



Department
for Environment
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Walleys Quarry Community Engagement

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Walleys Quarry Community Engagement

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Carl Moss –

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Sarah Dennis –

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Question Askers:

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John Shaw –

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Michael Pepper –

Tom Currie –

David Greenwood –

Dr Mick Salt –

Clare Dinnis: Good evening everybody. And thank you for joining us this week. So we're going to follow the same kind of format as we have for those of you who've joined us previously. So what that means is we'll give you a brief update on the latest, since we last spoke to you and then we'll come to you and we'll take your questions.

I'm joined today by Carl Moss, Adam Lines and Ian Withers, all of whom you've heard from before, and also by Marc Lidderth who is managing the overall Environment Agency Walley's Quarry team. So when we last spoke to you a fortnight ago, I said that we would do everything we can to encourage our health partners to join us this week and for future calls. They've always had an invite and we were encouraging them to take that up. So those health partners include a number of different organisations. The key ones are Public Health England and Staffordshire

County Council. And those of you who follow social media will know already that those organisations, unfortunately, are not with us tonight. However, what I can say is that they are absolutely committed to joining us at future calls, and the discussions are ongoing about the best way to do that.

Now I recognise that the absence of those health partners is very disappointing for many of you who've joined tonight who may have health-related questions. It's disappointing for us too because we recognise from previous calls that this is something on which you want to speak to those directly who were giving you the advice. My team and I simply aren't qualified to do this. And because of that, it would be irresponsible of us to try. It's that multi-agency approach that drove us to call for partners coming together back in March. And it's why we've been working with all of those organisations, those I've mentioned and others, since then to make sure that the response that the environment agency is putting in place, the actions that partners are taking and the advice to you as a community is all coming from the relevant specialists. So even though they're not here tonight, they're absolutely part of that bigger picture and understanding what we're doing.

In terms of health advice-related questions, you might have tonight, I'm not going to cut those off. We will listen, and I promise you that as we have with previous calls, I will share those with Staffordshire County, with Public Health England and with other organisations where they're relevant, but I will tonight simply log them and move on rather than try and answer them without those specialists present. That doesn't feel fair on you for us to see that when we're not the experts. And I would say, of course, if anybody does have any urgent health-related questions or concerns, then please do talk to your GP in the first instance. And as I've already said, you have my absolute assurance that we are pushing as hard as we can for a date when a meeting or call with all relevant partners present will happen so that we can share that with you.

So before I move to the updates on the latest situation on site, there's a couple of things I want to touch on. Mainly I'm conscious, again, those of you who use social media or who are linked in to various local groups may well be aware that the Environment Agency last week received a letter notifying us of potential judicial review about regulation of Walley's Quarry. It's not something at this stage, which we would normally be speaking about, but given it is already out there, I do want to confirm that we've received what is known as a pre-action protocol letter, which alleges a detrimental impact on health from a resident. Now it goes without saying that we take this very, very seriously. My team and I are extremely conscious of the impacts at the site and the odours from the site is having on members of the community. And that's why we are working so hard to rectify them while we're having these calls with you and why we've been bringing multi agencies together to do that.

I hope though that you'll understand that I cannot simply say any more about the letter at this stage. It's private correspondence between us and the resident, and it's part of the legal process that relies on absolute discretion. However, we are absolutely committed to fulfilling our obligations as a regulator and working with the legal process that applies in that case. And you have my assurances that we will be doing that. So let's move on to the latest on site.

Carl Moss who leads our regulatory response is going to lead this. So over to you, Carl.

Carl Moss: Thank you Clare. Good evening, everybody. What I want to say is we continue to enforce our strategy of contain, collect and destroy the landfill gas that the site produces. We are continually pressing the company to put all their efforts into ensuring that landfill gas does not escape beyond the boundaries of the site via active containment, effective collection by burning it in gas engines and flares so that it is destroyed. During the past weeks, since the last call, we've continued to press the operator to increase the amount of capping across the whole site so that they keep the active tipping area as small as possible. Currently we have pressuring them to use an area of about 35% of the surface area of the site.

We will continue to review this on a very regular basis and going forward, we may even force them to reduce that area to a smaller area. In terms of further containment, I told you at the last engagement session that the company have still to cap 17,000 square metres of surface area, and these are the very steep slopes on the eastern and western boundary. And they also sourcing a material called a Posi-shell so that they can lay this material in a liquid format because those slopes are too steep to use mechanical equipment. This material is on its way from the USA where they sourced it from, and they will lay that in mid-July. So for clarity, that means that since March 44,000 square meters of the surface of the site is being capped, and when not 17,000 is laid in July, 61,000 square meters of the surface of the site will have either permanent or temporary capping. As you would expect with an operation like this, we press the company to regularly supply us with plans going forward. We've had plans for the coming weeks for additional infrastructure with regard to collection, and they have supplied us with information that shows in coming weeks they will be installing a further 22 extraction wells on the site. So that is in addition to the 12 that were put in as part of our notice that we served on them in April. These additional wells will help with the additional cut gas capture. We've told them to crack on with the first stages of that plan for the additional 22 wells and they're moving forward with that.

At this point, I'd just like to stress a really important point here. It's not just simply about drilling additional wells connecting the pipe work at that surface, connecting the pumps and simply sucking the gas out of the site. It is a very complicated and dangerous process. The body of the landfill is really hot. And the last thing we want to do is via that process suck air into the body of the landfill, because I can tell you that if a landfill fire was created at their site, it would almost be impossible to extinguish.

In terms of that infrastructure of capping and gas wells, that's enabled the company since the 26th May to sustainably extract 2,700 cubic metres of landfill gas per hour. And that is because of the additional capping and wells that they have put in. That 2,700 cubic meters is an increase of 450 cubic metres of gas an hour. So that is a significant increase. So in terms of the destruction, I just want to make you aware that onsite they have three flares, one of 300 cubic meters, one of 3000, one of 1000 cubic meters capacity. So that means they've got 4,300 cubic meters of capacity going forward, which will assist with destruction if they manage to increase extraction rates.

So moving forward to destruction. We have required the company and their landfill gas contractor to do a forensic inspection of that infrastructure. They have carried out spot – sampling of the flares and gas engines. On previous calls, people have asked around continuous monitoring, but because of the temperatures that the flares burn at, continuous emissions monitoring isn't possible at the moment. We had demanded a plan from Walley's Quarry Limited

to explain how they will sustain the – manage the unique combination of gases that their landfill is producing. And I can assure you in recent days, we've held a number of conversations with the company and with their landfill gas contractor to put as much pressure on them as possible such that they properly manage containment, collection and destruction.

So in summary, we're certainly pursuing the strategy of contain, collect, destroy with Walley's Quarry Limited. It's my personal priority. And it's the priority of all of us in EA. It's a strategy that we use in the EA across all the landfills that the EA regulates. My colleagues and I will not relent in our efforts to ensure Walley's Quarry uses all the appropriate measures going forward. So I know there is a question for all of you around why don't we simply close the site. And I'd like to hand over to my colleague Adam Lines who will pick up top points and explain our approach going forward.

Adam Lines: Thank you, Carl, and evening, everybody. So, as Carl said, I'm going to talk to you a little bit about the permit and the regulations. So lots of you have asked why does Walley's Quarry continue to operate, why haven't we closed the site and why does it continue to receive waste when we've acknowledged that the landfill generates unacceptable odour. We've touched on some of this in our previous calls but we thought if we explain this in a little more detail it might help you understand the picture a little better. Also to support this, we're going to be adding a timeline of our regulatory interventions to our citizens space page on our weekly updates that kind of helps explain the steps we've taken to address the odour issues.

So, as a regulator, we have a statutory or a legal obligation to follow what's called the regulators code. This is essentially a set of rules that are imposed by the government that dictate how we and other regulators deal with breaches, infringements or non-compliances with legislation. And what this code does is it prevents us from acting unreasonably or unfairly or without kind of sufficient justification to do so. And that kind of ensures that there's a level playing field for businesses, which brings that reasonableness into regulation. And I can kind of hear you on the call and I completely accept you saying, well, what's reasonable about the situation we're having to endure. In the answer that it isn't reasonable, and that's why we're acting to resolve it. But this element of reasonableness does also make its way into the legislation supporting the site's environmental permit. And that's something called the environmental permitting regulations. And these have a role in governing how we regulate too.

