

Transcript of Facebook Q & A event 28/11/2022 – Part 1 of 2

PRES: Presenter

MJ: Mike Jenkins

AH: Andrew Hitchings

JH: Jonathan Hall

PRES: Hello there and welcome to the November Q&A from the Environment Agency. We've a lot to get through during this particular session as well as your questions of course but we do have a few things to bring you up to date on. Let's start with changes to the team then and let's go to a familiar face in Mike Jenkins for an update.

MJ: Thanks Neil, so yeah, I just really wanted to share with everybody the news that I've now left the Walleys Quarry Regulation Team. I've just moved into a new role to me as Place Manager for Staffordshire, so I've not gone very far. I will absolutely remain in touch with the team and closely with developments at Walleys Quarry Landfill and I just really wanted to say that I wish all my all the best to Andrew and Jon as we move forward. Thanks Neil.

PRES: Thanks Mike, Mike's going to leave the call now so if you wonder where he's gone, he's gonna leave the call. So, Mike mentioned there Andrew Hitchings and Jon Hall let's go to Andrew first of all. Andrew welcome.

AH: Thanks Neil, and welcome to everybody on the line. So, my name is Andrew Hitchings and I'm the new Project Executive for the Environment Agencies' work at Walleys Quarry. I started that from early October I've been with the Agency since about 1998 and most of my work has been in regulation or incident management and I'll be contributing to these questions and answer sessions in the future.

PRES: Ok, that's wonderful. Thank you, Andrew, Jon let's go to you now please. If you could introduce yourself to the group.

JH: Thanks Neil, so yes, my name is Jonathan Hall. Hello everyone. I'm the Project Executive taking over from Mike which I started in November. I've worked with the Environment Agency in a regulation role for over 20 years. So, a bit of time there. I'm here to work alongside Andrew day-to-day and to help answer questions on this call too.

PRES: Ok, thank you Jon. So, just to let you know then things will be working a little differently this month. Thanks, first of all to everyone who submitted a question via November's designated questions thread. Due to the number of questions, we've received we will be answering them in two parts on this occasion now and the second part which we aim to upload around about the 14th of December. We'll inform you though here on Facebook and on Citizen Space as well when these videos are ready to view. Transcripts as ever will be made available on the Citizen Space Page and new members have asked questions this month that we've answered before, so we are actually going to create a new Frequently Asked Questions or FAQ's document for publication in December as well as the second part of the Q&A sessions in December also. The next questions' thread though will open in January 2023; we'll advise of that in due course.

A lot there I know. Let's get things underway then with our first question this month and it comes from Michael. Michael says we have received several questions about the availability of Compliance Assessment Reports or CAR's and access to them through the Public Register. Let's go to Andrew Hitchings first of all.

AH: Thanks Neil. I recognise that there's a lot of interest in our Compliance Assessment process and the CAR forms that come from it because of that we're working to produce an explainer video which will be uploaded to the Facebook Group, and we'll put a transcript on the Citizen Space. We treat CARs as Public Register information, so we make them available for inspection by members of the public upon request. As Mick points out we do have an aspiration to make CAR forms directly available online but at the moment I can't confirm whether we will be able to do that or when we will be able to do that via the online public register. So, for the moment you can still make a request to inspect these documents by clicking on the inspect document link which is related to the Walleys Quarry permit and that's in the Environmental Permitting Regulation Installations page which we'll put the link at the bottom of the video. We'll respond to all of those requests and it's not necessary to make separate Freedom of Information requests, but I appreciate the request process is not ideal so at the moment I'm also looking at whether there's an easier way to make these documents available to people.

PRES: OK, thanks Andrew. Stevens' up next then and he says, we have also been asked if it will be possible to have a summary of the outcome of all site visits and odour assessments since the start of 2022, along with the summary of the CARs issued and current compliance score for the site. Andrew.

AH: OK, so we don't hold a summary of the kind that Stephen mentions and asks for and given all of the information that's currently available on our Citizen Space pages we don't intend to produce one. I can answer bits of the question, so we've issued 68 CARs in relation to Walleys Quarry Landfill in 2022 to date. The current Compliance Score for the site is 248.1* which places the site in Band F. For anybody who's new to the group Marc Lidderdth did an explainer of Compliance Scores and banding in a video that is now pinned to the top of the Facebook group.

