

**Environmental Permitting (England and Wales) Regulations 2010
Regulation 36**

**ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A
BREACH OF PERMIT CONDITION**

To: SITA Environment Limited
SITA House
Grenfell Road
Maidenhead
Berkshire
SL6 1ES

Environmental permit: EPR/BJ7824IK
Regulated facility: Path Head Landfill Site
Path Head
Gateshead
Tyne and Wear
NE21 4SP

The Environment Agency considers that the following condition of the environmental permit is being contravened:

Condition 3.3.1, fugitive emissions of substances shall not cause pollution.

Because an uncapped area of cell 3 is causing emissions of landfill gas, namely methane, which is a known greenhouse gas and pollutant.

You are required to take the steps set out in Schedule 1 by the dates specified in order to remedy the contravention.

Date 11/3/16

Signed A. D. Turner

Andrew Turner
Area Environment Manager

Environment Agency
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle-upon-Tyne
NE4 7AR

Please see over for notes.

Environmental Permitting (England and Wales) Regulations 2010 Regulation 36

Notes:

General

1. Failure to comply with this notice is an offence under Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2010 and may result in legal action being taken against you.
2. Without prejudice to the requirements of this notice, failure to comply with a condition of an environmental permit is an offence and may result in legal action being taken against you.
3. You may wish to seek independent legal advice.

Appeal provisions

You are entitled to appeal against this notice under Regulation 31(2)(f) of the Environmental Permitting (England and Wales) Regulations 2010. 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 3/25 Hawk Wing
Temple Quay House
2 The Square
Bristol
BS1 6EA

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.

**Environmental Permitting (England and Wales) Regulations 2010
Regulation 36**

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
3.3.1	<ol style="list-style-type: none"> 1. Submit Construction Quality Assurance (CQA) plan to detail permanent capping works for the area shaded pink on drawing Pth-PCAP-0216-01a, dated March 2016. 2. Complete remedial works detailed in submission to the Environment Agency on 9th March 2016 in order to reduce gaseous emissions from northern, western and central areas on cell 3. These works include installation and connection of 16 additional gas extraction wells and installation and placement of a compacted clay sealing layer (as shown in blue and yellow shaded areas on drawing ref: Pth-PCAP-0216-01a, dated March 2016). 3. Undertake a surface emissions walkover survey of remediated area and submit findings to Environment Agency 	<p>4th April 2016</p> <p>29th April 2016</p> <p>10th May 2016</p>