The permits and regulations really stipulate that we have to give an operator time and opportunity to either improve their operation or to return back to compliance. And this is based really on a principle that the best thing to have is a compliant operator running a compliant site that doesn't impact the environment or the community rather than when a permit is suspended and an operator can't manage those activities or can't continue to run in a way that it needs to. And this has really been our experience across a lot of waste sites across the country over the years. But also in practice, the regulators code and the environmental permitting regs mean we can't simply suspend or take away a permit if we don't like a company's behaviour or its attitude. There has to be kind of sufficient grounds, evidence-based for us to take any action, enforcement action. Otherwise, the company have a legal right of appeal and a challenge to us.

This is really significant because if a challenge, a legal challenge is made to our enforcement action, it means in most cases that the operator can continue with the activity that it's challenged until that appeal is heard. This can sometimes take a number of months or even years to resolve. And again, if we were to ever lose an appeal of that nature, it weakens our

case for taking further enforcement action in the future. Let me assure when we consider our enforcement action, we have to be satisfied that it's reasonable, it's in a public interest, it has a good chance of delivering that desired outcome also in the background considering the risks that an appeal may have on the current or future situation.

But the regulators code also sort of stipulates that enforcement action is the last resort when we're seeking to change a company's operation or its behaviour. And we first have to ensure that we've provided them with significant advice, guidance, and allowed them the opportunity to comply with the law and given them really every chance to do that. I mean, ultimately if we believe that a company can't take those steps or it's exhausted every avenue, we can intervene more robustly and we can suspend the permit either fully or partially, even revoke a permit completely, but also we need to consider the consequences of doing such on the longer term management of situation it relates to.

So at Walley's Quarry, you will have seen and picked up that we've covered evidence relating to some non-compliances. These have been subjects of our previous enforcement notices. I'm really sorry that I can't share any more about the specifics in terms of our future actions around this, but we are continuing to visit the site and to monitor compliance against the permits.

Apologies for quite a lengthy explanation here, but I hope you can understand and it's a little bit clear about the process we have to follow with Walley's Quarry. And I believe kind of first and foremost that the process we're following will result in the problems being resolved and the prevention of odours or at an absolute minimum, reducing them down to a level that is acceptable and doesn't impact the community.

By following this process, we also know we're putting ourselves in the best possible position to take any preventative legal action and to stop those operations if that is required at a point in the future. I appreciate that perhaps isn't always what you will have wanted to hear from us, but in the meantime, it does mean that Walley's Quarry can continue to operate under that permit, and does explain why some of the loads you see are still entering the site and waste being deposited. I mean, I also recognise that the process I've described doesn't happen as quickly as you would like, or even as quickly as we would like. We are going absolutely as fast as we can to ensure the company take those necessary steps. And my personal commitment to you is that we won't stop until this situation is resolved. I hope that's gone some way to answer some of your queries around the regulations that we follow and the processes we have to abide by. I'm going to hand over to Ian now who's got some updates on some broader topics.

Ian Withers: Thank you, Adam. Good evening, everyone, just to continue the theme of responding to some of the conversations and points you've raised in the past, I'll just mention I think, three or four subjects very briefly that have been prevalent on particularly social media lately. I'll do my best to respond to the general nature of those queries. And by all means we can pick up a bit more detail in the Q&A later. So, firstly, there's been quite a bit of interest in the situation on cell one in the landfill and the capping progress. The cell is capped, but we have to ensure that the material and the quality of the work that has been undertaken on that cell meets the quality criteria that we would expect in the industry. So we have to assess an independent assessment of the construction of that cap which means looking at a lot of reports and data before we can absolutely sign off that the cell is capped properly. So that's underway, and we will we will update you when that is completed.

That's the first point. The second point is just about air quality. Air quality is something obviously that many of you talk about on social media and elsewhere. So the latest on the air quality monitoring data is that we've shared the latest full month dataset, which is for May, with partners, Public Health England principally. And the interpretation of those data is a joint exercise with PHE and our local authority partners. And again, we're awaiting their response and their analysis and interpretation of those data. So we will make that available jointly once that's done.

Third point is about leachate. Again, a lot of interest in leachate and its association with landfill gas. Many of you have asked about leachate volumes that are managed on site. And just as a bit of a snapshot I'll tell you that in May, 2,800 cubic metres of leachate were removed from this site. So that's a big volume by anyone's standards. That leachate was removed by treatment offsite by Severn Trent Water. And it doesn't come back onto the site, and that is destroyed effectively offsite. So for those of you who are wondering what sort of volume that is, for two thousand cubic metres, that's getting on for 3 million litres or 600,000 gallons, and that's probably a typical month and gives you a snapshot of the sort of volumes that are being removed. Of that figure by the way – so some of that will go off through the sewer network to Severn Trent Water treatment works, and around about a ninth of it, 300 cubic metres is removed by road tanker, and you'll probably have seen that happening through tankers coming in and out of the site. But again, that leachate goes off to destruction effectively offsite by Severn Trent Water. Why that's important is just because leachate is odorous itself, and that's a good way of getting a bit of odour-releasing substance off the site. But also it reduces pressure in the landfill which might be contributing to the emission of gas.

The next point, there has some comment around compliance band of Walley's Quarry. We touched on this in the last call. You can read the transcript if you weren't on the last call where there's a bit of information about the way that compliance works for this landfill and every other landfill in England. And there's a lot of information on gov.uk, and we can put a link in fact on our next update to give you – to take you to the figures around compliance for all the landfills in England. And so you can see where Walley's Quarry sits in the league table of compliance as it were. Walley's Quarry we said remains in compliance band E, that's not quite the lowest, but very nearly. The highest is A, the lowest is F. And that's simply because of the number of non-compliances that have occurred at the site in recent weeks and months. So there is a set of data available. I won't give you it now, but I will make that link available on our citizen pages over the next few days. And there's lots of explanation on there about how compliance banding works and the charging process as well.

Briefly to put it in context, last year, there were two band F sites in England and 19 sites in band E. There are about 2000 sites that are permitted for landfill operations in England. So this is one of only a few sites that are giving these kinds of problems.

My last point is just about the pollution in the Lyme Brook. Many of you aware of this. We know that at the beginning of June the Lyme Brook was a sort of white cloudy colour. This actually, sadly, isn't an uncommon event. Cloudy discoloration of that nature is often associated with sewage pollution from the foul sewer network. And it's something we're very familiar with and investigate if it's serious enough. In this case we let Severn Trent Water know about it because the likelihood was that it was associated with their sewer network. In fact, they couldn't confirm

that it was from their sewer network, but they believe that it was likely to have been that. It simply stopped by the time anyone got there to have a look.

Now, the most likely explanation for that is that it was a sort of a rainfall event. There was some flashy, stormy rainfall around during the day that it was reported and it is likely to have washed some surface pollution into the brook. We know definitively that there wasn't a discharge of surface water from the landfill site or any of its surrounding infrastructure at that time. So we've – we and Seven Trent water have ruled out Walley's Quarry as a source of pollution.

Just an update, final update on that point. We wish to understand what's happening in that Lyme Brook catchment better. We've installed a continuous water quality monitoring device in the brook. And we were about to install another one upstream of Walley's Quarry, and that will give us 24/7 data about what the water quality is like in that catchment. And we will share with you anything of interest that we find in coming weeks.

So I hope that's been a useful update. I haven't gone into a lot of detail, but I hope that's just given you some information about the points that have been most prevalent on social media in the last few days. That's all from me, Clare. Back to you. Thank you.

Clare Dinnis: Thank You, Ian. And thank you everybody for bearing with us an awful lot of information there. We've tried to answer some of those questions we've seen coming in. So just before I go to your questions, I'll mention that we are planning to continue these calls like this until the rules on relaxing lockdown restrictions are more certain. So we're planning for another one in the week of getting the 12th July and we expect to hold at least one more after that. Now I do, of course, hope that those calls will be replaced by those joint agency calls that I talked about right at the very beginning of this. But what I don't want to do is certainly[?] to be a gap in the updates that we give you and the updates that we're talking to you, and the questions, the ability for you to ask us questions. So we will plan them. And then when we know when those partner calls can start, obviously, we won't duplicate them, we'll join in with the partner calls.

Okay, we'll come to your questions now. I can see there's some in the queue. So Lydia, can I come to you, please?

