

KING'S CLIFFE LOCAL LIAISON GROUP

LANDFILL LIAISON GROUP

Meeting 23rd March 2004

PRESENT:

Phil Watson
Palden Dorjé
Karen Wootten
Lucie Kimbell
Pauline Bradberry
Priscilla Padley
Fiona Cowan
Hilary Blunt
Peter Higson-Smith
Ann Cutforth
Dave Wilkinson
Andrew Howard

REPRESENTING:

Northamptonshire County Council
East Northamptonshire Council
Environment Agency
Environment Agency
Councillor East Northants District Council
County Councillor
Collyweston Parish Council
Clerk - King's Cliffe Parish Council
Easton on the Hill Parish Council
Easton on The Hill Parish Council
Collyweston Parish Council
King's Cliffe Parish Council

1. APOLOGIES

Harold Gregory	Easton-on-the-Hill Parish Council
Charles Cox	Duddington
Michael Day	King's Cliffe Parish Council
Debbie Strong	Northamptonshire County Council (Area Manager, Highways)

<p>2. <u>Minutes of Meeting 25th November 2003 - Agreed</u></p>	<p><u>Action</u></p>
<p>3. <u>Matters Arising (from 25th November 2003 Meeting)</u></p> <p><u>Paragraph 3.1</u> Road Signs - lorries are using the turning off the A1 to Wittering village due to traffic congestion on the A1 and A47. - there is still no sign on the A47 near Wansford and some lorries take this turning off to King's Cliffe instead of carrying on further west. Phil Watson will check this again with the Highways Agency.</p> <p><u>Paragraph 2.1</u> Councillor Mrs Padley – sits on the community safety forum. She asked whether the Company have been asked for any money (match funding) to pay for highway improvements. She was expecting a survey to cost improvements. Phil Watson said he was not aware of any progress on this matter, and would check with Highways.</p> <p>Permission has been granted for new distribution centre in old bomb dump in Collytweston Wood. This would require some road improvements to the road and King's Cliffe will push for the road to be improved all the way to the landfill site.</p> <p><u>Paragraph 3.2</u> Queuing lorries have not been such a problem since the opening of the nearby Thornaugh landfill site. However, it was unclear whether the problem may recommence if the Thornaugh site has stopped because of great crested newts.</p> <p><u>Paragraph 3.3</u> Litter problem is continuing. Litter fencing is not all around the site.</p> <p>Can industrial waste continue to be deposited at the site? Karen Wooten – explained that it could but only until 16th July 2004 when co-disposal is ended. Lucie Kimbell feels that some of the problems relating to what blown litter is from the waste recycling centre. The Environment Agency will keep this monitored. It was commented that winds have been exceptional recently and this makes control of all sites difficult.</p> <p><u>Dust</u></p> <p><u>Paragraph 3.8</u> East Northamptonshire Council – clarified that Environmental Health monitor the District for “particulates” and not specifically</p>	<p>PW</p> <p>PW</p>

at the site.

Dustscan have installed monitors on site. Palden Dorjé was not consulted on the parameters for this and therefore doesn't know what is being monitored. The Environment Agency will investigate this further.

The Agency confirmed that the current permit is a difficult, complex, technical document to interpret and the conditions are difficult to monitor. The data being collected will inform the Agency as to how to modify the permit.

Paragraph 3.21

The site chemist role was explained by Karen Wooten. He visually inspects all hazardous waste loads and he is an experienced person who can assess if anything seems unusual which should be challenged. Wastego recently notified the Environmental Agency on this basis and some loads have been turned away from the site.

4. Update on Discussions with Wastego

Phil Watson reported that he had written to Wastego on the 10th December 2003 raising issues including the matters arising from the November meeting of the liaison group. There had been no response from Wastego and a further letter had recently been sent threatening further enforcement action.

5. Environment Agency Update

Odour

5.1 The Environmental Agency is undertaking a very extensive investigation of the wastes that came in around the time of the odour incidents. It is also assessing the actions taken and who was responsible (Wastego or a third party).

