

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

To:
Seletia (F) Limited
10 James Nasmyth Way
Eccles
Manchester
M30 0SF

Environmental permit: EPR/BM5941IH

Regulated facility: Flusco Landfill, Newbiggin, Penrith, Cumbria. CA11 0JB

The Environment Agency considers that the following conditions of the environmental permit are being contravened:

- 2.1.1 Permitted activities
- 2.5.3 Landfill engineering – New cell construction proposals – changes
- 2.9.1 Landfill gas management
- 3.1.2 Emissions to water
- 3.5.1(c)&(e) Groundwater and surface water monitoring

Because there is an unauthorised activity taking place on site involving deposit, transfer and storage of waste on the transfer pad; engineering work to the access roads and within the base of the quarry has taken place without the required approvals; landfill gas is not being managed appropriately; contaminated liquid is discharging from an unauthorised emission point; and the required groundwater and surface monitoring is not possible due to infrastructure damage.

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

Date: 10 October 2025

Signed:



Graham Miller
Regulatory Team Leader

Environment Agency
Ghyll Mount
Gillan Way
40 Business Park
Penrith
CA11 9BP

Please see over for notes.

Notes:

General

1. 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.
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(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.

SCHEDULE 1 STEPS TO BE TAKEN		
Condition number	Steps to be taken	By date
3.5.1 (c) 3.5.1 (e) & 2.5.3	1. Assess whether boreholes, surface water monitoring equipment and landfill engineering, such as capping and sidewall/ basal liner (i.e. “landfill infrastructure” as defined by the permit) shown on existing survey/ drawings, has been compromised by: a) the widened road; b) works within the base of the quarry; and c) construction of access road across cell 2, and supply the results of the assessment.	24 October 2025
	2. If any landfill infrastructure has been compromised, damaged or lost, provide proposals including CQA methodology and supervision to repair or replace the infrastructure.	31 October 2025
	3. Submit proposals, with timescales, for an alternative temporary surface water monitoring point as close to the point of discharge of surface water to groundwater as possible.	24 October 2025
2.1.1	4. Remove waste from the transfer pad.	17 October 2025
	5. Provide proposals, with timescales, for the removal of the transfer pad. The proposals shall include CQA methodology and supervision for the works alongside proposals to investigate the integrity of the lining system and where necessary undertake repair / remedial works.	31 October 2025
2.9.1	6. Reconnect the disconnected gas wells.	17 October 2025
	7. Repair the chamber on cell 8.	17 October 2025
	8. Produce an updated Landfill Gas Management Plan and submit to the	7 November 2025

	Environment Agency for approval.	
3.1.2	9. Remove leachate from outside of the containment.	17 October 2025
	10. Investigate the causes of leachate outbreaks and provide proposals to address them, with timescales. These proposals shall include an assessment of both the degree and the extent of possible contamination.	31 October 2025