Operator: Of course. Our first question comes from the line of Helen Vincent. When you're ready, please go ahead.

Helen Vincent: Hello? I'd like to say that I am absolutely furious about Public Health England not engaging with this call. I assume that they declined – as you say that you invited them. And I don't believe that using just the monitoring is enough. I mean, is there a mission statement, quote, 'detecting the nature from public health hazards'? Now this is a huge hazard. This is the crisis. We've got people with absolutely so serious conditions it's untrue. So I'd like to – I mean, there was a couple of questions I wanted to ask them and of a more generic nature rather than a specific health question because it's not good enough just to say ring 111 or your GP, because a lot of GPs aren't engaging in this. So I'd just like to say that.

And secondly, my main question was why are we not having sophisticated monitoring put into our homes? Because the MMFs, they take a snapshot. Fair enough. But we're getting these really severe gases and more concerning the particulates and PM 2.5 PM 10s in our homes. And

the only monitoring we're getting are less than sophisticated ones from Newcastle Borough Council which only take – they don't really do the job. So it really, we need monitors in our houses because the gases don't go anywhere, they accumulate in our houses and get really concentrated. We can't get rid of them. We're breathing those in. So we would really like to know what it is we are breathing in.

And secondly on the PMT 0.5 and the PM 10s, have these not been tested – they needed electron microscopes, obviously. So the actual origin of them, because if they can find the origin of them, then they can be proven to be from Walley's Quarry. So, that's mainly my question. Thank you.

Clare Dinnis: Okay. Thanks Helen. So we did issue invitations. There have been invitations all the way through to all health partners not just Public Health England, and I am really hopeful that we will have Public Health England and Staffordshire County Council here in future. That's something that they have committed to. And we are absolutely working to make that happen as soon as possible. We are going to make – the transcripts and the calls have always been available to them. And we will be sharing that. So they will hear your feedback for them.

In terms of monitoring in homes, the legislation around our monitoring allows us to do what we are doing around the site. Newcastle Borough Council is the authority that is able to do that monitoring in homes. Now, obviously, you've also given them some feedback there. And again, they are invited to be part of these calls as well. What we can do is tell you about the monitoring that is going on with the MMFs and the particular compounds that are being monitored for there and assure you that that conversation is happening with a multi-agency health group – sorry – multi-agency group. It includes those health partners as part of that air quality monitoring. So I'll hand to Carl to just talk briefly about that. But I will assure you, Helen, that we will be sharing the transcript from this. So those organisations will hear that from you. Carl, if I come to you, please.

Carl Moss: Thank you, Clare, and thank you, Helen. And with regard to the equipment in the MNS, I can assure you there is equipment in there measuring PM 10s and PM 2.5 and that monitoring is on a 15-minute mean concentration basis. There are peaks of those materials and that information is shared with Public Health England and their focus at the moment is concentrated on the hydrogen sulphide levels. They haven't raised with us any concerns about the data we've supplied with them about PM 10s or PM 2.5s. So from my point of view, that's an ongoing issue that I would pick up and I will raise again with Public Health England on your behalf.

Helen Vincent: Yeah. I mean, what concerns me is the WHO guidelines on PMT 0.5 is 10 milligrams. And UK is 25. Now we're breathing these in. And I think the only way to actually decide whether those PMs are coming from Walley's Quarry is for them to be tested. And to be quite honest, we've got to monitor down the road from us, MMF down the road from us, literally a few minutes' walk at the fire station. And the monitoring results that are coming out from that absolutely bear no resemblance on our experience, absolutely none. I think it said something like 10% for April –

Carl Moss: For H2S?

Helen Vincent: Yeah, that was H2S. Which obviously, my big concern is the PM because that is far more destructive. It's not odorous. So we don't know it's there. It's such a worrying thought because it is so destructive to human health.

Clare Dinnis: So Helen, we will absolutely make sure that that is passed across. As Carl said, the monitors are collecting all of the information that the health partners have asked us to. I do absolutely recognise the concern particularly about those that are more difficult for you and for humans to detect. So, the latest set of data has been shared with health partners, and there will be a report coming in the next kind of week or so on those that will give you the latest information. But we will share that, share what you're telling with us, what you were telling us back. Okay.

Helen Vincent: Right. Thank you very much.

Clare Dinnis: Thank you, Helen. Lydia, can we go to the next question, please?

Operator: Certainly are not going to question the line of John Shaw. When you're ready, please go ahead.

John Shaw: Hi. So you've breached that Red industries – Walley's Quarry 38 times since 2019. So my question is, what will it take for you to remove those permits? 38 times, 38 times they've been in breach of their permits and yet you still do nothing about it. What is it going to take? Has somebody got to die? Is that what it will take, somebody's got to die before you will take any action whatsoever?

Clare Dinnis: So, John, Adam explained at the beginning of this call was about the laws that we have to follow in relation to this and the actions that we can take in that. We with each of those breaches set out what the company has to do to address that breach, when they have to do it. And we then go in and we assure that they have done it. When we set those permits, what we're trying to do is we're trying to set something which is pushing them to put as little impact as possible. And that means they are hard to meet those permits. And that's why there's a process.

John: Really that is not happening. Really that is not happening though, is it?

Clare Dinnis: Well, it is happening, we have issued those breaches. We have issued the actions that they have to take. That is all public information. And we've set that out. And then where – on the rare occasion where that's not been followed, we have followed the up as we have done throughout the whole of this year. Many of those 38 are actually relatively minor things. Some of them are administrative things. But the banding that they're in, band E, does reflect the seriousness of what's happened this year.

John Shaw: What would it take to be in band F? It would have to kill somebody?

Clare Dinnis: No, John, they would not. Ian explained that what we'll do is we'll put a link on to the citizen's-based page, which gives you access to the information that's already publicly available about the how you – the different scoring which takes you into those different bands. What I'll do is I will ask Adam who covered this to come in and explain. We are, as Adam has already said, bound by that regulators code. We have to follow that. But what we are also doing is pushing to take action on the quarry as quickly as we can on this. But Adam, is there anything you want to reiterate from your earlier points?

Adam Lines: Hi, John. Thanks Clare. I think, John, it's not uncommon for operators to have breaches of their permit says Clare has described.

John Shaw: 38, 38 in two and a half years.

Adam Lines: Yeah. I said that – identified that there are 38 breaches there. I think the point to make is that each time one of these breaches occurs, up until most recently the requisite action is taken to return back to compliance. So then the operator starts from a point of a compliant permit. So I think the point translates these aren't cumulative breaches. These are things that are issues that are identified most of which are and have been minor in nature and the issues that have been identified have been resolved. Part of the way the regulations work where we identify something is wrong at a particular site, give the operator the opportunity to fix that and come back to compliance and run a compliant site.

And that process is no different here. As I said earlier, we have identified a number of breaches recently, which have led to our most recent enforcement notices. And again, we're following that process I outlined in terms of first and foremost trying to get the operator back to running a compliance site. But then as I've also articulated the opportunity to continue to escalate within those guidelines and regulations we have to work to. So, I do apologise this hasn't happened as quickly as you or anyone would have wanted, but this is as fast as the regulations will allow us to go.

John Shaw: I hope that when somebody dies it plays on your mind for the rest of your life.

Clare Dinnis: John, I'm going to ask the operator to end this question here. I'm sorry. Everybody on the call here from the team is absolutely doing everything they can to resolve this as quickly as we possibly can. And I take nothing away from the fact that you have to live with this while we do that. And I don't want you to be in this position as I've said before, but there is nothing further that we can do that we are not already doing. And nobody wants you to be in this position. Please, please believe that. I understand the frustration. I really do. And as others have pointed out, I get that we are not living with this. But that does not mean that my team and I are not trying to resolve this as quickly as possible.

One of the things I want to just finish on that if you're still listening, John, is that if we thought shutting down taking in waste into the quarry was going to solve the problem today, then we would be doing that. But because it's not what is causing the problem today, that's why we don't have the legal grounds to do that. And if we take a legal action, then we risk not being able to regulate the operator and not being able to get them to manage the problem that is onsite. And that's not something that we're prepared to do.

Lydia, can we go to the next question please?

Operator: Certainly, our next caller is Amanda Mercer. When you're ready, please go ahead.

