

Transcript of Facebook Q&A event 28/09/2022

PRES: Presenter

ML: Marc Liddersh

MJ: Mike Jenkins

PRES: Hello there, and welcome to the September edition of the Facebook Q&A. It's good to see new members of the group. A quick reminder that we are answering questions submitted on the designated questions thread earlier this month. Now, as we have previously explained we may not be able to answer every single question for example, there may be some that we cannot answer for legal reasons and others may fall outside our remit as the Environmental Regulator. We may group questions together if they're on a theme as we have with questions in this session. With me today are Marc Liddersh and Mike Jenkins both Project Executives at the Environment Agency and they have the responsibility for the regulation of Walleys Quarry.

Let's get underway then with two questions to begin with on the theme of the bond or indeed that of financial provision. I'll read them both out and then we'll get a response for you. Ok, so Phil has been in touch and Phil writes to say, last month I asked a second question regarding the bond, which is in place, should the landfill operator cease to operate. Although, I understand that there is a technical process involved and there have obviously financial confidential matters which can't be discussed. I and other members of the community want to know if the bond is sufficient to prevent any form of financial burden being placed on the public purse, should the operator fail at any time? This is clearly a question which deserves a yes or no answer. So that's Phil's question and a second question on the theme from Simmo and he says, also they pay a bond, what happens if Walleys Quarry goes bust just before they close? The bond will be nowhere near enough to cover the cost to repair the damage who will foot the bill. Does this come down to the taxpayer?

So, that was questions from Phil and from Simmo and Marc Liddersh we will go to you first of all please.

ML: Thank you Neil and thank you Phil and Simmo for those questions. So, in previous videos we have obviously tried to answer the questions around financial provisions so just to recap some of those points we've made in the previous videos. So, calculation of financial provision for any sites relates to the period of aftercare of a site once it has closed and it takes into account a number of factors so that includes things such as environmental monitoring, off-site monitoring of things like landfill gases and the groundwater quality. It also takes into consideration the cap and capping of the site along with the cap maintenance as well. And it also takes into consideration the management and monitoring of both leachate and landfill gases on site. Now, there is more information on this and about how financial provision in general is calculated and that is available on the .gov.uk web page and to help people if they are interested in looking at that we will put a link to that.gov.uk webpage in the chat function below this video once it is published so you'll be able to look for it directly there. Now, what I just want to cover off and what we have said and explained before is, we are not able to comment on specific financial provision arrangements for this site, or any site, that has financial provision in place. And that simply means that we cannot give a yes or no answer to that question about the sufficiency of provision that's been provided here.

With regards to the points that Simmo has obviously asked around the company going bust it is unhelpful to speculate and we are also unable to do so. However, should an operator cease trading

due to something like debt that may them go bust the Environment Agency would work with the appointed Insolvency Practitioner that would be put in place and we would obviously continue to work with those partners such as the local authorities to ensure the environmental and public protection remains in place. An Environmental Permit, it's just worth pointing out is, can be transferred to another operator during any period of Insolvency that could happen under that scenario.

PRES: Marc, thank you. Next up, we have a question on CCS scores and it's Michael, and Michael writes in his question; with 56 CCS scores which to those who aren't sure stands for Compliance Classification Scheme that with 56 CCS scores (points) in 2020, 166.5 CCS scores in 2021 and 244.4 CCS points so far in 2022. How can Walleys Quarry Limited (formerly Red Industries RM Ltd) possibly be described as working towards compliance. If that statement was true, the CCS points would decrease over time and not increase? That's a question from Michael and Mike, we will go to you if we can.