5.2 Q. What can/would be done at the end of investigation?

5.3 Karen Wooten confirmed that if any site management "housekeeping issues" emerge, these can be sorted immediately. The Environment Agency's full range of powers could be used if an offence has been committed. The Agency will use these powers if evidence is found of an offence.

5.4 Q. Have any wastes being turned away?
Environment Agency. Yes. They have been informed by Wastego about loads which have been turned away by the site chemist.

Water

- 5.5 Councillor Mrs Padley has spoken to the Fire Authority at the last Northamptonshire County Council Environment Scrutiny Committee. The Committee have commissioned an independent review on the occurrence of fires at landfill sites. Independent expert advice will be obtained from the University of Northampton. The fire officer has said he would pursue this matter in accordance with the Scrutiny Committee's requirements.
- 5.6 Concern was raised again about the water filling of road sweepers at the hydrant on the highway. Phil Watson said he had written to Wastego on this matter but received no response.
- 5.7 Councillor Mrs Padley suggested a meeting with the Highway Authority and the Company and the Police to deal with the problem of using the hydrant. A suggestion was made of why not take a branch off the hydrant into the site?

Groundwater Pollution Monitoring

- 5.8 Karen Wootten from the Environment Agency confirmed that they are now receiving information from the Company and are assessing it. The data is being reviewed to get it in a better to look at format.
- 5.9 Environment Agency are now monitoring airborne emissions themselves as this is a priority site. The Agency's responsibilities includes public health implications from waste facilities.
- 5.10 Q. Are the monitoring stations permanent? If the local community knew exactly what emissions are coming out and these were safe, or that it would be stopped if not acceptable then their confidence would dramatically increase. If the business is causing a pollution/health risk problem then it should close until such time as these matters have been adequately resolved.
- 5.11 The Environment Agency explained their plan of action. Monitoring is for landfill gas and fugitive emissions and the Environment Agency are looking at ways of minimising these through management and other actions. This will direct whether there are needs for more long term monitoring of specific impacts on a permanent basis. It will take some time until there is enough information, to make the judgements and this will be guided by the experts within the Environment Agency. This will give an action plan of what permanent monitoring needs to be added into the permit.

5.12 The Environment Agency now is now at the 2nd stage of monitoring and this will inform specific monitoring conditions. This will enable the conditions to go into the permit.

5.13 Q. What way is there of controlling that different chemicals are not mixed which react together and cause problems

The Environment Agency confirmed that Wastego have to manage their own site. The Environment Agency are checking any problems.

5.14 Q. How much power does the Environment Agency have to modify the permit?

Environment Agency. The changes have to be defensible and the current monitoring will provide the evidence.

5.15 Deodorisers are being used on the site. These were installed as a response to the odour problems. There was concern that these could be masking any dangerous emissions. Also, which is in the deodoriser itself? Could this be harmful. The Environment Agency do not know what the deodoriser is, but the monitoring of airborne emissions will identify what it is.

Environmental Health

5.16 Palden Dorjé circulated a note of the actions taken by the East Northamptonshire Council (See attached). This explains the way East Northamptonshire Council approached the odour complaints using their powers to serve a Notice under Section 79 of the Environmental Protection Act 1990. However, the Company mounted a legal challenge against the East Northamptonshire Council action and the Secretary of State did not confirm the Notice, as it was the responsibility of the Environment Agency to regulate the site. Can the Environment Agency take similar action?

5.17 Environment Agency – Cannot take action now because the problems are not there, that is why they are undertaking an investigatory report.

5.18 The Environmental Protection Act legislation applying to EHO is different to Environment Agency. The Environmental Agency can not serve a Notice under Section 79. They have to gather the appropriate evidence to justify taking action.

5.19 The Environment Agency were asked about their procedures for dealing with concerns from local community about this site.

5.20 Karen Wootten said that The Agency will respond following a recent complaint possible odour from the site. KW herself attended within 24 hours. They will try to get there earlier if possible.

6. County Council Update

6.1 Phil Watson confirmed that there had been no response from Wastego to recent letters attempting to deal with the planning conditions.

6.2 Phil Watson confirmed that he has still not received a valid planning application for a hazardous waste pre-treatment facility, although Wastego had indicated that they would be pursuing this before July 2004. It was commented that they are leaving this late if they need it to be in place by this date.