Amanda Mercer: Hi, Clare, so I live about two miles, two and a half miles away from the landfill. So since Christmas, I have been waking up with headaches every morning. Because it's especially strong in the night. A few weeks ago, around three weeks ago, my daughter had to have three days off school because of the headaches, because of the sore throat, eyes red. Just three days off school. Then the following week, she came out of the blue a nosebleed, a massive nosebleed. I rang the doctor. So, it was recorded at the doctors. Now my question to you is if I went up to Red Industries CEO and punched him on the nose causing him to have a nosebleed,

I would be arrested and charged with assault. So why are these CEOs who run these companies not in court facing charges of physical assault to our children? And if they comply with that, this isn't you want them to do, will you be seeking for the courts to actually get them in court for the physical harm they have done?

Clare Dinnis: Okay, thank you, Amanda. I'm going to ask Carl to speak about the sanctions, potentially prosecution, any other enforcement action that we can take on the company and what we are doing within that. I have been clear on previous calls, actually, the timing for that needs to come when it does not detract us from doing everything that we can to resolve the problem, because that has absolutely got to be the priority. And Carl can talk a little bit more about that process. But what I will say first is that we are only able to take any action on any operator that relates directly to the permit that they have with us. Many people have spoken on calls previously about other kinds of action that they may want to take against the operator, but that's not something that is legally open to us as the regulator. So Carl, can I come to you to talk about the action that we can take and that we will consider, please?

Carl Moss: Thank you, Clare. And thank you, Amanda for your question. From my point of view, if we are to take enforcement action, we have to have the evidence to take that action and that evidence has to go back to the company and we have to be able to prove those issues.

Amanda Mercer: Carl, what more evidence do you want? Babies are waking up with blood-soaked pillows. My daughter is having massive nosebleed. This is not a coincidence that children and adults are getting nosebleeds.

Clare Dinnis: Amanda, as I said, we are only legally allowed to act on the permit conditions. Let Carl explain those permit conditions. And that will tell us what we can do. Thank you, Carl.

Carl Moss: Thank you Clare. And Amanda, I'll try and be as clear as possible. The permit conditions that are on the company is that they should ensure the landfill gas and landfill odours do not leave the boundaries of their site. We've explained to you all the processes as part of the permit on how we ensure that the company don't do or don't allow those odours and those materials. And we talked about PM 10s and PM 2.5s earlier leave the site. I understand that – many of you we've talked about odours and I understand that we're we now starting to talk about air quality issues and the impact that that's having. We will use the evidence that we've got to take the appropriate action, but in terms of that evidence, I need to work with health partners on advising me whether the monitoring that I provide to those health partners is actually having those impacts. And once we have the information, I can take those appropriate actions. But honestly I have that evidence such that when I produce a case file or my team produce a case file, and that goes to our lawyers, they are confident that there is a case to answer. And I can't really go into any more detail because any enforcement action is something that has to wait till that case file is submitted to lawyers and it is put in front of the courts.

Amanda Mercer: Well, I hope case file state about the hospital, babies being born and people are dying in the hospital from all the conditions such as old age and the smelling and them dying. You've got babies who can't breathe properly in the night. You got people nosebleeds, children nosebleed. That is all the evidence that should be needed to prosecute them. And I'm sorry, that should be all the evidence you need. We're not lying about this.

Clare Dinnis: Amanda, nobody thinks you are, absolutely nobody who thinks you are. And that is why we have been really clear that the health partners need to be hearing this, they need to

be collecting that evidence and they need to be sharing that with us. We can only act on the law and what the law says we can take for evidence. I absolutely understand that that's frustrating when you're living with us. But what we are trying to do is collect that evidence in a way that will support any future case that we may take. We need to be very careful about how we speak about that because until that case has been reviewed, then there's no decisions that are made on that. But please don't think that we are not taking that seriously. That is absolutely part of what we will be looking at. And we've been clear with that with everybody all the way through.

Lydia, can we get to the next question please?

Operator: Certainly our next caller is Steven Meakin. When you're ready, please go ahead.

Steven Meakin: Hello. Thank you. Hello Clare. Hi Steven. Firstly, I'd like to thank Carl for replying to my questions over the last two previous consultations. I will accept the meeting Carl. So thank you for that. It's been stated that it's – the unique combinations of gas that are within that site is quite worrying. Carl has put the fear of hell into me by saying that if that site catches fire, it will be impossible to put it out. So basically what we're saying is people living around that site, well, I would've thought within two miles, if it does catch fire, we've got a major problem, a major incident that wouldn't be resolved.

Now, the last part in my question is regarding the flares. Within our group of – and I'm sure you're aware of Stop the stink. We have a number of people that live around the site that are monitoring things for us and watching what's going on. Now, the flares that I would assume burn off the access gas that they can't pump away because the pressure is too high, nobody's actually seen a flare or a flame. Now I used to drive to Walsall and I could see their flares on a regular basis burning the gas off. I've never personally seen them and a person that lives on the Galingale estate there, which overlooks the whole site, has confirmed that they'd never seen a flame. How is it monitored and who monitors when these flares are set off and how does it happen? I believe it's automatic. Well, I would assume Carl needs to answer that.

Clare Dinnis: Yeah, fine. Thanks very much, Steven. And I think let's just be clear on those risks there that Carl talked about before I hand to him. We know – what Carl was trying to talk about with the decisions that we make about the pace that we go and about what we ask the quarry to do. Landfill fire is a risk. It is absolutely something that they will be planned in place for in any landfill around the country as to how it might happen. We know what those plans are. And I think the point that Carl was trying to make was that we're not going to ask the quarry to do anything that would jeopardise the risk of that. So please don't think we're telling you that that's something that we think is any bigger risk than usual at the moment with this. What we're saying is that those are the kinds of things that we want to avoid, and hence we take the actions at the pace and with the certainty that we do.

The other thing is that one of the things that makes this particularly unusual, we've talked about the composition of the gas, but it's also that it is not just coming from individual hotspots. And that's why those surface emission surveys that we've talked about have been really important because they help us to understand where the emissions are coming from. But I'll hand to Carl to answer your question about the flares, Steven.

Steven Meakin: Okay. Thank you.

Carl Moss: Thank you, Clare and good evening, Steven. And apologies if I've given you another fear. There was no intention to do that. All I was trying to get over was it's not just simply putting extra wells and coupling them up quickly and pumping extraction rates there that would suck air into the system. It has to be done under controlled conditions, very carefully controlled conditions because quite rightly the last thing any of us want is any combustion and fire taking place at that site.

In terms of the feeds to the flares and to the gas engines, there is telemetry on those feeds. And there is also weekly monitoring of the flows to those flares. I'm surprised that people are able to see those flares burning the gas. We certainly have data that the company supply us, if there is an issue with the flare, their flow telemetry alerts them day or night for them to go in and make sure that the flares are operated. The one thing we don't have is continuous telemetry on the flow that's going through that pipe work to the flare on a continuous basis. But we're talking to the company about whether they should move to that sort of telemetry. So I hope Steven that explained how the company and the information that the company give us about the running of the flares answered your question.

Steven Meakin: Well, it does somewhat answer my question, Carl. And thank you for that, but it just seems strange – I mean, I don't visit the site, but I look over that site on a regular basis. And I can honestly say I've never seen the flare. And the questions I've asked to quite a few people and they said, no, we've never seen a flare. But I won't harp on about that too much. And I hope we do especially at weekend monitor it and get that flare going and big enough access gas off, because we are suffering really bad especially at weekends.

Before, I'd take too much time what, this is my final part of it, Carl, is that I was at the liaison group meeting and I asked question regarding cell one. I was under the impression that it was capped off. Now we've just heard that it is capped off and you're going to check that it's being capped off properly. But the answer was given from Red Industries was that cell one isn't complete and the capping isn't complete. And I think you were at that meeting, yes?

Carl Moss: Yes, I was at that meeting. And one of my colleagues John Philpin was with us. In terms of the capping of that area, when we issued the notices, it was around the capping of cell one that was at final levels. And if you remember, there was some work needed where certain parts of cell one needed to be brought up to final levels by the removal of the gas connection infrastructure, and that was done. But there was always an area of cell one which is the area directly behind the site entrance that's part of the steep slope that I referred to on that boundary where the Posi-shell material is required to go. So for me, there's been a bit of – and maybe that's – on our part and the Environment Agency that when we were talking about the capping of cell one, we were really talking about the capping of cell one that was at final levels. So there is area of cell one that's not at final levels and that needs temporary capping so that it's part of their phased movement around the site, they get to put waste in there and bring it up to final levels.

