

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

**ENFORCEMENT NOTICE TO TAKE SPECIFIED STEPS IN RELATION TO A  
BREACH/ANTICIPATED BREACH OF PERMIT CONDITION(S)**

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

**Environmental permit: EPR/BU8045IR**  
**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 date(s) specified in order to remedy the contravention.

Date 19/2/2016.....

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.

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<b>SCHEDULE 1 STEPS TO BE TAKEN</b>		
<b>Condition number</b>	<b>Steps to be taken</b>	<b>By date</b>
3.3.1	Submit engineering plans/proposals (effectively a CQA plan) to remediate gaseous emissions emanating from the northern and western edges of cell 3 (as noted on gas emissions walkover from October 2015 and detailed within landfill gas audit report of December 2015). The remediation proposal should include plans for both a permanent engineered cap and a robust temporary cap.	29 <sup>th</sup> February 2016