MJ: Thanks Neil, and Michael thank you very much for the question. To start with it might help to explain how the Compliance Classification Scheme or CCS scheme works. The Compliance year starts on the 1st of January and ends of the 31st of December each year, at which point the score is reset. If an operator is scored for a breach of its permit but makes the required improvements to remedy the breach the CCS scores is not altered at that point. There is a new explainer video on the Facebook Group about compliance scores and performance banding and we've uploaded a transcript of the video to the Citizen Space page so that non-Facebook users can also access this information. Again, we're going to provide a link as part of chat to this which will show our guidance on how we assess and score permit compliance within the Facebook chat section where the video is published. A landfill site would normally be the subject of 1 audit, 4 site inspections, 4 monitoring reviews and 1 engineering inspection each year. The Environment Agency has carried out significantly more regulatory activity with regard to Walleys Quarry landfill in proportion to the concerns that we've obviously identified. We provide regular updates on the measures implemented by Walleys Quarry Limited which we've required from the company to achieve compliance. The total number of permit breaches recorded in 2021 was 33. In 2022, to date 6 breaches have been recorded. Thank you.

PRES: Ok, thank you Mike. Louise has been in touch we'll go to her for her question. Louise writes, why given their continued non-compliance aren't you shutting this place down and stopping further tipping particularly given that the non-compliance is causing a high risk to our own and our children's health and future development with the toxic gases', particulates, and odour control perfumes?

Marc, you've a response for Louise.

ML: Thanks Neil and thank you Louise for that question. So, just to state at the start there is going to be a bit for me to say to answer all those points within the question that's been raised. So, just first off to give the position of the site in its current state. So, as we all know the site is only partially filled so it is not suitable for permanent closure as the gas things like surface water and also the final restoration contours have not yet been achieved on the site. Now, it's very important that the landform itself must comply also with the planning permit conditions or planning permissions conditions that have been set in place by the planning authority which is Staffordshire County Council. Now, you can find more information about when the Environment Agency would consider its appropriateness to revoke a permit, the Environmental Permit that is and that is detailed in our Frequently Asked Questions section of the Citizen Space and again at the bottom in the chat section of this video we will put a link to the FAQs for anyone that wants to read further about that. Now,

this includes if the operation is found to pose obviously a serious risk to the environment or human health. So, in respect to all that and all the other ways to reduce the significant pollution in this case such as odour have all been exhausted.

So, the measures that have been implemented by the operator and our monitoring data that we've been gathering from the sites with those 4 MMF's have shown significant improvements made in the impact of activities outside of the site boundary. So, I can now refer to the latest data that we have, and I refer to the UKHSA's report from August 2022, which will be published on the Citizen Space page this week. So, for August 2022, the monthly average concentrations for Hydrogen Sulphide recorded at 3 of the MMF's which is MMF1, 2 and 6. They were all below 1 microgram per cubic metre. Now, the MMF9 on Galingale View, the monthly average for August 2022 was just above 1 microgram per cubic metre it came at 1.1. Now, to put that into context the monthly average concentration for MMF9 in March 2021 was at 27.9 micrograms per cubic metre. So, you can see that there is a significant reduction from March 2021 to August 2022 particularly around MMF9. I will now just read out the latest statement from UKHSA's August 2022 Health Risk Assessment Report and it confirms that the cumulative average concentration levels at MMF 1, MMF2 and MMF 6 are below the long-term lifetime health-based guidance value. So, just to confirm the guidance value is 2 micrograms per cubic metre. It goes onto say at MMF9, the cumulative average concentration remains above the long-term lifetime health-based guidance value. The risk to long term lifetime health cannot be excluded where the cumulative average concentrations continue above the long-term health-based guidance value. Currently, this risk is likely to be small and as long as the monthly average concentrations remained below, or close to the long-term health-based guidance value and cumulative average concentration continues to fall towards that value this would remain the case. So, just to kind of also just cover the cumulative average concentration levels particularly again at MMF9 for August 2022, this is at 7.5 micrograms per cubic metre and that is compared to 10.9 micrograms per cubic metre which was recorded in October 2021 when that was first reported in the UKHSA report. So, Louise just obviously mentioned some other kind of air quality issues and one of the points just want to raise around the monitoring results we gather not just Hydrogen Sulphide but particularly round the results for particulate matter where we measure PPM 2.5 and PPM 10 in August 2022. All the data for the particulate matter were below the UK Air Quality objectives and just to come back to the point in the latest results of Hydrogen Sulphide in August 2022, when we talk about the threshold or the odour annoyance guidance guidelines value in August 2022, that value was or went above the annoyance guidance value for less than 1% of time across all 4 MMF's.