I think, going forward, Steve – and I had discussions with some of your local councillors the other day – I think we need a proper plan that shows the boundaries of the four cells on the side. And we can overlay all that capping on those plans so it is crystal clear to everybody which parts is cell one, which part is cell two, which starts to cell three, four, etc., are final levels and which ones are lower levels where there is temporary capping. I will you know be able to share that with you quite soon when I have that – those plans and visualisation.

In terms of the flow of information, Steve, when me and my colleagues come to visit you next week, I will have further information on the flare and I will update you when we meet face to face.

Steven Meakin: Wonderful. Thank you very much. Thank you Clare.

Clare Dinnis: Thank you, Steven. Lydia, can we go to next question, please?

Operator: Certainly our next question comes from the line of Mark Clark. When you're ready, please go ahead.

Mark Clark: Hi. Hi Clare. This question is directly for you. What I want to know is a couple of things, really. Why on earth when a guy is committed to prison for committing a criminal act against the Environment Agency you see was he then allowed years later to do – run a company involving the Environment Agency? First question.

Second question, is not the truth that the reason that you won't cap it off, that you won't insist on it all being kept off is because it will cost the Environment Agency too much money if a company just walked away?

Clare Dinnis: Okay. Mark, thank you for those questions.

Mark Clark: I don't want you passing to anyone. I'd like you to answer these questions, please.

Clare Dinnis: I'm going to, Mark. So, number one, we have to do due diligence on anybody who applies for a permit in line with the law. And that law specifies any previous convictions that we can and that we cannot take into account. And the law also specifies the period for which any convictions are held on an individual's record. There were no convictions that were considered relevant under the law that weren't not spent convictions on any individuals who were part of the permit transfer. So my team did, or the – our national permitting service within the environmental agency operated absolutely within the law. And we did what we were able to do in that taste. So that's the answer to your first question. The people who are concerned, there was nothing that we were legally allowed to take account of that.

Mark Clark: That's the matter of opinion, isn't it? Let's face it.

Clare Dinnis: Well, it's not Mark. It's a matter of law. We are allowed to take into account certain things. So absolutely you are perfectly entitled to have an opinion that disagrees with that, but it is an opinion that also disagrees with the law. My colleagues in our national permitting service would have been acting illegally have they done anything different.

The second bit in terms of capping. No, that's absolutely not the case. The company, the operator, if we moved into a position where that was the solution, and as I've said, I don't believe it is the right solution – if we moved into a place, that would be for the operator to do. Beyond that, if there were no operator and it were for anybody else to do it, it would be something that would fall to government. So it is something that would come out of people's taxes. The Environment Agency is not funded to do that. It would need to be something that the central government would allocate money to.

Mark Clark: They've made enough money, several million since made in taxes.

Clare Dinnis: Those are questions – Mark, those are questions that only government will be able to answer. None of that money comes to the EA.

Mark Clark: The other question I would like to ask is, tonight you've talked about being fair to the company, you can't take them to court without evidence. They have rights, they have rights. What about the rights of those people to breathe in clean fresh air, which is the right of every human being? Are we not entitled to even for clean, fresh air around here? You probably wake up every morning and go to bed every night smelling clean fresh air; lucky you, because we don't. What about our rights?

Clare Dinnis: So, Mark –

Mark Clark: Never mind the industry's rights, you can get away with polluting tens of thousands of fish with no fine whatsoever. What about other rights as human beings to be able to breathe fresh air?

Clare Dinnis: So Mark, everything that we are doing, everything that my team is focused on and has been actually for a number of years not just since the beginning of the year –

Mark Clark: Yeah, that's what I'm saying, number of years –

Clare Dinnis: – about making sure that that site is coming back into compliance. All I can do is operate within the law. I understand that's frustrating, but I don't have the powers to be able to do that. And I do have staff members, colleagues, and people with family who do live in the area. So, absolutely we are speaking to daily people who are living with this, as well as reading the social media, reading the impact statements and hearing from you and others. And I'm not underestimating how horrible this is for you to live with. And we're doing everything we can to make sure that you have got that back again.

Thank you, Lydia, can we go to the next – the line of the next question?

Operator: Certainly, our next caller Ansel Chen. When you're ready, please proceed.

Ansel Chen: Hello Clare. My question, basically it wasn't... the design of the permit can be more scientific. So this everything based on what you said it has to act inside the law, permit. And if anything that can be substantiated, it's become compliant, it's not a breach. So as I know, the permits rely on the sniff test. So I have a few questions about this test. So first, if this test they are performed by humans, which is a sniff officer, and he may say authorised, but we know that humans olfactory functions can be changed for example with age, with respiratory infection such as COVID-19, COVID-19, also smoking, hormones, distributions, dental problems, and so on. So my question is how often does this sniff officer has their health checked and the olfactory functions being verified like annually or biannually, do they do that?

Second is, second question is your monitoring data shows 85% of the major odour or at night, especially average, it's highest between 4:00 AM to 6:00 AM. So was the percentage of this sniff test was conducted between this time to test the compliance of the permit? That's my two questions. Okay.

Clare Dinnis: Thank you. Thank you Ansel. So, I'm going to Adam, but let me, first of all, say before I do, we're not disputing that there is an issue with odour. Absolutely no question whatsoever. Ordinarily what we would do is we would be doing that to be able to trace the odour back to the site. And that has been an issue in the past, but we do have two occasions where that has categorically been done so far this year. But you asked her some questions about the training and the officers. So Adam, I'll come to you please for those.

Adam Lines: So, thanks Clare. So, in terms of your questions around the sniff test, as we've described previously, those – that is the permit requirement that those odours are substantiated by environment agency officer. And you're correct that we use the – what's referred to as that sniff test and that ranges zero to six in terms of evaluating that smell or odour. In terms of ensuring that we do that as transparently and as fairly as possible, we use a range of offices to do that. So it isn't just one officer all of the time, because obviously you pointed out some of the issues with that should there be – you know should the officer have a cold, for example. So we do use different officers. All our officers are trained to assess odour at various different levels for varying different odours. And they undergo that training on a frequent basis. So we try to ensure, again, that we do those odour tours at different times of the day. I don't have the exact numbers, we'd have to come back to you on that specifically. But certainly we have in the past been out at various times when odours have been reported to us so that we are able to try to substantiate them at the time they're being seen. And I think that's a really important point is that when the community do experience those odours, they report into us in a timely way. It may be that we are conducting an odour tour and we can then visit that vicinity and try to substantiate those odours at that time.

Ansel Chen: Yeah. But for the time is midnight. I mean did your time match the machine's time or you commit to this reverse time midday. I saw the report. Most of them at 10 o'clock to 12 o'clock. That's the time that the odour is minimum. I saw that your past report in 2018 or '19, it's a 10 o'clock to 12 o'clock, most of them are at that time, which is totally the minimum of the odour. So, so I don't know – how do you justify that.

Adam Lines: So what we are doing is using the actual data that we're collecting now to determine when our visits will be in coming weeks, when we're anticipating it will be peaks based on that data, even though those will be out of hours. So our offices will be conducting those tours when there is most chance of them experiencing odours.

Ansel Chen: Okay. Yes.

Clare Dinnis: Yeah. And I would just add to that is that we all already taking all of the actions we can on site. What those will help us to do is to understand the issues that you've raised with us about being worse in the evening, being worse on the weekend, but there's nothing that – nothing in terms of actions that we are waiting for in relation to that. But thank you for the question Ansel.

Ansel Chen: Thank you.

Clare Dinnis: Lydia, can we go to the next one, please?

Operator: Certainly. Our next question comes from the line of Paul Grocott. When you're ready, please go ahead.

Paul Grocott: Hi. I've got a couple of questions. First I just want to talk about safeguarding the future of the site and taking that into account of what you're doing there now. I want to know what lessons you've learned from the Sheffield landfill and the Tilbury landfill and how you're applying that knowledge to make sure that Walley's Quarry is safe in the future, because obviously it sinks, and given that you've had to babysit Red Industries, I would quite like to know how you're going to make it all okay and we can reassured that there won't be a massive problem in the future because there's been so many problems now.

