



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

Site	Peckfield Landfill		Permit Ref	BU9726IH		
Operator/ Permit holder	CAIRD PECKFIELD LIMITED					
Date	25/10/2023		Time in	11:00	Out	14:00
What parts of the permit were assessed	See below					
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op	Water Discharge
Recipient's name/position	Alex Hornshaw/Sam Juggins					
Officer's name	Roy Thompson, Anthony Sorrell/Melanie Gamed			Date issued	02/11/2023	

**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	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	C3	1.1.1(a);
	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	C3	3.2.1
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates & litter	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
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).

<b>Number of breaches recorded</b>	2	<b>Total compliance score</b> (see section 5 for scoring scheme)	8
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 was an announced site visit, primarily to review the on-going capping works on Cell 11b and undertake a landfill gas survey to review the extent of gas emissions being released to atmosphere. Principally the gas survey was undertaken to assess releases from areas which have yet to be capped and infrastructure that has failed to be reconnected back into the gas extraction system. Odour reports from local residents within Micklefield continue to be reported to the Environment Agency.

Upon my arrival on site, both [REDACTED] reported to me that landfill gas odours were detected along the A1 on route to the site. I also received a report from another Environment Agency officer in the area that they had also detected landfill gas odours along the A1 this morning. Weather conditions were cold, overcast, with a gentle breeze from a westerly direction.

Site inspection carried out in the presence of [REDACTED].

Site was operational at the time of the inspection, with additional soils being brought into site to complete construction of the regulatory layer on the western flank of Cell 11b. Most of the soils being brought onto site are currently being stockpiled at the bottom of Cell 11b and on Cell 5.

Capping works on the western flank of Cell 11b are progressing, although recent weather conditions are hampering progress to some degree. [REDACTED] (CQA Inspector) is overseeing the capping works. Due to the poor ground conditions, the only capping works taking place at that time were focused on undertaking welding repairs. I highlighted to [REDACTED] that additional soils are required on both lower and upper section of the regulatory layer before next panel is installed. Observed extrusion welding taking place, all seemed in order. [REDACTED] showed evidence that destruction tests on welds are meeting the necessary standards.

Anthony and Melanie conducted a gas survey using TDL and Gazoscan equipment. Preliminary results of the survey that was undertaken using the TDL is shown below. You'll notice that the ranges listed within the key are somewhat limited at present, but I can assure you some those points which are recording >100 ppm, are in fact recording volumes greater than 35000 ppm (35% v/v), especially adjacent to leachate chamber and gas wells. The purple dots are to indicate where we have made specific comments and these will be added once the report is finalised, but in most cases, these related to leachate chamber or gas wells, where significant emissions are being released.

It was noted that despite my request (See CAR Report ID:BU9726IH/0473443 – dated 08/09/23) that no further progress has been made to get the majority of gas extraction infrastructure reinstated on the leachate chambers on the eastern and southern flanks on Cells 11a & 11b.

The uncontrolled release of landfill gas from the leachate chambers within Cell 11a & 11b and the lack of measures taken to minimise these releases, represents a Category 3 breach of Condition 3.2.1 of your permit.

*'3.2.1: Emissions of substances not controlled by emission limits (excluding odour) shall not cause*

*pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.'*

### **Breach**

I have recorded the following breach of condition 3.2.1 in relation to the uncontrolled release of landfill gas from the leachate chambers within Cell 11a & 11b detailed above. Sub Criteria e) Emissions – 1 Air, Category 3.

In addition to causing atmospheric pollution from landfill gas, this uncontrolled release is also producing odours which are impacting beyond the site boundary.

Sections 4.15 & 4.18 of the site Odour Management Plan V4 (OMP) states:

*As capping and restoration progresses across the Site, the existing active gas abstraction network will be protected and maintained and will continue to be operated in accordance with the site Gas Management Plan in order to maintain gas control.*

*'All leachate abstraction and monitoring infrastructure will be adequately sealed and will be connected to the gas abstraction system (where appropriate) to prevent any potential for fugitive odour release. Routine checks will be undertaken by the site management team to ensure that the leachate wells remain sealed and under adequate extraction from the gas collection system.'*

As you are not following the relevant sections of your Odour Management Plan (Referenced in Section 4.16 of your Environmental Management System), and the lack of measures to reconnect leachate wells on Cells 11a & Cell 11b back into the gas abstraction system, increasing the risks to the environment, this represents a Category 3 breach of Condition 1.1.1 a) of your permit.,

*'1.1.1 a: 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, closure and those drawn to the attention of the operator as a result of complaints'*

The lack of following of your own procedures is viewed as the Root Cause of the issues presented on site. You must operate your permitted facility in accordance with an approved management system, which includes the relevant parts of your OMP.

### **Breach**

I have recorded the following breach of condition 1.1.1a in relation to the failure to follow the relevant sections of your Odour Management Plan as detailed above. Sub Criteria c) General Management, Management system & operating procedures – 2, Category 3.

As discussed with [REDACTED] we require that an Action Plan is submitted to the Environment Agency detailing proposed timescales to reinstate gas infrastructure on the those areas that have already been capped, in particular the eastern flank on Cell11a and the southern flank of Cell 11b. This Action Plan shall be submitted to the Environment Agency no later than the 3rd November 2023.

[REDACTED] informs me that a meeting has been arranged this coming Friday (27/10/23) with Flextricity to talk through works that are necessary on site.

Revised drawings for cap installation and LLDPE panel layout still need to be submitted as part of the CQA Plan approval.

Although there was a considerable amount of mud along the access route leading from the site, no mud was evident on main highway at the time of entering or leaving the site.

--

Section 3- Enforcement Response		Only one of the boxes below should be ticked
<p>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.</p> <p><i>*Non-compliance with MSA, MSB &amp; TCM do not constitute an offence but can result in the service of a compliance, suspension and/or revocation notice.</i></p>		
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.		X
We will now consider what enforcement action is appropriate and notify you, referencing this form.		

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 action plan detailing proposals to ensure leachate wells on Cell 11a & Cell 11b are re-connected into the gas abstraction system to minimise the risk of emissions from site	03/11/2023
E1	C3	Ensure that appropriate measures detailed within the OPM and EMS are adhered too.	03/11/2023

## 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 <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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.