



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	30/01/2024		Time in	10:30	Out	13:30
What parts of the permit were assessed	Emissions to air					
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op	Water Discharge
Recipient's name/position	A Hornshaw/Director, S Juggins/TCM					
Officer's name	Kelly Hudson, Anthony Sorrell			Date issued	14/04/2024	

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	N	
	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	C2	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	C2	3.2.1
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	O	
	2. Noise	N	
	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)	62
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 inspection by Kelly Hudson (Regulatory Specialist), accompanied by Anthony Sorrell (Regulatory Specialist). The inspection was carried out in the presence of Company Director Alex Hornshaw and TCM Sam Juggins (SJ). A representative of Flexitricity was also present. The purpose of the inspection was to assess compliance with the Regulation 36 Notice, served on 13 December 2023 (the Notice) and to assess other possible sources of landfill gas emissions.

A Code B Notice of Powers and Rights (No. 33514) was given to company director Alex Hornshaw upon arrival on site.

A letter, dated 14 February 2024 has been issued which confirms non-compliance with the Notice. As the actions in the Notice were not completed within the timeframe set out, the suspended scores will be reinstated. These scores will count towards the annual compliance band.

During this inspection my colleague Anthony Sorrell conducted a gas survey using TDL equipment. The results of this survey show that leachate chamber ref EA14, previously surveyed on 25 October 2023, has increased Methane emissions during today's survey, with maximum emissions being from the annuli between the inner pipe and the two outer pipes.

EA Ref	Infrastructure	CH4 PPM (October 2023)	CH4 PPM (January 2024)
EA14	leachate chamber	16963.0996	36551.5

An additional leachate chamber, within Cells 11a and 11b, showed emissions of methane, with maximum readings taken from the annuli. This demonstrates this chamber is not adequately sealed.

EA Ref	Infrastructure	CH4 PPM (January 2024)
EA7	leachate chamber	12194.7002

The survey conducted during today's inspection also showed that there are additional infrastructure with elevated readings but it is unclear whether this infrastructure is situated within Cells 11a and 11b.

The gas survey demonstrates that not all leachate wells within Cells 11a and 11b are sealed. This is a non-compliance with Step 1 of the notice, which stated that by 19 January 2024 you were to:

“Seal all leachate chambers and landfill gas wells within Cells 11a and 11b (as shown on the plan in Schedule 2 of this notice). The work must include the installation of bentonite within the leachate well inner rings and the sealing or re-sealing of the leachate chambers and landfill gas wells into the geomembrane cap.”

You are requested to provide the following information by 22 April 2024:

- the name and job title of the individual who designed the remediation strategy.
- the name of the Construction Quality Assurance (CQA) Engineer and Inspector when

additional bentonite was added to the infrastructure on Cell 11a and 11b.

- the CQA Inspector's written report of bentonite works undertaken.
- the CQA Inspector's photographic record of the bentonite works, including the inside the chamber.
- the depth to which the annuli were filled with bentonite.

You are required to submit a plan by 22 April 2024 detailing additional remediation works to the leachate wells to bring you back into compliance with permit conditions.

Failure to provide the information by the above date, will result in a Reg 61 information notice being served.

Action: You are to seal all leachate chambers and gas wells within Cells 11a and 11b by 29 April 2024.

Breaches of Permit Conditions

The uncontrolled release of landfill gas from leachate chambers and gas wells and the lack of measures taken to minimise these releases, represents a breach of Condition 3.2.1 of the permit, which states that:

"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."

The failure to adequately address this matter by taking appropriate measures to prevent or minimise the pollution has resulted in the breach being scored as a Compliance Classification Scheme Category 2. This categorisation is due to the extended duration of the emissions of landfill gas leading to a noticeable and sustained deterioration in air quality which is impacting on the locality.

Root Cause

We consider the Root Causes of the non-compliances identified to be the failure to follow your own procedures. Permit condition 1.1.1 a states that:

"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."

You must operate your permitted facility in accordance with an approved management system. The site management system ref: Site Operational Plan V2 2018, was deemed adequate, however, our assessment is that this is not being fully followed.

This has been recorded as a Category 2 non-compliance with permit condition 1.1.1 (a).

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	C2	Ensure that appropriate measures detailed within the OMP and EMS are adhered to.	29/04/2024
E1	C2	You are to seal all leachate chambers and gas wells within Cells 11a and 11b by 29 April 2024.	29/04/2024

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 may request an appeal of the regulatory decision by emailing enquiries@environment-agency.gov.uk within 14 days of receipt of the outcome.

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.