



This form will report compliance with your permit as determined by an Environment Agency officer

Site	Escrick Waste Treatment Facility		Permit Ref	104658		
Operator/ Permit holder	ACUMEN WASTE SERVICES LIMITED					
Date	08/08/2023		Time in	14:35	Out	16:00
What parts of the permit were assessed	containment, site drainage, odour , site management					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	[REDACTED]					
Officer's name	Justina Zalkauskaite, Henry McGregor		Date issued	21/08/2023		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations (EPR). A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our [Compliance Classification Scheme](#) (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your [local office](#).

Permit Conditions and Compliance Summary			Condition(s) breached
a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	A	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	C3	1.1.1
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	A	
	3. Surface water	A	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	*C2	3.2.1
	2. Noise	NA	
	3. Dust/fibres/particulates & litter	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored
MSA, MSB, TCM = Management System condition A, Management System Condition B and Technically Competent Manager condition which are environmental permit conditions from Part 3 of schedule9 EPR (see notes in Section 5/6).

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	4
If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response			

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

This CAR form is related to odour assessment and Acumen Waste Services site visit done on 8th August 2023 at YO19 6ED . Environment Agency's incident hotline keeps receiving numerous odour complaints related to Acumen waste services activities. We have received 79 odour complaints from public between 1st- 14th August.

A revised compliance action plan for addressing the non-compliances was received from Acumen Waste Services Limited on 14th July 2023 and is being implemented since w/c 17 July 2023. The main goal of this plan is to remove all odorous 19 12 12 waste off site to facilities that are permitted to receive it and can ensure appropriate storage conditions for this type of waste. The agreed rate for removal is 500 tonnes per day (approximately 30 vehicle movements per day), five days per week. Action plan is being implemented at agreed rate at the time of writing this CAR form.

Odour Assessment

Odour Assessment was conducted by Authorised Officers of the Environment Agency Offsite odour monitoring was carried out on 8th August 2023.

The weather was sunny, temperature between 18-19 degrees Celsius and westerly wind of around 12mph.

At 12:08 the odour assessment commenced at Old Stillingfleet Colliery, YO19 6HS located west of the permitted facility. No odour was detected.

At 12:19 the assessment was conducted at Escrick Grange Farm, YO19 6EB located north-west of the permitted facility. Agricultural odour was detected that was not associated with Acumen waste services Ltd.

At 12:30 the assessment was conducted at the location of Jorvik Grill A19, YO19 6FD located north of the permitted facility. No odour was detected.

At 12: 46 the assessment was conducted at Escrick Business Park, YO19 6FD located adjacent and east of the permitted facility. A very strong odour was detected on the Northern side of the business park that was persistent, widespread and offensive. Odour can be described as decaying waste and gassy smell resembling of landfill gas. This location has multiple sensitive receptors including offices, businesses and a nursery located on this business park. Officers determined the odour to be offensive and persistent enough to cause significant effect on human senses.

At 13:02 the assessment was conducted at Glade Farm Fishing Pond located south of the permitted facility. No odour was detected in this location.

At 13:15 the assessment was conducted at Hollicars Holiday Park, YO19 6EE located east of the permitted facility. Officers detected intermittent smell of decaying municipal waste resembling the smell detected at business park earlier. Odour was detected at the east end of Hollicars Holiday park and was not persistent with medium intensity but highly offensive.

At 13:30 the assessment was conducted on Mill Lane, Riccall located south of the permitted facility. No odour was detected.

During the assessment officers deemed the odour to be at levels likely to cause pollution.

A category 2 breach of condition 3.2.1 has been suspended and will be reviewed after the action plan has been implemented.

Site inspection

This inspection was done to assess the odour management, progress of removing waste and leachate management.

At 14:35 Officers arrived at Acumen and were met by one of Acumen members of staff. There were 3 odour suppression units present, spraying fine mist of water and “cotton fresh” odour suppressant. One unit was located at the southern end of the permitted area near the lagoon, one near the eastern permit boundary, close to site boundary with Plasmor Ltd and one at north side of the site located close to the pile of odorous fines. We were informed that suppression system is on 24/7, however does stop for 5 minutes occasionally to allow motors to cool, they alternate which system to stop. Officers observed intermittent odour of municipal waste and landfill gas during the walkover that was more present towards eastern site boundary. It was evident that odour suppression units were having localised impact on mitigating the odour, however very strong odour was still observed earlier that day during odour monitoring at 12: 46 when the assessment was conducted at Escrick Business Park. We were also informed that Acumen had attempted to use blowers for further odour suppression, but these weren’t effective, however they might trial using them again. During time of inspection officers did not observe any lorries picking up waste, however we could see that the waste was being moved around by grabbers. Problematic waste pile appeared to be significantly reduced compared to observations from the last inspection. None of the waste stored on Acumen was observed to be covered.

