

# Walleys Quarry Landfill Site

23 September 2021

We have developed this weekly update to help keep the community of Newcastle under Lyme, and wider area, up-to-date with developments around our regulation of Walleys Quarry landfill.

We don't want the community to continue to live with the distress caused by landfill gas being released from the operations at Walleys Quarry landfill. We are challenging Walleys Quarry Ltd (formerly Red Industries RM Ltd) every step of the way to operate in line with their permits.

## News in brief

- **Judicial Review**

Last week saw the outcome of a judicial review brought by members of the community in relation to our regulation of Walleys Quarry. We recognise that the decision to pursue legal action is not taken lightly, and that it reflects how difficult the situation has been for the community.

We have been asked many times why we have not suspended waste acceptance at the site. We do not have grounds to suspend the permit and stop new waste coming onto the site. We can only suspend activities where they involve risks of pollution. At Walleys Quarry the hydrogen sulphide escaping the site is coming from waste already in the landfill that is now decomposing, not from new deposits. This means the suspension of current operations (or revocation) would not address the odour issues. The Judgment does not add to our enforcement powers, nor does it require the Environment Agency to close the site.

The Court did not find the Environment Agency in breach of its legal obligations, but did identify additional work it considered we need to do to meet them. The Judge ruled that we must design and apply measures which will achieve the levels of hydrogen sulphide set out in PHE's advice as early as possible. We've already done a lot of this work and required substantial improvements from the operator. We will continue to put pressure on the operator to implement the measures we have identified. Where additional work is needed, we will not hesitate to require this from the operator.

We intend to seek permission to appeal the judgment in relation to the appropriate role of the Court when considering judicial review and remedies involving regulatory decisions. This is not because we don't want to deal with the problems at this site. On the contrary, we will still be doing all we can to get the operator to resolve the issues at the landfill as quickly as possible – and with the timescales in the Judgment firmly in mind.

We understand when you say you have had enough. Please be in no doubt that we are committed to tackling the problems at Walleys Quarry, to improve things for everyone, as quickly as possible. Our team of regulators continues to put pressure on the operator to take the necessary measures to resolve the hydrogen sulphide issues.

- **Face to face engagement sessions**

Following our update a few weeks ago about the next opportunity to talk to us and partners about Walleys Quarry, we can now confirm the dates of the next events. This is also the first opportunity to talk to everyone face to face.

Officers from, Staffordshire County Council, Public Health England, Newcastle-under-Lyme Borough Council, Staffordshire Police and the Environment Agency will be on hand, at two 'drop in' events for you to talk to us about what is happening at the landfill site at events to be held early next month.

The events are being held at Bradwell Lodge Community Centre, Bradwell Lane, Newcastle-under-Lyme, ST5 8PS, on:

- Tuesday, 5<sup>th</sup> October, from 4pm to 8.30pm;
- Tuesday 12<sup>th</sup> October, from 2pm to 7pm.

There will be no fixed presentation or speeches, and people can 'drop-in' at any time to suit you during the event and talk directly to representatives of the councils and agencies at different tables.

Letters are being delivered to thousands of homes in the affected areas to make sure as many people as possible know about the sessions.

- **Landfill gas emissions from the site**

We have instructed Walleys Quarry Ltd to carry out a series of actions to reduce the landfill gas escaping from their operations at Walleys Quarry. These actions are under constant review.

In regulatory terms, we're instructing Walleys Quarry Ltd to take action on three key aspects to manage landfill gas and hydrogen sulphide emissions from the site: contain, capture and destroy.

**Contain** the landfill gas

This is work to contain the gas onsite, such as the capping works, with the latest capping, around 70% of the site will be permanently or temporarily capped.

**Capture** the landfill gas

Once gas is contained, this is work to capture the gas in pipes and gas wells and move it safely and securely to the gas utilisation plant. Work here includes new and improved gas wells. Walleys Quarry Ltd are carrying out this work now.

**Destroy** the landfill gas

When gas arrives at the gas utilisation plant, it needs to be safely and effectively destroyed. Work here is around improving the gas utilisation plant itself. This work has seen the amount of gas being captured and destroyed on site double to over 3,000m<sup>3</sup> a day since December last year.

The actions we've taken with the operator are under continuous review.

We have instructed Walleys Quarry Ltd to take a significant amount of action to control the landfill gas escaping from their site. However, we know that some weeks we're seeing lower levels of hydrogen sulphide escaping from the site, and while that is good

news, we know the problem remains and we will continue to use our regulatory powers to require Walleys Quarry Ltd to bring hydrogen sulphide emissions under control.

