

Martin Hamilton
Chief Executive
Newcastle-under-Lyme Borough Council
Castle House
Barracks Road
Newcastle-under-Lyme
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Our Ref: 21285
Date: 07 March 2024

Dear Mr Hamilton,

Walleys Quarry

Thank you for your letter dated 27 February 2024 asking the Environment Agency to consider issuing a Closure Notice at Walleys Quarry, and seeking publication of ambient air quality monitoring data from February 2023 to February 2024. I assure you that I recognise the significance of the extraordinary meeting of Newcastle-under-Lyme Borough Council (NuLBC) on the 14 February 2024 and appreciate the frustration amongst both your members and the wider community.

I continue to give close attention to Walleys Quarry, including frequent updates to Minister Moore (Parliamentary Under-Secretary, Defra) and the local elected Member, Aaron Bell MP. I know my teams are also fully engaged in the local response, including through the Strategic Coordination Group. I acknowledge that the recent increases in hydrogen sulphide (H₂S) emission levels, and consequent levels of odour, have caused concern for local residents and elected members. I agree that the impact on the community is unacceptable – I can assure you that the Environment Agency is committed to addressing the cause.

On 1 March 2024 we issued a Suspension Notice ('the Notice') to Walleys Quarry Ltd (WQL). The Notice required WQL to immediately stop the acceptance and disposal of waste, with the exception of inert wastes as these do not contribute to landfill gas emissions. The Notice requires WQL to:

- install additional gas extraction infrastructure in the operational area of the site by 17 March 2024;
- to connect the installed gas extraction infrastructure to the operational gas control system and place under extraction by 24 March 2024;
- and to install additional temporary capping in 2 other operational areas, by 24 March 2024.

We issued the Notice now because recent high levels of fugitive landfill gas emissions required immediate action to remove the risk of serious odour pollution.

I recognise that NuLBC have called for closure of the site rather than for operations to be suspended. A decision to issue a Closure Notice involves a lengthy and complex process. As we have explained publicly, we can legally only issue a Closure Notice as a last resort, having exhausted all other enforcement and regulatory options. I appreciate how close you and your teams have been to the issue and that all parties understand the complexities of early closure, as the landfill remains partially filled and has not reached the final levels favourable for restoration, nor those required by the planning permission. We continue to keep our position and WQL's response under review, and to consider what further regulatory

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action may be appropriate. As the Chief Executive of a public body, I know you will appreciate that it is not appropriate to pre-determine that specific action will be taken but I can assure you that my teams will continue to work alongside yours to secure a long term, robust and sustainable resolution.

We are not currently able to share the data in the form that you have requested. However, our available air quality monitoring data is accessible [here](#). As we explain there, H₂S data obtained before September 2023, when we updated the H₂S analyser calibration procedure, is likely to have a greater degree of uncertainty than previously understood.

You will be aware that the method the Environment Agency has developed to adjust the historic H₂S data is subject to an independent peer review led by Defra's Chief Scientific Adviser. Whilst we expected the group to complete its work by the end of January 2024, there has been a short delay. We anticipate that the group's findings will be published by Defra soon. Once the report is published, we will share the findings with partners so that all can provide the best information, advice and support to the community as quickly as possible.

I hope you are reassured that we continue to work hard to require WQL to reduce the risk of emissions and return longer-term to the much-improved performance seen before September 2023.

If you have any specific questions, I suggest that you address them to Andrew Hitchings, Walleys Quarry Project Executive, who will be happy to speak to you. You can contact Andrew via email at Andrew.Hitchings@environment-agency.gov.uk.

Yours sincerely,



Philip Duffy
Chief Executive, Environment Agency