It was evident that the amount of leachate pooling on site had significantly increased since previous site inspection done on 13/07/2023. During a walkover two lagoons have been identified on either side of the southern site road both containing water that appears to be heavily contaminated with leachate. One lagoon situated along the southern boundary of the site running parallel to the closed Biffa landfill site (on the left in the photograph 1) and second lagoon just across the road within Acumen permitted area (on the right in photograph 1). There is no clear boundary marker between the site and the adjacent closed Biffa landfill. Both lagoons contained dark coloured water that was emitting a strong waste like odour, moreover both lagoons were observed to be bubbling. The discolouration of the water and associated odour suggested that it has been heavily contaminated with leachate from the waste fines stored on the Acumen site. Another large pool of water containing leachate was observed to be formed on a dirt road between Acumen and EES landfill cell. Liquid was dark in colour, odorous and some bubbling was observed suggesting leachate contamination (photograph 2). It was evident that leachate is pooling in various areas of the site, including areas outside the permit boundary (photographs 3 and 4). At the time of site inspection there was no evidence of leachate getting into Bentley Park Drain observed.

Permit Breaches:

1.Management 1.1 General management Category 3 breach

1.1.1 The operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closures and those drawn to the attention of the operator as a result of complaints; and

(b) using sufficient competent persons and resources.

Observation: You have been scored a category 3 permit breach of condition 1.1.1 (a) as the root

cause of the non-compliances.

The leachate that is being produced from waste fines stored on site is not being adequately controlled because it is pooling in areas of the site that are not designated as storage areas linked to the contained drainage system (i.e. the Acumen lagoon) and it is not being removed quickly enough from the site. Leachate was observed to be pooling at several places around site that are clearly not engineered for leachate storage. Section 5 of the revised EMS (provided as Appendix E of the Compliance Action Plan) recognises the importance of adequate control of leachate and points to the lagoon at the bottom of the site as the appropriate storage location. Leachate is being stored outside the specified lagoon and it is clear that removal rate is insufficient to ensure the capacity of the lagoon is adequate.

Inappropriate leachate management is presenting the following environmental risks:

1. Leachate on site has a potential to release odour (and therefore contribute to the on-going odour incident). During the inspection it was evident that the leachate is releasing the odour.
2. Risk to controlled waters - both ground and surface water. Environment Agency's officers have taken samples of the leachate present on site in June and the results are showing elevated levels of contaminants such as BOD and metals, therefore due to inappropriate management leachate has a potential to cause pollution.

Action: Provide a leachate management plan that covers risks mentioned above and includes arrangements for temporary storage of leachate pending removal. This should consider the temporary provision of fully enclosed and bunded leachate tank(s), increased frequency of removal and mitigation measures that can be used in the meantime to provide reassurance that the leachate is adequately contained. **Deadline 28th August 2023**

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



Section 3- Enforcement Response**Only one of the boxes below should be ticked**

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with your permit conditions constitutes an offence* and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

**Non-compliance with MSA, MSB & TCM do not constitute an offence but can result in the service of a compliance, suspension and/or revocation notice.*

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

X

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required / Advised	Due Date
See Section 1 above			
C2	C3	Provide a leachate management plan	04/09/2023
F1	C2	No action specified	N/A

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence* and we may take legal action against you.

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.
- A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

See our Enforcement and Civil Sanctions guidance for further information

A breach of permit condition **MSA, MSB & TCM is not an offence but may result in the service of a notice requiring compliance and/or suspension or revocation of the permit.*

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance which could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

MSA, MSB & TCM are conditions inserted into certain permits by Schedule 9 Part 3 EPR

MSA requires operators to manage and operate in accordance with a written management system that identifies and minimises risks of pollution.

MSB requires that the management system must be reviewed, kept up-to-date and a written record kept of this.

TCM requires the submission of technical competence information.

Section 6 – General Information

Data protection notice

The information on this form will be processed by the Environment Agency to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The Environment Agency may also use and/or disclose it in connection with:

- offering/providing you with its literature/services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The Environment Agency will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within 28 days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder can raise a dispute through our official [complaints procedure](#).

If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the [Parliamentary and Health Service Ombudsman](#), phone their helpline on 0345 015 4033.