PRES: OK, thanks Andrew. Another one from Michael and Michael asks now, why we as the Environment Agency describe Walleys Quarry Limited as working towards compliance when as he correctly points out WQL (Walleys Quarry Limited) CCS scores worsened in 2021 and 2022. Specifically, he says how can Walleys Quarry Limited possibly be described as working towards compliance when the Environment Agency's own metric of non-compliance has shown a year-on-year increase in CCS scores which was 56 points in 2020, 166.5 points in 2021 and is currently what Andrew has just read out there. Andrew let's go to you please.

AH: Thanks Neil, and I'm aware Mike Jenkins has covered this question in October and there's quite a bit in what he answered which I won't repeat all of that now. Obviously, it hasn't answered your question Mick, so I just think there's a couple of other things I can add. So, it's probably helpful to say that the Compliance Scores is not it's just one factor that we used to assess Walleys Quarry's level of compliance. We consider if there's we consider various other things that we consider if they're specific actions in response to the CARs, we consider whether it's been any reoccurrence of non-compliance. We also consider the measures that we've required Walleys Quarry to implement as set out our plan to reduce the Hydrogen Sulphide emissions. The improvements in monitoring data, the improvement seen by the Health Risk Assessments produced by the UKHSA, so, when we consider all of those factors, it is correct for us to describe Walleys as working towards compliance. Mick, I'm happy to have a conversation kind of offline on this if that's something you want to pick up with me and just contact the Agency in the normal way and we can have a conversation about it.

PRES: Ok, thanks Andrew. Next up two questions then about capping we go to Simmo first of all. Simmo says, you yourself has shown photographs of the cowboy job of how they have been fitting the membrane on Cell 1, gas needs to go somewhere and will escape from that cowboy job. Please don't mention wells if they work it wouldn't smell like it does you see one bit how can you assure the community that the rest is fitting correctly as the mound gets flatter? A cowboy job he says will not

work and we will suffer again. When the Quarry is fully capped off will the ground be safe for our children of course not now but in years to come? And to add to that question before we get a response, Michael has said to expand on Simmo's question did Walleys Quarry Limited supply of the photographic evidence of this remediation as requested by 9th of September 2022? Then he gives the CAR form information if not what further action has been taken? Jon, we'll bring you in now please.

JH: Thanks Neil, and thanks Michael and Simmo for your questions. So, I'm just working through the capping so any capping works needs to be completed to an accepted industry standard as specified in the Construction Quality Assurance Plan and so we would call that CQA Plan for short. The work is also supervised by an independent contractor. So, on the 15th of August we did a visit, and we could see that the remedial works were in progress and that they were indeed being carried out with supervision from an engineer. The works were completed by the date of our next inspection which is the 23rd of August and just for reassurance fugitive emission surveys are regularly carried out over the capping area to confirm whether the membrane remains intact or requires any remedial action. A CQA validation report demonstrates the completed works on site fit for purpose. It sets out how the engineering works are met and agrees construction proposals so that all of that can be signed off by an independent third-party qualified engineer. As works on phase one are still ongoing so there's still restoration soils going on to that section of the site, we've not received the final CQA validation report yet. But obviously when we do, we'll assess that as we would as a matter of course. So, part of one of the questions talked about restoration effectively so, we expect the site to continue to be tipping until December 2026 but after that point we need to look at the restoration aspect. So, planning permission was granted by staff Staffordshire County Council, and sets the final restoration profile. Our role at that stage will be to regulate the compliance with the closed land permit which includes conditions in relation to the control of landfill gas. So that will still be regulated.

PRES: Thank you Jon. Next then we look at regulation and we've received several questions about what might happen, should the operator leave the site, about control of pollution. We're not gonna read them out on here, but we will include them in the transcript ** that's the questions we're answering in this session. Andrew you've been looking at this for us.

AH: Thanks Neil and there were a couple of parts to this answer so, we covered questions about operator insolvency and financial provision by the operator in our September and October Q&A which you can go back and view those videos, or transcripts. I won't repeat that here. In terms of our general regulation, we provide regular updates on our regulatory activity to address the problems of landfill gas emissions from the site, including the air quality monitoring we do and the details of the measures that we required Walleys Quarry Limited to implement. We carry out inspections both announced and unannounced to assess compliance with the permit and implementation of those measures. Where we've identified non-compliance with the permit, we assess them based on risk of pollution, and we take appropriate action. We regularly review monitoring data that we require from Walleys Quarry with regard to gas and leachate generated on site. The settlement of the Walleys Quarry appeal against the abatement notice issued by Newcastle Under Lyme Borough Council recognise the plans which Walleys Quarry have in place including things like phasing and capping and landfill gas management and these currently represent best practical means to prevent unacceptable levels of odour occurring. These plans were produced by Walleys Quarry in response to the requirements that were imposed by the Environment Agency. Now, we do recognise the distress the local residents have experienced as a result of the elevated Hydrogen Sulphide emissions outside of the site. The issues at Walleys are quite complex and the practical solutions that we've required to implement to reduce the landfill gas emissions they have taken some time. However, we now think they are proven effective, and Environment Agency remains committed to

delivering a long-term solution. We and our regulatory partners consider the best long-term solution is for us to continue regulating Walleys Quarry to ensure it takes appropriate measures to contain, to capture and to destroy landfill gas as set out in the plans to reduce Hydrogen Sulphide emissions.