Second of all, I really – I'm just so fed up of not having any answers about distance. I need to know about the distance. It's traveling two and a half miles, 3.2 miles reported last night, really bad symptoms. And I would like to know what you're doing about that.

Clare Dinnis: Okay. Thank you, Paul. So I'm going to ask Carl to talk about the future part of what he talked about in his introduction around containing the gases in the landfill, capturing it, and then destroying it. What I will say is that we have already asked Walley's Quarry, we had already asked them to have those future plans in place. That's always what we do, but we are now obviously working with them to understand how what they're doing now has changed that and what else might be needed in taking that further. Carl can talk a little bit more about that. And also about how he and others work with our colleagues on landfills nationally.

Carl Moss: Okay. Thank you, Clare. And thank you, Paul, for your series of questions. In terms of – I'll take you to – in kind of reverse order. You talked about the distance that the odours are traveling, the 2.5 to 3.2 miles. In my conversations with our partner organisations, Public Health England, Newcastle under Lyme, our national colleagues in the air quality monitoring team, we are now putting together proposals around modelling in terms of dispersion modelling from the site primarily in the first incidence around the flares and how the gaseous flow from those point sources in terms of their emissions to the atmosphere. So we are working to put together proposals around how we do that modelling to understand how it is traveling those distances. And in fact, in the conversations with the company yesterday, my colleagues were raising these issues with the company and the company are prepared to be a part of that monthly exercise to understand whether their flares are contributing to those odours travelling those distances.

Paul Grocott: Where else would it be coming from?

Carl Moss: There are claims that the company had made in the past that there are other sources, but Paul, it's about people understanding on how it can travel the distances that you're talking about. And until we complete that modelling and understand how air flow is taking place from the sites and the distances and the locations where we're picking up complaints at long distances, till I have that or till we all have that data, I can't comment further.

So in terms of all the landfills, colleagues in the odour monitoring team that we have nationally, the air quality monitoring team nationally, the landfill sector that we have in the agency, we are bringing in colleagues right across the agency combining that to the considerable expertise that we've got in west Midlands. And we're learning from the experience at those other landfills.

Paul Grocott: I hear that sort of thing quite a lot, but I don't actually ever hear any results coming from those situations. So I've had quite a long time to deal with it. So hopefully next time we have the call you have some answers for me.

Clare Dinnis: So Paul, I'm going to step in there because there is a lot of complex technical stuff that is going on that people are sharing. But we've said to you before that the landfill is behaving in a different way. That's partly about the makeup of the gas and the levels of hydrogen sulphide that we're seeing in this landfill. It is also partly about the fact, as I said, right at the very beginning, that the emissions are coming from across the whole site rather than an individual hotspots. So, we are taking input and we've had some others from within those local teams that have dealt with those landfills joined the team and join those conversations. We've got national experts who are part of the auditing process that is going on,

particularly on the gas at the moment. They are working with their colleagues outside the environment agency. We told you that Walley's Quarry Limited has sourced this new, innovative, tapping material that is currently being shipped in the states. So please don't think that there is something that is an answer that is out there that we are just not accessing or not bringing to bear the site. We absolutely are doing everything we can to make sure we've got the right experts involved, that we are drawing on all of those experiences. And we're doing what is right for the site. So, that is happening. And that is something that we will continue to do, and we will continue to require the operator to do.

Paul Grocott: You haven't answered my other question. You haven't answered my second question, what have you learned from the Sheffield landfill incidents and the Tilbury landfill incidents, and how are you applying that to Walleys landfill to safeguard the future of the site, because as there is a fault line running through it and Silverdale Road dropped 40 foot at one point, which makes me wonder if this site is – you basically babysat red industries through this whole process. Why – how are we supposed to have confidence that the future of this site is going to be okay and that one day we won't end up with a worst situation because the membrane breaks because of a fault line, that there's so many breaches, so many problems, you said it's a unique situation yourself. So I need to know what lessons you've learned and how you're applying that into how you're dealing with Walley's Quarry now.

Clare Dinnis: Okay. I'm going come back on the fault one. We will come back to Carl who has been meeting I'm sure many of you will be aware of Councillor Derrick Huckfield who's spoken on this quite often. But Paul we'll just say again, everything that we are doing is not just about the problem now, it is also about making sure that this problem is not something that is there in the future. So Carl, if you can talk about the fault please, and then we'll move on to the next question?

Paul Grocott: Also, what lessons have you learned from the other two situations the Sheffield

Clare Dinnis: We've already explained, Paul, that we've been bringing those in. So I'm not going to talk about other individual landfill sites here. We're talking – we're here to talk about Walley's. What I am saying is we have brought – let's Carl answer your question, and then we will hear from some others.

Carl Moss: Okay, Paul. In terms of the points you make about the Apedale fault, the Hollywood fault, any spurs off those fault lines, I understand your concern. And Ian Withers and I spent a couple of hours, almost three hours with Councillor Derrick Huckfield and Councillor Tagg exploring those issues last Thursday. When the site was permitted, all those geological and hydro-geological issues were taken into account when the permit was issued. And those risks were taken into account. And our geological experts gave their views. And as you know the site was permitted. I gave an undertaking to Councillor Huckfield and Councillor Tagg that I would review the information and the data and the visual points that they pointed out to me when we walked around close to a Councillor Huckfield's house. I'm in contact with our geologist hydro-geologist, also in contact with our national colleague who links with the coal authority because the underlying strata and the geology is complicated. So all I can say is what I said to Councillor Huckfield and Councillor Tagg. I'm engaging all the experts in the agency that are at my disposal and I'm getting them to review that data around the geological faults and look at the risk factors that were taken into account when the site was permitted and looking if any of the factors have changed going forward. And I'm also asking them to talk to the Coal Authority about their

actions and what may take place going forward. So I hope that gives you some assurance that all the people are being brought into this to look at those risk factors.

Clare Dinnis: Thank you Carl. Can we move to the next question, please?

Operator: Of course. Our next question comes from the line of Gary Baddeley. When you're ready, please go ahead.

Gary Baddeley: I've got two questions. One – before I get on to the question – I walk out of the area. When I come back into the area, you can tell the difference in the air to what you breathe. You can feel it's a lot heavier. And so obviously there's something in the air that's coming from the landfill, it makes it a lot harder to breathe. We've had a couple of bad weekends really bad. My wife was nearly admitted into hospital with pleurisy because once it gets into the house, you can't get rid of it at all. And you're just breathing it in constantly. And then my son who's got cerebral palsy had quite a few nosebleeds because of it.

So that brings me onto the first question. So the hydrogen sulphide, which you can smell, and it smells really bad, especially when it gets into the house. So you can smell it coming, but what about all the other gases that are coming from the landfill that you can't smell? Are they being monitored and what are the danger levels of those?

Clare Dinnis: Okay? Let's take that first question first Gary. I'm going to come to Carl again, who is leading on our air quality monitoring, and he can explain what range of gases there are that we're monitoring and that we are then passing to Public Health England and to other health authorities. And then we'll come back to your other question.

Carl Moss: Thank you Clare. Good evening, Gary. I do empathise with you and some of the things that you've explained to me obviously I'm concerned for your children going forward. In terms of what we're monitoring for, the monitoring stations are monitoring for methane gas, they're monitoring for hydrogen sulphide, they're monitoring for particulates, as I explained to the previous caller. So that's PM 10 to PM 2.5 TSP. We are also monitoring for hydrocarbons. And we are also starting to expand our monitoring going forward. And in terms of – we know how landfill gas behaves in flares. We started to increase our monitoring to include SO₂. So, over the coming weeks, we'll have data on SO₂. All that information is shared with our partners and particularly Public Health England and they review all that data and they give us their views on what the health impacts are of those substances. So I hope that answers your question in terms of the range of materials that we're monitoring.

Gary Baddeley: Yeah. So, how do we go about seeing that data, because, obviously at the moment, we only see the data for the hydrogen sulphide – and how do we see the data of what other gases that we're breathing and that we don't know that we're breathing in?

Carl Moss: Well, my understanding is that the 2018-2019 air quality monitoring exercises that were carried out, that – they were put on citizens space site at that time. This information will go on the citizens space site as we go forward. I've released this information to partners. I've released this information to Newcastle under Lyme, I released this information to Staffordshire. Staffordshire the director of public health. So that information is there and it will be out for public consumption going forward. So as far as I'm concerned, March, April data is already out there, and May's data will be coming out in the next few day or week – days or a week. So,

that's my information. If you're finding difficulty in finding that information, I will get you details and I'll signpost you to that information.

