

**Environmental Permitting (England and Wales) Regulations 2016
Regulation 35(2)
Schedule 10, Paragraph 10(1)**

LANDFILL CLOSURE NOTICE

To: Walleys Quarry Ltd
Suite B, Fairgate House
205 Kings Road
Tyseley
Birmingham
England
B11 2AA

Company No. 09910638

Environmental permit number: EPR/DP3734DC
Regulated facility: Walleys Quarry Landfill, Cemetery Road, Silverdale, Newcastle-under-Lyme, Staffordshire ST5 6SH


We require you to initiate the closure of the landfill at Cemetery Road, Silverdale, Newcastle-under-Lyme ST5 6SH as shown for the purposes of identification edged in red on the attached plan.

The reasons for this decision are set out in Schedule 1 to this notice.

You are required to take the steps set out in Schedule 2 by the date(s) specified.

Date: 28 November 2024

Signed 


Area Director, West Midlands

Environment Agency
Sentinel House
9 Wellington Crescent
Fradley Park
Lichfield
WS13 8RR

Please see over for notes.

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Notes:

1. Paragraph 10(1) of Schedule 10 of the Environmental Permitting (England and Wales) Regulations 2016 requires us to set out this decision in a closure notice. Accordingly, this notice requires you to close your landfill for the acceptance of waste from the date specified and take the steps specified in Schedule 2.
2. Closure of the landfill does not relieve you of your liability to comply with the conditions of your environmental permit. Failure to comply with these conditions is an offence and legal action may be taken against you.
3. Failure to comply with this notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016 and may result in legal action being taken against you.
4. The Environment Agency may take proceedings in the High Court under Regulation 42 of the Environmental Permitting (England and Wales) Regulations 2016 for the purpose of securing compliance with this notice.
5. You may wish to seek independent legal advice.

Appeal provisions

You are entitled to appeal against this notice under Regulation 31(1)(f) of the Environmental Permitting (England and Wales) Regulations 2016. Notice of appeal must be made within two months of the date of this notice. An appeal does not affect the requirements of this notice.

You must send written notice of the appeal and the documents listed below to:

Secretary of State
The Planning Inspectorate
Room 3A Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

At the same time, you must send a copy of the appeal notice and documents to us.

The required documents are:

- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

Further information about making an appeal and the forms that you will need are available from the Planning Inspectorate.

In addition, you can request an independent internal review of our decision to issue this notice. Asking us to review our decision will not affect the time limits within which any statutory appeal must be made. We expect any request to review a regulatory decision to be made promptly, usually within 14 days.

Public Registers

A copy of this notice will be placed on the public registers held by the Local Authority in whose area the installation is located and by the Agency.

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SCHEDULE 1 REASONS FOR DECISION
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1. The Environment Agency considers the management of Walleys Quarry Landfill Site to be poor, and that further operation of the site may result in significant long-term pollution from fugitive emissions of landfill gas.
2. The site operator has not installed capping systems or gas collection infrastructure promptly to minimise fugitive gas emissions. In addition, the site operator is not controlling leachate formation adequately or managing surface water to alleviate hydrogen sulphide generation. The site operator has been unwilling or unable to prevent acceptance of waste that has continued to produce hydrogen sulphide. The site operator has failed to manage the phasing and deposit of waste at the site to minimise emissions of landfill gas and facilitate the installation of capping and gas collection infrastructure in a timely manner. The site operator has had ample opportunity to address these shortcomings but has failed to do so.
3. The failure of the site operator to take the measures necessary to reduce fugitive gas emissions, with unacceptable levels of hydrogen sulphide, has resulted in odour pollution over an extended period and a risk to human health experienced by the community, as described by the UK Health Security Agency in its Health Risk Assessments.
4. The Environment Agency has therefore concluded that the site needs to close as the risk of significant odour pollution will continue as long as the site operator continues to accept waste.