PRES: Thanks, Andrew. We've also had a number of questions about prohibiting waste deliveries to the site from specific producers where problems have been identified in the past with Sulphide levels in waste and we've been asked again. Why we have not suspended or revoked the permit? Back to you, Andrew.

AH: Thanks Neil, and again if I come back to the plan that I mentioned previously to reduce the Hydrogen Sulphide emissions from the site that's the strategy around containing, capturing, and destroying landfill gas. As part of that we are continuing with the work to ensure that Walleys Quarry is effectively preventing future input of gypsum waste, gypsum bearing waste through its revised waste acceptance procedures. We also carry out audits, of sites which produce the waste, which is consigned to Walleys. When we're not satisfied with procedures in place and have identified non-compliance, we score it and require the operator take remedial action. It is regulatory action like this that helps us achieve the reduction in Hydrogen Sulphide that is seen in the bulk gas on-site and in the off-site monitoring data. We have previously covered questions about suspension and revocation we don't consider that the current risk of pollution, or the action Walleys Quarry Limited is taking in response to our regulatory regulation requires the service of a suspension or revocation notice.

PRES: Ok, we've got a follow up from Michael, Michael says we've also had a question about Mike Jenkins answer last month on funding for our regulatory work. Michael asks about a permanent presence at the site. Andrew what you've got on that for us.

AH: Thanks Neil. The Environment Agency is not funded for a permanent presence on any site. So, the Walleys Quarry Project Team has determined an appropriate level and manner of regulation of the site and that's covered by other things that I just described to you, and we think that's appropriate, and we've got the funding to do that.

PRES: Ok, thank you. Let's move on Simon has been in touch. Simon says, is it safe to say that you no longer put the safety and well-being of the local community first? Jon, I'll come back to you.

JH: Thanks Neil and Simon. So, no is the answer I don't think it's true to say that at all. On the contrary the Environment Agency is required Walleys Quarry to continue to implement a number of measures as quickly as they possibly can, and we remain determined to bring around a sustained long-term reduction in emissions for the community and that's all part of the contain, capture, and destroy approach that we're taking. We've already seen success in implementing this approach and we intend to build on it to make sure we've got that secured long term improvement for the community. The detail of this approach is all set out in our latest revision of our plan to reduce Hydrogen Sulphide emissions, and a link to that is directly below the video.

PRES: Thanks Jon. Let's change tack then and talk about Comms and Engagement. Joseph and Michael have both asked, what plans we and our partner authorities might have for a public engagement event? John you've been looking at this for us haven't you.

JH: I have yeah, thanks Neil and thank you Joseph and Michael. Yes, we're willing to consider further in person events but we don't currently have any plans. Our feel is that it's important that such events are attended by all of our partner organisation this is because, it will help us collectively, to be able to answer all the questions the community may have, rather than those that relate to our regulation. We meet regularly with our partners and community engagement appears regularly on

those agendas. So, please be assured of that and also that if any future events are arranged, we'll share that news with the community promptly.

PRES: Thanks Jon. A question from Mark now and Mark has been asking well, we've also been asked why data on gas collection rates and Hydrogen Sulphide concentration levels was absent in the weekly updates dated 6th of October 2022, 13th of October 2022 and the 20th of October 2022? Jon back to you.

JH: Ok, yeah thanks Mark for that question. So, we've been reporting gas flow regularly since the summer. This is showed that extraction rates have been sustained around the 3000 cubic metre level or above and that's been the case for several months. We reported Hydrogen Sulphide concentrations in our September updates following the publication of our plan to reduce Hydrogen Sulphide emissions. This was to highlight the significant reductions in Hydrogen Sulphide that were reported there. You can see the graphs in the document on our Citizen Space webpage which are definitely well worth a look. So, Hydrogen Sulphide concentrations have fallen from around 6500 parts per million in July 2021 to around 1000 to 1200 parts per million currently, which shows the success of the approach that we've taken. We didn't consider it necessary to include this information in October as the small fluctuations we're seeing at the moment are not particularly significant but in light of the interest we'll report them every week.