Gary Baddeley: Yeah. that'd be good. Yeah.

Clare Dinnis: Absolutely, Gary, we can put that in the second half question. But if you search for – if you wants to find it before, if you search for Walley's Quarry landfill and Environment Agency, it will take you to see what we call our citizens space page. So, that's the only way we as a government body are able to make that website available. And there are links on there. If you go down, we've just actually reviewed that and tried to make it easier for people to find. And there is a spreadsheet on there for each of those months with the data for all of the different components. So, you can get access to that, but we will make the – make sure the link is clear. You had another question?

Gary Baddeley: Yeah. Basically like with the landfills, they've been known to produce quite a lot of greenhouse gas, and obviously it's one of the biggest environmental threats. And if – because that much gas – that much methane gas is caused, why are they allowed to be so close to [inaudible] barriers and also why aren't they properly managed so this gas isn't leaking?

Clare Dinnis: Okay. So, I'm going to come to Adam on this one to explain a little bit to you about the history of Walley's Quarry, because the planning permission for the quarry itself and then for the housing that has been built since the quarry is there is not something that has just gone forward straightforwardly. So, Adam, can you come in there please?

Adam Lines: Thanks. Clare. And there's a couple of points, Gary, in terms of answering your questions. So in terms of the landfill itself, clearly that was a quarry before it's life as a landfill. That decision was taken, it was part of the planning process to allow it to be used for landfill purposes. We were aware that was objected to by the local authority at the time, and was overridden by secretary state in terms of the planning permission for the site, which essentially granted it – the permission to be used as a landfill. And then obviously on the back of that, a permit was issued to allow it to operate to certain conditions. That isn't something that we can specify within the regulations available to us. It's something that happens through that planning process. And obviously what we've seen over the years as well is future planning permissions for developments be granted that enable housing to be built closer and closer.

This isn't a unique situation to Walley's Quarry, it's something that we see across the country. And landfills, as we've said, and as everybody well knows, can never ever be odour-free. There will be times in their life when they do produce odours and those are noticeable. Obviously not to the extent we're seeing the issues here, not to belittle the issues that are being experienced here, but ideally this comes back to – and this is to answer the second bit of your question – how we as a country deal with the waste that we produce. So essentially landfilling over the past 50 years or more has been the way we dispose of our waste. That is now changing. As more waste is recycled, there'll be less use, less need for landfills. The switch to the burning or incineration of waste, which the process now is much, much cleaner than it ever, ever has been and much more efficient should mean that over time less and less landfills are commissioned and less space is needed. But obviously we don't control necessarily the planning regulation that allows them to be built close to communities. All we have to do is regulate the activities that happen on the site to prevent wherever and whenever possible them having any impacts

on the community. I think that goes some way to answering your question. I think as Clare said, there is more information on our citizens space page about the history.

Gary Baddeley: It's just – if it was the odour, people – obviously it's about odour, and you could probably follow up with the odour book. It's the harm that is causing – the actual gases that is the issue. When you're being gassed out in the house and you can't get rid of it because the smell is outside so you can't open the windows and then seeing your children and your wife, that's more the issue – the actual harm. I know that it says that it's a low risk, but that's the outside, it's not when it's inside when you're breathing it in constantly for several hours not being able to get rid of the gases. And that's the gas you know about. You don't know what else we're breathing in and cause especially long-term, especially when children have got – are still growing and what issues it can cause them several years down the line.

Adam Lines: I really do sympathise with you, with your situation. And I really feel sad for you and your family. Unfortunately, we can't necessarily dissociate what's in the gas from the odour, as you said the odour could be tolerable. I don't think it's acceptable for that to be tolerable at the level it is now, which is why we're working as hard as we possibly can to resolve that situation.

Clare Dinnis: And I was just going to add to that, Gary, that the conversations that we're having with health partners are not just about the risks and the fears that people have for their physical health. That is absolutely critical. And it is something which they are providing us with advice on. But that anxiety, that concern that you living with that you described is not acceptable either. And none of us, absolutely none of us want you to be in that position. And that is something that is being recognised, but that also is why I believe it is absolutely fundamental that we have health partners with us in future so that you can have some of those questions answered and have the opportunity to ask them. So please, please don't think that just because we can't answer them now we're not pushing partners on those.

Gary Baddeley: Will one of the health people be on the next call?

Clare Dinnis: I will do absolutely everything I can to make sure they are, Gary. What I won't do is leave you with a gap where you don't have anybody to talk to – if I'm not able to get them to – if we're not able to get to a stage where we're able to all be here, then the Environment Agency will continue to do these, and we will continue to talk to you. But we have had assurances from like Staffordshire County Council who are responsible for public health locally, and for Public Health England who give them the advice that they will join us at future calls. And we are doing everything we can to make sure that happens.

Gary Baddeley: Because obviously the last few different weeks, we've listened to all the phone calls and there's only so many items as you can answer. And a lot of it gets passed on to health. But if there's nobody there to answer the questions, we're just left with the same questions over and over again.

Clare Dinnis: I don't disagree, Gary. And we pass that on and with we've had their assurance as they will be. I can't do anything more than the promise you that I'm doing everything I can to get them here. Okay. So thank you.

Lydia, let's go to the next question, please.

Operator: Thank you for your patience, everyone. Our next question comes from the line of Michael Pepper. When you're ready, please proceed.

Michael Pepper: Hi. I was wondering if May's data has been released yet? And also if -

Operator: Apologies everyone. It looks like his line has disconnected from the event.

Clare Dinnis: Okay. Hopefully Lydia he may return and press star one again. I think we can answer his first question. So, May data is – what we do is we collect that data, we then share that with health partners and then health partners come together to review what it is telling us. And that data has very, very recently been shared with health partners. We've been reporting to you and on the citizens space page throughout the month, the percentage of time at each of the four stations that it is above the World Health Organisation limit that they classify as annoyance. And we've also been sharing that it has not been at or above the World Health Organisation limit for health. So hopefully that gives you some reassurance of what has been in there during May. But we need to let that partner conversation with health partners go through. And as Carl has said, we expect that to be out either next week or early the week after.

For those of you who wanted to raise health questions or have raised health questions, just to be clear that, as we said, we will share those with partners. We will do that by sharing with them the transcript and the audio so that they can hear directly in your voices. And it's also something that you can go back to. And others you may have friends or family or neighbours who haven't been able to join the call. We will make that available on that website, the Environment Agency Walley's Quarry website that I spoke about earlier. And you will be able to see that, and that will include all the questions we've asked, whether they are ones that we've answered today, or ones that we've passed on.

So Lydia, I – can we remind people how to ask questions, please? Let's just see if we've got any more.

Operator: Certainly. To ask a question, please press star one on your telephone keypad. Ensure that your handset is un-muted so I may collect your name to announce you on your turn. Again, that is star one for questions.

Clare Dinnis: And whilst we're giving people a chance to do that, the other thing that I should sign post actually is that the health advice is sitting on Staffordshire County Council's website. So if you're looking for that, or to see what has been said, then that information is available there. And on there is a health tracker survey. Now I know that there have been numerous ways of this information being recorded. And I am sure that they – the health partners are looking to collate that and to be able to understand from different people, but Staffordshire County Council, there was a health tracker survey there. There's a link to it from our website, so you can get to it from there. That's really important information for them to be able to see. Okay, I can see there's some more questions in the queue. So Lydia, if we come to you, please?

Operator: Certainly. Our next question comes from Tom Currie. When you're ready, please go ahead.

Tom Currie: Hi. I'd like to know that the World Health Organisation midterm respiratory tolerable level, the 20 milligram per cubic metre over 90 days has been exceeded in the May data.

Clare Dinnis: So Tom, I think that's a question that we need to have the health partners advice on in terms of the risk assessment that they've done and the analysis they've done on the data. We can pass that on to them. We can make sure that they're hearing that. And as I said, we're expecting that advice to be out either next week or the week after.

Tom Currie: So you don't know is the answer?