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SCHEDULE 2 STEPS TO BE TAKEN TO INITIATE CLOSURE

Stage 1

1. With effect from **00:01 on 29 November 2024** cease accepting waste and do not recommence the acceptance of waste for disposal or recovery at the landfill.
2. By **13 December 2024** construct bench-like horizontal platforms within the waste flanks on the uncapped former active tipping (operational) areas to facilitate access, maintenance and monitoring for the installation of gas control infrastructure (gas wells and connecting pipelines). This shall be undertaken in accordance with Section 3.7 of *Walleys Quarry Ltd Landfill Gas Management Plan v3.10 dated September 2024* (the LGMP).
3. Any waste left exposed following construction of bench-like horizontal platforms in the former active tipping (operational) areas shall be covered with non-waste material by the end of each working day.
4. By **24 December 2024** install permanent gas extraction wells as set out in *Walleys Next Phase Gas Infrastructure Design 18.11.2024*, reference CLP3573 and in those former active tipping (operational) areas without gas extraction, in accordance with the design and specification set out in the LGMP.
5. Connect all installed gas extraction infrastructure to the operational gas control system and place it under extraction. This shall occur no later than the end of the day of installation of the specific infrastructure.
6. By **31 January 2025** install temporary geomembrane capping to any uncapped part of the former active tipping area of the landfill. Once installed, the capping shall alleviate gas emissions so that they do not exceed 50 parts per million (ppm) methane.
7. Collect and remove surface water run-off from capped areas in accordance with Temporary Surface Water Management Layout, drawing ECL.9311.D05.001 Rev C dated 10.07.2024. Any contaminated surface water shall either be removed from site or treated via the leachate treatment plant.
8. By **7 February 2025** a surface gas emissions survey shall be undertaken in accordance with [LFTGN07 v2 2010 Guidance on monitoring landfill gas surface emissions](#).
9. By **14 February 2025** submit a report to the Environment Agency demonstrating that emissions of methane do not exceed 50 parts per million (ppm) methane.
10. With effect from **14 February 2025** conduct surface gas emission surveys every four weeks until the permanent cap is installed to ensure that the temporary cap is alleviating methane emissions to below 50 ppm.

11. No later than 7 days after each survey carried out in accordance with Step 10 above, submit a report to the Environment Agency demonstrating that emissions of methane do not exceed 50 ppm methane.
12. Repair any defects or leaks in the cap giving rise to methane emissions greater than 50 ppm within 24 hours of detection.
13. By **28 February 2025** provide the Environment Agency with a Landfill Closure and Aftercare Plan. This plan shall take account of sector guidance [Landfill operators: environmental permits, Develop and maintain management plans](#) and include, but not be limited to:
 - a. timebound proposals to achieve a stable final landform, using the minimum amount of material, accompanied by plans and cross sections at an appropriate scale and an updated stability risk assessment;
 - b. timebound proposals for final permanent geomembrane capping of the landfill, to be installed as specified in [Capping and Restoration Works Construction Quality Assurance Plan, Document Ref ECL.8445.R02.001 Rev.D, April 2022](#) or as may otherwise be agreed in writing by the Environment Agency;
 - c. an updated leachate management plan which includes timebound proposals to achieve and maintain compliance with permitted leachate levels within the landfill;
 - d. an updated surface water management plan, which includes timebound proposals to achieve and maintain effective surface water management;
 - e. an updated landfill gas management plan in accordance with [Walleys Next Phase Gas Infrastructure Design 18.11.2024, reference CLP3573](#) which incorporates timebound proposals to complete any outstanding actions in the LGMP Appendix A;
 - f. a groundwater management plan.

Stage 2

1. By **30 May 2025, or such date otherwise agreed in writing by the Environment Agency** provide the Environment Agency with a closure report which specifies how closure has been achieved and how the activities at the site will be managed, monitored and maintained during the aftercare phase. The closure report shall take account of sector guidance [Landfill operators: environmental permits, Close your landfill site](#) and include:
 - a. a plan identifying the area(s) of the site which is/are to be considered definitely closed;
 - b. evidence that the waste mass is stable;
 - c. procedures for the management and control of landfill gas, leachate, groundwater and surface water;
 - d. procedures for monitoring landfill gas, leachate, groundwater and stability/ settlement during the aftercare phase for that/those area(s);
 - e. a procedure for reporting any significant environmental effects during the aftercare phase.

Site Plan