PRES: Ok thank you. Next up Richard and we have a question about the updating of the top questions section. This is on Citizen Space, frequently asked questions on our Citizens Space web pages a whole and a suggestion about including a popular question from the Facebook Q&A. Jon, you've been looking at that.

JH: Yeah sure, and thanks for this suggestion, Richard. This is something that we are looking at the moment we're looking at parts of the Citizens Space that need updating as well as the frequently asked questions too. So, watch this space and you should see that change and it be improved.

PRES: Moving on, some of you have asked why you record these Facebook sessions rather than deal with the questions live? Jon.

JH: So, our first Facebook question & answer session in May this year was run as a live session. After that we did sort of evaluate that and took the decision that it would be more effective if we could, and more inclusive if we could add subtitles and do it in the way we currently doing. So, when we post the monthly Q&A transcript, we do leave the thread open so that you can comment on it should wish to do so.

PRES: Thanks Jon. Next up is Sarah and we received a question from Sarah about the attendance of fire appliances at the site. Now just to put it into context when Sarah asked this question it would have been week commencing October 31st. Andrew you've an answer for Sarah.

AH: I do yes, and I'm conscious that our partners in the Fire Service have already got back to Sarah but for everybody else's benefit the Fire Service attended an incident of dogs caught in water on site when they arrived the dogs had freed themselves, so this was sort of unconnected to the Environment Agency regulation of the site.

PRES: Ok, thank you. Onto previously asked questions now. Now we won't be answering these in full but will be directing you to links below this video. Deb is a new member and Deb is not happy about certain things. I'll kind of read through her message she says, why when you know the Quarry should not be as close is it to people's homes? Why do I have to look at two gas pipes and I get all its uncaptured gas that is in my home daily. I've complained everyday why do you ignore my

complaints? Why have you not been in touch with me to give me a monitor that collects information on H2S and Benzene. You have a duty of care. Andrew, we'll go back to you please.

AH: Thanks Neil, and welcome to the group Deb. Thank you for contacting us with your reports and please be assured that although we can't ring back every call, we track all the incidents, and we use them to direct our activities. There are four Air Quality Monitors in place around the landfill to monitor Air Quality and that includes H2S and Benzene and provide reassurance to the community. These do show us significant reduction in Hydrogen Sulphide although, we're determined to improve the situation further. This monitoring data is used by the UK Health Security Agency (UKHSA) to produce reports on the impacts of those releases on Air Quality and you can see links to those from our web pages. It would be helpful if you could please e-mail the West Midlands enquiries so we can get a bit more information from you. We can understand the situation better and we can understand the kind of context of the pipes that you mentioned in your question, so we'll put that e-mail address in the text below the video.

PRES: Thank Andrew. Both Jonathan and Victoria have both commented on the smell at Walley Quarry. Andrew we'll go back to you.

AH: Thanks Neil, I mentioned earlier in this video the improvements in the Hydrogen Sulphide and the odour that comes from the that have been made but we do recognize that occasionally there still may be odours from the site. Our aim is to reduce the odour to the lowest possible level. To support that we're undertaking all of the regulatory activity in the action plan I mentioned earlier. We also carry out regular odour tours and monitor it. Please continue to report any odour you experienced to us. You can report it by using the online reporting tool which will put the link below the video. You can also call 0800 80 70 60. No landfill will ever be completely odour free but the data we have both from the complaints, the mobile monitoring facilities, and our odour inspections by our staff all support an improving picture from the unacceptable levels that we saw in 2021 and earlier this year. The completion of the actions in our public action plan and continuing regulation will improve the situation further.

PRES: Ok. Next up is Louise and Louise asked about the perfume or deodoriser that Walleys Quarry Limited use. Andrew

AH: Thanks Neil, and Louise, I'm conscious that this is something you asked before and we've answered your question as fully as we can already. So, I think I'll refer you back to the Facebook Q&A transcript for September and October and I'm afraid there's nothing I can really add.