Clare Dinnis: I can't answer that question today. They would need to look at the analysis of what they've got and how they've compared that with those – with the risk assessment that they look at –

Tom Currie: Why would you need the health input? Why would you need the health input? It's just – it's data. That's all you need. Why would you need the health input for that question?

Clare Dinnis: So, Tom, that data has been passed across to them and they're doing that analysis. I don't have it in front of me now, and I can't give you that information now, and I'm not going to make it up. We can pass that on to the health authorities and make sure that's something you're getting an answer on, but I don't have it today to give you I'm afraid.

Okay Lydia, can we go to the next question, please?

Operator: Certainly. Our next question comes from the line of David Greenwood. When you're ready, please go ahead.

David Greenwood: I've got a question regarding the air monitoring. And I don't know whether you're able to answer this, but one of the things that we seem to see is lots of data relating to the information collected by the MMF sites. There's four of them I believe.

Clare Dinnis: Yes

David Greenwood: What we don't appear to see – this is what concerns a number of people and myself included – there doesn't seem to be any data release as to what the levels are like inside of people's homes. And the reason I say that is one of my concerns is that when the gas enters someone's home, it's far more likely to be concentrated and not so easily dispersed as the gases are outdoors. So how come we're not seeing any data relating to the gas inside of people's houses?

Clare Dinnis: So David, that's a question I'm going to have to give to Newcastle Borough Council, because they are the only organisation with the permissions to be able to do that. They have the legal remit to be able to monitor in people's homes. I believe they are doing that in a few cases. But I don't believe that that data has been shared. But it is something that we can ask them. And we can let them know that you've asked that question.

David Greenwood: Brilliant, because the concern that people would have – and you can probably guess what people are thinking – that if they are capturing and recording the data and then not releasing it, people would be asking the fundamental question, well, it's already well collecting it – now you guys are connecting data and you're publishing it, and I understand the process of validation that has to go through, but in the case of the local council, if they're collecting it, are they then duty-bound to share that or do they keep it under wraps? What do they do? What legally should they be doing with that data? Or is it – if it's outside of your remit, then tell me.

Clare Dinnis: I'm not able to answer the detailed questions on their remit, David, but what I can do is absolutely make sure that that is passed on. I do know that the air quality group of partners that have been working have recently begun sharing more data. And I believe that Newcastle may have shared some of that data with Public Health England. But in terms of public release, all I can do is say that we'll ask them that question. Okay?

David Greenwood: Yeah. And if you can just pass on my comments, and those are along the lines if they don't share the information, it's going to look bad on them. All very well collecting it – because they need to share it. Thanks very much, Clare.

Clare Dinnis: Thank you, David. Lydia, can we go to the next question please?

Operator: Of course. Our next question comes from the line of Dr Mick Salt. When you're ready, please go ahead.

Mick Salt: Thank you very much. Good evening everyone. I actually got two parts to my question. Earlier, Tom Currie asked the question of the average level over 90 days. Now I happen to process this data. It's – as it stands for the April – March and April data, it is 26.7 micrograms per metre cube over 58.36 days of valid data. So, all Tom was asking was does this – once we have the May data, does it exceed 20 micrograms per metre cube over the 90 days, which is the definition of midterm intolerability on World Health Organisation? You don't need PHE for that, that's the World Health Organisation's own documentation.

Clare Dinnis: So Mick, sorry. I was – are you, are you still with us Mick?

Mick Salt: Yeah.

Clare Dinnis: Okay. Okay. I was waiting for the question there. I'm not saying that that data isn't there or it can't be answered. What I'm saying is that the May data, which is still – they're going through that analysis – is not something that I have there. When we have that analysis done, I can answer that, but I can't answer it at the moment.

Mick Salt: Also second part of the question. You don't actually need PHE for this. And there's an Italian landfill story who – and they actually identified a group of people for all socio-economic factors and at an average hydrogen sulphide exposure of 45.8 nanograms per metre cube, they had an increased cancer risk 34%, an increased respiratory disease risk of 30%. Your Galingale View MMF is recording an average of 27,000 nanograms per metre cube. So it's several orders of magnitude higher. What – you don't need PHE to tell you that this is a problem.

Clare Dinnis: So Mick, there's two things with this. There's whether this is something that we are trying to do everything we possibly can about to bring this back into a level where there is no health risk. We are and we have been and we will continue to be until we get to that point.

There's a separate question on whether the relevant authorities are telling us and telling the public that there is a different health risk based on their risk modelling, based on that expert analysis and based on their interpretation of those guidelines that you're looking at and those studies that you're looking at. I and my team are not experts in this, it would be wrong, it would arguably be illegal for us to start giving that advice because we don't have that remit to do it. And therefore, we've got to take the advice that Public Health England gives the local health authorities and then the advice that Staffordshire County Council give the local health providers. And that's what we're doing. And I have to do that, Mick. And I realised that you've got a range

of different sources and a range of different analyses there. But I have to draw back on those bodies that have got the remit for this, and I will continue to do that.

Mick Salt: What I'll say then is that I think you need to emphasise the importance of PHE to get involved because all the research that I've gone through and I've spoken various consultant people, professors in the field, and they say this is a big problem. PHE is not taking it seriously. So please hammer on their door, get them into the next meeting, because they do have some questions to answer.

Clare Dinnis: I can absolutely promise you Mick that the team and I are doing that and we'll continue to do that until we've got all of the health partners here. I promise you we will.

Mick Salt: Alright, thank you very much.

Clare Dinnis: Thank you Mick. Right, okay. I can see that we haven't got any more questions in the queue and I'm conscious that we are nearly at our time there. We have had a wide range of questions there. We gave you a long update at the beginning, and I'm not planning to repeat that, but I am just going to come to Ian to give us a kind of summary of those next steps in terms of the regulation on the quarry and then we will close from there. So, Ian, can I come to you please?

Ian Withers: Thanks Clare. Yes, I've listened to all your questions they really important for us to hear. As Clare mentioned just now, not just the questions but the emotion that you bring to them because we need to keep hearing how you are living with this site because it's exactly why we're here, to manage these risks. And if we're not talking to you and listening to you, then we're not doing our jobs. So thank you for taking the time tonight to talk to us. We take every single question you've asked very seriously. And as Clare said, and I'll repeat, we will not lose the pleas you've made, the questions you've put to us, about health. We will absolutely make sure we pass those on to those who can answer them far better than we can.

I just wanted to say that we've had quite a few questions tonight where – and we don't like doing it – but where we've had to say when we can't answer that properly or professionally or safely, it is for someone else to answer and we'll push it their way. And I know that that doesn't satisfy you. I know you want to hear answers from us or others and you haven't always heard that tonight, and I'm really sorry about that. I just wanted to leave you with the assurance, the reassurance that while some of those questions haven't been answered satisfactorily, and we will make sure there are people on future calls who can, and will do everything in our power to make sure that happens, there are lots of things that we are doing, and we probably – in our update, we said this, and I'm not going to repeat it, but I just want to say that our focus is to carry on doing the things that we can do that are within our power as a regulator to solve this problem. Carl talked about the containment, the collection and the destruction of gas. We will absolutely strain every sinew to make sure that the company do that. And when they don't, we will hold them to account and we will use whatever legal tools we need to, we will use our every fibre of our bodies in influencing the company to do the right thing. And we will even appeal to their moral conscience to make sure they do the right thing. So we will do what it takes as a regulator to make this company comply.

These things work when each partner stays within their remit and their professional remit, and that's what we're doing. Our partners know what they need to do, and we will work hard to get them alongside us in future. We can't do this on our own. Partnership is absolutely key to these

really difficult emotional situations. And we know that, and we will work on your behalf to get those partners around the table with us for our future meetings. So I'm sorry that we've had to defer some of your questions. We don't like doing it either. But we will make sure that we can answer your questions roundly in future.

So thank you. Thanks. It's a long time, two hours to listen to us and listen to questions, but we're very grateful and hope that have helped with some of your understanding at least tonight

Clare Dinnis: Thank you Ian. And I'm not going to add anything more because Ian has said everything I would want to there folks. We will promise you that at the latest you will hear from us again is the week beginning the 12th July in terms of a call like this. But I very, very much hope that we will have had a date before then to do something collaboratively with partners.

So thank you, Lydia. And if we come back to you to close the call, please.

Operator: Thank you everyone for joining today's event. You may now disconnect your lines. Hosts, please stay connected.

[END OF TRANSCRIPT]