel fines that had been used as a cover. This was a very similar odour to that noted off site. It follows that this a **category 3 breach of permit condition 3.3.1** which reads "*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.*" However as this has already been scored this month as a cat 2 breach it is **recorded here as "O" for ongoing**. However, looking at the root cause, the site's EMS, sets out that in this sort of case the appropriate measures would either have been to have rejected the malodorous load, or to have buried it at the foot of the working face. In addition, at paragraph 4.8.3, the EMS notes that cover materials must not "...*b) Consist of odorous material or have the potential to give rise to malodour... f) Create an amenity issue.*" Taken together this failure to comply with the site's own EMS is considered to be a **category 3 breach of permit condition 1.1.1** which reads "*The operator shall manage and operate the activities:*
(a) 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; and
(b) using sufficient competent persons and resources."

Advice & Guidance:

Please ensure that site staff are familiar with the requirements of the EMS and ensure that the EMS is up to date and relevant to the operations being undertaken and wastes being disposed of.

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			
B1	C2	No action specified	N/A
C2	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 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.