PRES: Ok, Marc, thank you. Lots in there for you Louise I hope that was helpful. Let's go to Richard and to Mark now who both have very similar questions, so we have grouped them together. Richard writes to say: now that cell one is fully capped off and sealed once the drought ends and the smell becomes widespread again will you admit that the new waste is causing a problem? And Mark also writes on the same subject there seems to be supplementary question to this based on the most recent breaches that we know about. And he says given that we now know WQL (Walleys Quarry Limited) have continued to accept gypsum in waste will you confirm that new waste as defined in your own terms is also part of the ongoing problem?

Mike Jenkins, you've been looking at Richard and Mark's question.

MJ: Thank you both for the questions as Marc explained a few minutes ago the current situation is much improved. Levels of odorous Hydrogen Sulphide in the bulk gas have dropped from six and a half thousand parts per million on the 2nd of June 2021 to fourteen hundred parts per million as of the 20th of September 2022. To help combat odour issues at site in active phases we required to

progressively install gas extraction systems within the operational cell to collect all the gases being generated. Significant volumes of gas are being collected from this system and safely destroyed in the gas plant. We report the volume of gas captured in our weekly updates. In our update on the 15th of September 2022, so last week and the rate was at approximately three and a half thousand cubic metres per hour. So, we've seen significant increases within those levels. As a preventative measure we've also required Walleys Quarry Limited to revise its waste acceptance procedures to avoid the acceptance of high Sulphide bearing waste and currently carrying out an audit to assess implementation of these procedures. Waste producer sites have also been a subject of audits focusing on the production of trommel finds with a view to avoiding gypsum contamination of waste disposed of inappropriately at landfills. Other measures as set out in our plan to reduce the emissions which was recently been reviewed and updated and will be available on the Citizen Space webpage shortly.

PRES: Thank you Mike. Next up Simmo and he writes to say; in response to my question last month, you stated that you have no power to force lorries to come to the Quarry it is down to the Police to bring them. There have been two operations one which includes your crime team and the Police and then there was one with the Environment Agency's crime team, Staffordshire Police, HMRC which is His Majesty's Revenue and Customs Fraud office and DVSA. Simmo finishes by saying, why are these not carried out more regularly?

Marc we'll go to you.

ML: Thanks Neil and thanks Simmo for that question. So, these sort of joint operations as you can probably imagine are very resource-intensive and at present we have gathered the information that we need so repetition of this type of joint operation is not necessary. We, of course continue to review that and will of course look for support of those partners again in the future if we need to do so. We, as the Environment Agency are still very active at the site, we are continuing very frequent visits to the site through our regulatory work and to date we have carried out 58 visits to the site in 2022, which is a significant amount of visits compared to what we would normally do at a landfill site.

PRES: Ok, thank you Marc. Mark with a K is next, and Mark says, it's clear evident pollution from the site is contaminating the local environment and affecting the health and well being of residents. Pockets of Hydrogen Sulphide were detected several times along with the stink of fresh waste. He says, is it clear now the municipal waste should be stopped as there is nothing to prevent odour contaminating residents' properties? The site long term because of its Hydrogen Sulphide problem be made a dry site with an impermeable capping barrier, this will take away the H2O preventing biological activity with the SRB.

Mike, you've been listening to this one do you have a response for Mark please?