PRES: OK thank you. Sarah is next and it's a long question so bear with me. She's talking about traffic here. Sarah says, it's obvious that they are bringing hazardous materials travelling all that distance, do not agree. Is it also not obvious to you when you do a visit that they go missing? Why not do checks as they come off the M6 onto the A50 lay by? It's no good when the parked up hiding on local roads waiting for you to leave. They cut through a lot of the housing estates for example Bradwell Lane. The roads can't take this why should we have to put up with it? The drivers drive like complete idiots not at the appropriate speed especially in the morning rush. She goes on to say they travel down Milehouse past the school at Knutton, surely it would be better if they did have to come all this distance to avoid times between 8:00am and 9:00am and between 2:30pm to 3:30pm. That way it would make the roads a bit safer especially for the children. Andrew

AH: Thanks Neil. A bit slow off mute for and hopefully my voice is holding up. I'm having to drink a lot of water got a bit of a sore throat. I think they're two substantive points to Sarah's question, one is on controlling the waste going into the landfill, and one is about traffic management. So, I take the first controlling the waste going into the landfill. I understand there's a huge amount of interest from

the community about lorries and the waste that they contain. Unfortunately, this is not a subject we can discuss given the investigation activities that are ongoing. I know that's frustrating but, unfortunately, that's the situation. What I can say about controlling the waste entering the landfill is it's a key focus of our work. I talked earlier in this section about regulation, about the steps we have and are continuing to take this includes enforcement action where necessary. I'll probably just touch on another question, I know we've answered before just to reiterate that the environmental permit that we regulate does not control the number of deliveries of waste to go into the site, doesn't control the number of vehicles, doesn't control the HGV's. It regulates the amount of waste that the operator can take within a year. So, in terms of Sarah's comments about some of the traffic issues any road traffic control applied to the Quarry falls under the remit of the local authority. Or if it is things relating to kind of general road offences then she would have to contact the Police, there matters for them.

PRES: Ok, thank you. Claire's asking about noise, and she says that she's received comments at the noise from the landfill is very loud and the fences around the site are not that acting as sound barriers. We have asked this one, we are asking who monitors the noise around the site. Andrew back to you.

AH: Ok, and thanks Neil. So, noise is a nuisance in the same way as odour is. There's a noise condition within the permit so that the Environment Agency can investigate and take action. If it believes that the permit condition has been breached in a similar way to you know we've discussed many times around the kind of odour conditions. So, if Claire or anybody else feels they're suffering a noise pollution or nuisance than it should be reported to us in the same way as odour with the kind of references that I gave earlier in this and this video and probably that's all I can say now Neil.

PRES: Ok, thank you Darren is next then and Darren's asked us about a picture that was posted on Facebook of blue canisters, and he says, I asked the question twice last week regarding plastic tubs. Pallets have been dumped and covered almost immediately which Red tipped themselves on previous drone footage. The EA declined the post can you explain why and how it rots down? Andrew lets come back to you on that one.

AH: Ok, and thanks and a couple of things about this, I think. So, the picture that Darren refers to is I understand one that as submitted to us by a group member. It isn't possible for us to determine whether that was taken out at Walleys Quarry or not so it's not something that we can really consider to be kind of evidence without more information. So, for our Regulated Industries Team to investigate any suggested evidence, it needs to be provable as the location of the picture, there needs to be the time, there needs to be the date. So, sending us pictures without any of that isn't something that we can really take into account. With regards to EA declining the post, yes, we did but pointed out to you that should you did ask that question in the designated question thread which you've done so that's kind of why we're answering it here. In terms of the general question about canisters, Walleys Quarry are permitted to accept empty canisters, so you know that isn't particularly surprising there are empty canisters being seen on site. I think there's a fuller answer about that in the Q&A transcript in October.

PRES: Thank you. Maureen and Sarah now both want to know about why lorries divert away from the site when the Environment Agency are there? Andrew.

AH: Thanks Neil. It's a similar quote/ question to as posted above by Sarah. I just answered, so many points apply. I think I will add that if you believe lorries are deliberately avoiding attending the site when the Environment Agency is present, then I think it would be best for you to contact us separately. It's not the sort of thing I think is sensible to post on the Facebook Group but as I said

earlier, we welcome intelligence from the community. So, if you want to contact us separately, that would be helpful.

****End of Part 1 of questions and answers session.****

Appendix

*Transcript corrected.

**** Questions were summarised. Original questions below:**

2 years on the site is still not compliant, not taken capping seriously at all with breaches already, recent evidence of receipt of inappropriate odorous waste - at what point do you people admit these people can't or won't run a landfill according to the standards that are there for environmental and human safety?!

Is it safe to say that the environmental agency cannot afford to deal with this issue if the owner walks away? And then no one is there to run it so we will be in a worse place? What about multiple failures of the system? And many people in the community suffering and also say maybe in 10-15 years or more to come have some sort of illness contributed to living near the landfill. How much will that cost? Have Walleys been fined?

I think that there's a major pollution emergency being covered up by the authorities to save face for the EA. After all that's gone on the last 3 years or more, can you tell me otherwise?