Cleaning Roads

6.3 Phil Watson confirmed that he had written to Wastego on this issue and included the Highways Authority's concerns. This covered the matter of mud on the road, slow moving road sweepers, the filling of the sweepers with water and the highway safety impact. The requirements for the company to pay £2,000 per annum for road maintenance was also raised. PW clarified the road arrangement for these payments in the legal agreement. PW will ask a Highways Authority Representative to attend the next meeting.

PW

7. Local Community Questions

Questions For The Environment Agency

7.1 Q. Environment Agency - do they have information on where lorries are coming from. Are they long distances?

7.2 Environment Agency. The consignment note for hazardous wastes will say where waste arises and these are sent to the EA and are publicly available for inspection. Waste transfer notes are held by the company themselves for 2 years and the EA can require to see these. Environment Agency will pass this matter on to Customer Liaison ask them to contact the questioner.

7.3 Q. What is the normal procedure for informing the public if there is a pollution incident? The perception is this that there is no procedure in place.

7.4 Karen Wootten explained that if there is a major incident the Environment Agency would instigate a notification process (either leaflets or phone). They would liaise with the other emergency services as appropriate. They would also contact the

local media (eg. radio) who would notify the incident. A telephone tree from the Parish Council was suggested, so that the local community could confirm each other.

7.5 The Environment Agency Hotline (24 hour) - 0800 80 70 60

If a complaint is raised it is during the working day it will probably be Karen Wooten who could investigate to respond otherwise it will be the duty officer at other times.

Relevance of meetings

The continued relevance of these liaison meeting was questioned if there is no information from Wastego. This is making the meetings difficult to get any answers of what the company is doing or intending. It was wondered whether their new public Relations Officer would attend.

Fiona Cowan to contact the public relations officer.

FC

8. **Date of next meeting**

Tuesday 15th June 2004.

Briefing Note

Subject: Slipe Clay Pit Incident
18 - 20 December 2003

Author: Mike Deacon
Head of Environmental Health

Date: 7 January 2004

The purpose of this briefing note is to set out the events of the 18th to 20th December 2003 relating to the release of an airborne substance or substances from Slipe Clay Pit, King's Cliffe and which resulted in persons in the locality experiencing adverse health effects. To then utilise the experiences gained to enable East Northamptonshire Council's Environmental Health Division to improve its response and effectiveness during such incidents. Any improvements identified and acted upon will obviously not be done in isolation and may impact on relationships both internally and externally to the Council.

Background

Slipe Clay Pit is a waste landfill site situated on the Stamford Road leading out of King's Cliffe. The site is operated by Wastego (parent company Atlantic Waste).

The operations are conducted within a planning consent approved by Northamptonshire County Council and a licence issued and regulated by the Environment Agency (EA).

Concern has been expressed in villages within the locality as to the nature of the material being transported to and accommodated in Slipe Clay Pit. These concerns have extended to the nature of the operations and controls exerted by Wastego.

The events of the 18th to 20th December 2003 appear to relate to the tipping of material on the site on the 18th December 2003 as complaints of malodour were initially received on this date. The numbers of complaints increased on the 19 December 2003 with reports from King's Cliffe, Easton-on-the-Hill and a nearby haulage yard (P C Howard's). These reports described the malodour that was being experienced and also adverse health effects. These included tingling lips, sore eyes, tingling tongue, irritation to the throat and nose, headache and nausea.