MJ: I do, thanks Neil and Mark thank you for the question. So, one of the main ways to prevent emissions from the site is through capping, the laying of the Phase 1 geo-membrane has been completed and is now being covered by soil protection layer which is 300 millimetres or 30 centimetres deep. The Phase 2 temporary cap is in place which preforms as well as a permanent cap in containing landfill gas over a shorter period of time, so, until the permanent cap is applied. Temporary capping is necessary when further waste is required for example, to cover the access road to finalise the site profile. Ongoing improvements to the gas infrastructure mean more landfill gas containing Hydrogen Sulphide is being extracted from the site for destruction. As we've indicated earlier today the concentration of Hydrogen Sulphide within the landfill gas extraction

lines is reduced by two-thirds since we intervened last year. An impermeable barrier won't stop landfill gas containing Hydrogen Sulphide being generated. There are a number of competing bacteria that can create either Methane or Hydrogen Sulphide via an interaction between the deposited waste and leachate in the landfill. With our focus on waste acceptance, we expect the operator to eliminate as far as possible any waste that has a high sulphide bearing content. Walleys Quarry is drawing leachate from 25 wells currently and is planning further works, 5 further dedicated wells to enable further leachate to be extracted. These proposed measures reflect a strategy which includes making a landfill a drier site.

PRES: Ok, thank you very much indeed Mike. Finally, then Louise and Louise has a question around what she calls the perfumes, Louise writes to say: you gave me details of the perfumes that Red are using but I can't find details of them anywhere. I would like them to stop these perfumes because they're making me ill or could you please advise what else I can do? I've lived in my home for 35 years and can't afford to move. Marc, over to you.

ML: Thanks Neil and Louise thank you for that question. So, as you said in the last video in August, we did provide some information around the perfumes that you've described that have been used in the deodorising system. So, just to give a bit more information that might help so the product that they use is a product that's called ODR and what we will do is we will put a comment of the name of that product in the chat function below this video so that you can go into a search engine and be able to look up more information. So, just for reference for those who haven't seen the August video and me taking about this previously, we did obviously explain that the product that is being used this ODR product in the deodorising system is a non-toxic food biodegradable product and is mixed with just mains water. That's then obviously put into the deodorising system and Walleys Quarry Limited use 2 fragrances. They use a fragrance which is called Cotton Fresh and the other called Cherry. We've obviously spoken to Walleys Quarry previously about the issues that you've raised to us around the deodorising system and the mist that was going beyond the site boundary. They've obviously taken steps to look at that and they have also reviewed the amount of deodoriser it uses within the system because we understand that it can be as offensive to some people as the odour it seeks to mask. So those steps have been taken but hopefully Louise that information that we provide here now will be able to give you some background to go and look at the product itself to see what's in it.

** END OF Q&A, Presenter wraps up asking for feedback and advises Questions Thread open below.

PRES: Ok, thank you, That's the end of this month's questions for September Q&A but I'm going to throw back now to Marc Liddeth who has some information to update us on with regards to next months Q&A and indeed Q&A's going forward.

ML: Thanks Neil and firstly thanks to everyone that's posed questions to us for this month's Q&A, but also to all previous ones that we've been doing. I've probably been, or I have been involved in every Q&A for each month but as of end of this month September 2022, I will be returning back to my substantive post here within the Environment Agency and will be moving away from the Project Executive role for the regulation of Walleys Quarry. So, its just to advise and announce that as of the end of this month I will be moving away, and my colleague Andrew Hitchings will be coming in to replace me. Andrew will take over with things like the Facebook Q&A sessions obviously working still with Mike Jenkins who is on with me today and both Mike and Andrew will continue with the Project Executive roles in dealing with the regulations of Walleys Quarry Landfill. So, Neil thank you very much for that and I will hand back to you just to close the video off.

PRES: Ok thank you too of course Marc, Marc Liddeth there and Mike Jenkins and just a reminder of course that you can access the websites and the links that we referred to in this video by clicking on those links in the chat box just directly below. We will open the next questions thread in the Facebook group at 9am on Monday the 3rd of October and it will remain open for 5 days until 5pm on Friday 7th of October. Please post all of your questions there during this particular period. Goodbye and thank you for watching.