- **Drilling gas wells and posi-shell capping**

Walleys Quarry Ltd, are currently delivering two of the vital actions we've instructed them to take to further reduce landfill gas escaping from the site:

Drilling new gas wells

Walleys Quarry Ltd proposed drilling 22 gas wells by February 2022, we instructed them to install all the gas wells necessary to control gas emissions by the end of October. We have now agreed the installation of 28 wells to be completed and operational by the end of October. Installation began on 20 September.

Walleys Quarry Ltd, have updated their website and communicated on social media to say that [work is happening now](#).

In our experience, this engineering work can see a small temporary increase in landfill gas being released. We're monitoring these works closely.

This is vital work to increase the amount of landfill gas going into the gas utilisation plant to be safely destroyed and, once complete and connected, will further reduce the landfill gas escaping from the site.

At the end of each day all wells must be capped or connected to the gas management pipework so that nothing is left open. This is set out in the agreed installation plan for this work.

Capping of the steep flanks of the site with 'posi'shell'

We've given Walleys Quarry Ltd until the end of September to cap the steep flanks of the site.

Walleys Quarry Ltd have chosen to use a substance called 'posi-shell' to cap this area, and are posting regular updates on their [website](#) and on social media.

This work is currently in progress and once complete, we will assess the success of this work. This work also needs to be independently assessed and validated.

- **Latest hydrogen sulphide levels**

For the week 13 to 19 September, hydrogen sulphide levels were below the World Health Organisation's (WHO) 24-hour average health guideline level to protect against short-term health effects but were above the WHO 30-minute average odour annoyance guideline level between 0% and 11.7% of the week. During this week we received 550 reports from local people.

- MMF1 - Silverdale Cemetery = 0%
- MMF2 - Silverdale Road = 0.6%
- MMF6 - Newcastle-under-Lyme Fire Station = 7.3%
- MMF9 - Galingale View = 11.7%

- **Our air quality monitoring**

We are committed to regularly sharing the results from our air quality monitoring that we have underway around the site. This monitoring is carried out by our national 'Ambient Air Monitoring Team' and consists of four mobile monitoring facilities (MMFs) spread around the site. They are purposely placed in areas where we observe odour, taking account of local geography, and available power supplies. They are funded by the Environment Agency to support our regulatory work but as they can also be used to provide information to health professionals to make health assessments, two are partly funded by Newcastle under Lyme Borough Council and Staffordshire County Council. The MMFs began collecting data at the beginning of March 2021 and we expect to continue till March 2022 or further if required.

### **Air Quality Reports**

We provide various reports and sets of data that is publicly available and we want to clearly explain how and when these will be produced.

#### **Exceedance Report**

If the levels of hydrogen sulphide exceed the World Health Organisation's (WHO) guideline level for health impacts (this is recorded over a 24hr average) we will inform all partners immediately and produce report within 48hrs. Public Health England will be immediately informed so advice can be issued from our public health partners Staffordshire County Council. We call this an Exceedance Report. We have not had to issue one of these since the very high levels of hydrogen sulphide were recorded in March.

#### **Weekly Summary Report**

We produce Weekly Summary Reports that sets out the percentage of time each monitoring station has spent above:

- The WHO guideline level for health impacts for hydrogen sulphide (this is recorded over a 24hr average)
- The WHO's guideline level for odour annoyance for hydrogen sulphide (30 minute average).

This is shared with Public Health England and we publish these on these web pages.

#### **Monthly Air Quality Report**

We produce a Monthly Air Quality Report which provides information on the data recorded. This is also published on these webpages along with the Public Health England report: PHE Health Risk Assessment Air Quality Monitoring.

#### **Final Report**

At some point (to be determined by partners and what is happening at the landfill), we will produce a Final Report which will provide a detailed assessment.

#### **Task Specific Analysis**

We are also using the data to identify trends, correlate the data with weather patterns, look at the time and day of increases (and decreases), weather analysis and if certain activities on the site or in the local area, contribute to the issues. This is ongoing internal work and used to inform our regulatory activities. These will be included in our Final Report if appropriate.

The Environment Agency conducts all its monitoring and data handling using approved standards and methodologies and is externally audited. As a result, the data we use in our reports is called 'rectified data'. This is data that has had calibrations applied and some basic quality assurance checking carried out but it is still likely to change once

calibrations are applied to the full data set at the end of the study. This is a standard approach that needs to be taken when conducting highly sensitive air quality monitoring.

We are updating the information on this webpage every week. To receive notifications, email your contact details to: [Engagement\\_WestMids@environment-agency.gov.uk](mailto:Engagement_WestMids@environment-agency.gov.uk) and we will add you to our mailing list.

See [Staffordshire County Council website](#) for information on public health impacts of odours in the Silverdale and wider Newcastle under Lyme area.

Walleys Quarry website: <https://walleysquarry.co.uk/>