

Our ref:

Your ref:

Date: 18 May 2021

Rebecca Pow MP
Parliamentary Under Secretary of State at the
Department for Environment, Food & Rural Affairs

By e-mail only: rebecca.pow.mp@parliament.uk



Castle House
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Dear Minister

Walleys Quarry, Newcastle-under-Lyme

Thank you for your response to my letter of 25th March in which I communicated the Council's request for an independent investigation into the regulatory performance of the Environment Agency in their handling of the permit. As your letter summarises, there is currently work being undertaken across agencies to seek to resolve this issue. The Council is fully engaged in this and is grateful for the current work of the Environment Agency in the site.

This current work is not the issue which has prompted the Council to call for an independent investigation, rather it is the historic approach taken by the Environment Agency which we believe has caused our residents and businesses to suffer the consequences of pollution from the site for much longer than necessary.

I have looked at the complaint process to which you have directed me. This appears to be very much a public facing complaint process aimed at individual citizens or businesses who are unhappy with how the Agency has dealt with some matter. The scale of this issue is such that, in my view, DEFRA really ought to be concerned to properly understand how the situation at Walleys Quarry has been allowed to develop. Such a process would be useful to DEFRA for its own purposes, so it can understand whether there are lessons to be learnt from this experience and changes to be implemented.

For example, the 2020 Annual Monitoring Report produced by RED Industries for the Environment Agency shows intense concentrations of hydrogen sulphide at the site - the concentration of hydrogen sulphide measured on site in May 2020 was 4610ppm. For context, 20ppm will cause eye irritation and levels over 1000ppm can cause death. Such concentrations should have triggered close scrutiny of capping and gas management regimes on the site, to ensure that this was being competently and pro-actively managed, as at such concentrations even small releases would adversely impact the local environment. DEFRA really should be anxious to satisfy itself that the Agency dealt with this site appropriately as the concentrations of Hydrogen Sulphide on the site grew.

Residents have complained for many years about foul sulphurous smells, and it is clear from the 2020 report that there is a high concentration of sulphuretted compounds within the landfill gas and also soluble sulphate in the leachate samples taken at the site. This all points to the site containing waste with a significant sulphate content which would not be in line with its permit. Again, we believe that DEFRA would want to understand the performance of the Agency in checking and validating inputs to the site in the light of the chemical compounds arising from the degradation of those inputs.

Cont'd

The Environment Agency is now working to address the issues associated with the Walleys Quarry Landfill Site, but it is fair to say that, from the public's perspective, there is still a need to build trust and confidence due to the time it has taken to respond to this growing issue. The Agency's action to require the operator to accelerate capping of two cells on the site, and to improve gas management on the site, have not secured the impact on odours by the target date of 30th April. The incidence of odour complaints to the Council during May look set to match the 3400 complaints received in April. Can I ask again, on behalf of the Council, that you consider tasking your department with undertaking a full review of the regulatory performance of the Environment Agency in regard to Walleys Quarry.

Yours sincerely

A handwritten signature in black ink, appearing to read "Martin T. Hamilton". The signature is written in a cursive, slightly slanted style.

Martin Hamilton
Chief Executive