



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	06/03/2024		Time in	10:30	Out	13:30
What parts of the permit were assessed	Engineering, Emissions					
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, JP Camus, S Gordon			Date issued	07/03/2024	

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	C2	2.6.6
	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	A	
	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	N	
	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	3	Total compliance score (see section 5 for scoring scheme)	93
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 Compliance Assessment Report (CAR) has been completed following the unannounced site inspection by Kelly Hudson (Regulatory Specialist), accompanied by JP Camus (Technical Specialist) and Steven Gordon (Landfill Team Leader). The weighbridge operator and a General Operative were present on site but did not accompany us during the inspection. Weather conditions were overcast and there was persistent drizzle.

The purpose of this inspection was to walk the boundary of the site, to identify other possible sources of odour.

A Code B Notice of Powers and Rights (No. 33518)) was given to the weighbridge operator upon arrival on site.

At the time of the inspection, soils were being brought onto site for restoration and to allow plant access to the recently capped area. Capping work was also being completed by Enviro Technical Solutions UK Limited (ETS).

A new CQA Inspector was present on site.

Boundary Walk

On the Western boundary, there was no source of odour identified on this occasion. There were a number of uncontrolled collections of surface water at the foot of the restored waste slopes and outbreaks onto adjacent land.

On the Northern boundary, towards the Eastern Neb, a number of wells were identified, where the boots had become disconnected and odours were detected. One well was observed as having a pressure release emission and two other wells had continuous emissions of odour from unidentified areas on the wellhead. We observed leachate flowing from a leachate wellhead down into the Eastern Neb. Around the flow there was a noticeable corridor of dead vegetation, from the base of the well down-gradient towards the Eastern Neb.

On the Eastern boundary, within the gas main connected to the knockout pot, a siphonic trap could be heard. There was also a significant area around the knockout pot which was flooded with contaminated water.

The anchor trench on the Eastern and Southern side of the site was incomplete. It is required to be backfilled in accordance with the section 5.11.2 of the of the Permanent Capping Works 2013 Engineering Specification, referenced 411-01042-00004 and dated August 2013. The incomplete anchor trench was flooded with leachate in places.

From the southern boundary, we walked up the area where capping was being completed. On the Southern flank, a leachate well was observed giving rise to a continuous odour. This was originating from a failed seal on the wellhead.

When walking from top of the site to the compound, a further well was observed to have a pressure release emission.

Action:

- Provide an update by 30 April 2024 on the progression of your revised Surface Water Management Plan and associated CQA Plan.
- Remediate any sources of gas or leachate emissions.
- Ensure that the geomembrane within the anchor trenches is sealed and remediate any sources of leaks.

Capping Works

Prior to observing the capping, the on-site Supervisor from (ETS), said that work completed so far today included a panel layout and that they would be completing patches using extrusion welding.

When we observed the works, contractors from ETS were attempting to carry out extrusion welding repairs on recently capped areas. There was a lot of standing water on the cap.

Section 2.26.1 of the of the Permanent Capping Works 2013 Engineering Specification, referenced 411-01042-00004 and dated August 2013, states that:

"When weather conditions are such that the quality of the Works may be impaired or the conditions of the materials impaired then the Works will be stopped with the agreement of the CQA Engineer. Inclement weather may comprise...rain."

We consider the conditions on the day to be unsuitable for capping. The subgrade was too soft, with significant moisture content and there were accumulations of standing water on the geomembrane.

In our opinion the weather conditions were not suitable for deployment and welding of geomembrane.

Permit Breaches:

Permit condition 3.2.1 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 take appropriate measures to prevent or minimise outbreaks of landfill gas and leachate has resulted in the breach being scored as a Compliance Classification Scheme Category 2 non-compliance. This categorisation is due to the identified emissions of landfill gas contributing to the extended duration of the emissions of landfill gas, which has led to a noticeable and sustained deterioration in air quality impacting on the locality. In addition, the outbreak of leachate above the cap is a potential source of groundwater contamination.

Action:

- Provide copies of recorded problems with the gas collection wells and pipework and any remediation, repairs or maintenance undertaken, since 01 September 2023. This is to be provided electronically to Kelly.hudson@environment-agency.gov.uk by 12 April 2024.
- Complete a survey of the wells and pipework on site, identify infrastructure that needs repairing and complete repairs. A completion date for the work will be set following site inspection 07 March 2024.

Permit condition 2.6.6 states that:

“The construction of the landfill infrastructure shall take place only in accordance with the approved construction proposals unless:

- (a) any change to the approved construction proposals would have no impact on the performance of any element of the design; or*
- (b) a change has otherwise been agreed in writing by the Environment Agency.*

As there is evidence of the CQA Specification not being followed and there is leachate escaping from the recently capped areas at the anchor trenches, this has been recorded as a Category 2 non-compliance. This is due to the potential to pollute groundwater. Laying geomembrane during inclement weather could also further contribute to the emissions of landfill gas and the associated odour.

Actions:

- Ensure that the geomembrane within the anchor trenches is sealed and remediate any sources of leaks. A date for completion will be set following the site inspection on 07 March 2024.
- Ensure that deployment and welding of geomembrane does not take place during inclement weather.

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, which includes the relevant sections of your Gas Management and Utilisation Plan. 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).

Company Director, Alex Hornshaw was on site at the end of the inspection. We agreed to meet contractors when they are next on site, to show them the issues identified and to confirm locations.

Subsequent to this site inspection a joint site inspection is planned for 07 March 2024.

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			
B1	C2	Ensure that the geomembrane within the anchor trenches is sealed and remediate any sources of leaks.	N/A
C2	C2	Ensure that appropriate measures detailed within the OMP and EMS are adhered to.	21/03/2024
E1	C2	Provide copies of recorded problems with the gas collection wells and pipework and any remediation, repairs or maintenance undertaken, since 01 September 2023. Complete a survey of the wells and pipework on site, identify infrastructure that needs repairing and complete repairs.	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 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.