Key Events

<u>Time</u>	<u>Date</u>
17:00 hrs	18 December 2003
	Malodour complaint received by EH (Environmental Health) from an Easton-on-the-Hill resident, no source identified.
09:15 hrs	19 December 2003
	Malodour complaint received from King's Cliffe, physical discomfort reported by complainant.
09:30 hrs	EA informed of complaints.
10:48 hrs	EH officer in attendance at location of complainant in King's Cliffe. Malodour and adverse health symptoms experienced by officer, EA advised.
11.25 hrs	EH officer visits landfill site, meets with site manager and together visit the location of the complaint, offsite.
	Site manager indicates smell is like "Amines" and would return to the landfill site to investigate further.
	EH officer requested a COSHH sheet and details of the waste transfer note.
13:15 hrs	Call from site manager advising that the waste stream involved was a filter cake. Further investigations taking place.
15:30 hrs	EA updated.
16:05 hrs	Further complaint from Easton-on-the-Hill, EA had advised complainant that ENC (East Northants Council) were leading on this.
16:15 hrs	EA contacted and advised to correct the information and telephone number being given out by them. ENC EH not leading as EA regulate the site.
	EA advising callers that ENC would investigate the nuisance issues and would liaise with EA.
16:50 hrs	Further call to EA regarding advice being given by them to the public.
16:55 hrs	Decision taken to set up a small scale ENC EH incident team, to consider health implications of the situation.
17:55 hrs	Call to landfill site to establish composition of material. Advised that operators chemists were analysing samples, no results available that evening.

Time	Date
17:20 hrs	Chemical Incident Response Service (CIRS) contacted for advice based on information available and reported symptoms.
17:30 hrs	EA advise their intention to attend site.
17:40 hrs	Further call from King's Cliffe complainant advising that the smell was as strong as earlier in the day.
17:55 hrs	Ward Councillor updated on situation and County Councillor. Officer dispatched to site.
18:10 hrs	Advice received from CIRS, also advised that ENC EA should inform HPA (Health Protection Agency)(CCDC).
18:25 hrs	Business local to the site advised on limiting employees exposure.
18:32 hrs	HPA (Public Health Duty Officer) advised of incident and CIRS advice.
18:55 hrs	Police on stand-by for 'public information' dissemination if required.
19:00 hrs	EA call advising that they are in the locality and can smell a very pungent odour. Advised that an EA officer would visit site the next day.
19:00 hrs	Messages left with Councillor Glithero and Chief Executive.
19:15 hrs	Further advice received from CIRS. EA and ENC EH meet at or near landfill site. EA informed that advice was being sought by CIRS. EA advise that they will visit the King's Cliffe complainant and then go home. EA Lead Officer for the site had been advised to visit the landfill site the following morning. ENC Head of Communications advised of incident and ongoing actions.
19:20 hrs	Health Protection Agency advise that Hospital A & E may be contacted, concerned over employees at the nearby business.
19:15 - 21:00 hrs	EH officer in locality visiting complainants and other village locations to establish extent of malodour.
20:00 hrs	Homecare/Pinnacle advised of ongoing situation.
20.31 hrs	HPA advise on preparation of an 'advice sheet' and press release.
21:08 hrs	Statement dictated over the telephone by HPA.
21:15 hrs	Further advice from CIRS.

Time	Date
21:25 hrs	Decision taken, following advice from field officer (ENH EH) to disseminate advice through media (radio and press)
21:30 hrs	Chief Executive, Councillor Glithero advised of decision to stand team down and put out advice through Head of Communications.
21:45 hrs	Further advice given to local businesses on H & S implications. Field officer visiting local properties giving advice.

Further Actions

It is now intended to pursue answers or explanations to the issues and questions resulting from above.

Following this incident, ENC EH served a notice on the site operators Atlantic Waste, under the provisions of the Environmental Protection Act. An appeal has been lodged by Atlantic Waste at Corby Magistrates, against this notice.

Communication does not appear to be improving, a meeting between regulatory bodies, Atlantic Waste and King's Cliffe Parish Council recently took place where ENC were not invited. The meeting organisers Atlantic Waste considered this an 'oversight', despite King's Cliffe Parish Council's request for our involvement.

Smell complaints persist in the locality, despite denials by Atlantic Waste and the EA of their occurrence. The latter being of most concern as they were in attendance when our officers witnessed the smell.

The Notice served was withdrawn as a result of compelling legal advice. Secretary of State approval to serve a Notice was sought, however was not given. The reasoning being, " was the responsibility of the Environment Agency as regulators of the site".

A private Multi Agency meeting is to be held on 29th March 2004 to discuss matters. The Agencies involved in that meeting will be

East Northants Council
Environment Agency
Health Protection Agency
Primary Care Trust

M J DEACON
Head of Environmental Health
Community Services Directorate