

Compliance Assessment Report CAR_NRW0044795

Permit being assessed: DP3733BK.

For: Docksway Landfill , **held by:** Newport City Council

At: Docksway Disposal Site - Phase 2 Docks Way , Newport, South Wales, NP20 2NS.

Type of assessment: Site Inspection,

Reason: Routine.

On: 20/06/2024 between 09:30 and 12:30.

Parts of permit assessed: 3.3 odour.

NRW Lead Officer: Luke Burton, accompanied by Wayne Grimstead.

Report sent to: Landfill Team Manager, Waste and Cleansing, on 19/07/2024.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3C - Installations - Emissions and monitoring - Odour	Assessed (A)	
IR2G - Installations - Operations - Landfill engineering (only applicable to landfill)	Action only (X)	
IR2I - Installations - Operations - Leachate levels (only applicable to landfill)	Action only (X)	
IR2I - Installations - Operations - Leachate levels (only applicable to landfill)	Action only (X)	

Result types are explained in more detail in the 'Important Information' section below.

Total non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
IR2G	See action 1 in CAR body.	19/09/2024
IR2I	See actions 2 and 3 in CAR body.	19/07/2024
IR2I	See action 4 in CAR body.	19/09/2024

Compliance criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

This Compliance Assessment Report (CAR) has been produced following a Natural Resources Wales (NRW) site inspection undertaken on 20 June 2024 and an off-site odour assessment undertaken on 10 July 2024.

Inspection

The purpose of the inspection was to assess the operator's progress in complying with action IR2I of CAR_NRW0043562. The inspection focused on the working area, surface water management system and leachate management.

The tipping area where waste is currently being deposited; unrestored tipping, which has not yet met final, permitted depth of waste; tipping access routes; and leachate abstraction point were observed.

Working area

At the time of the inspection, the active tipping area was estimated to be 100m² and the uncapped tipped area, which has not yet met the final levels, is estimated to be 600m². There are 3 access roads for the active tipping area in place. It is the operator's intention to conclude tipping and begin permanently capping the remaining uncapped areas of the landfill within the next 18 months.

Two out of the four areas bordering the active tipping area are at the profile of the completed landform, are capped and appeared to be of a design that would intercept rainwater and prevent it from contributing to leachate generation.

The other two areas bordering the active tipping area are not yet at the profile of the completed landform and appear to not be covered by an engineered temporary cap of a standard that would control the ingress of rain and surface water into the underlying waste (see photographs).

Surface water management

Two out of the four areas bordering the active tipping area are at the profile of the completed landform, are capped and appeared to be of a design that would direct rainwater away from construction and operation.

The other two areas bordering the active tipping area are not yet at the profile of the

completed landform, appear to be graded to a fall to channel rainwater away from the tipping area and appear to not be covered by an engineered temporary cap of a standard that would control the ingress of rain and surface water into the underlying waste (see photographs).

Leachate abstraction point

One leachate abstraction point was observed and the operator explained the leachate abstraction process.

The leachate tankering route has been blocked by the completion of edge capping works near to some of the leachate abstraction points. These capping works have been delayed due to weather conditions but are due to be completed by August 2024.

The operator stated that in response to CAR_NRW0043562, and as per their 10/05/2024 response to action IR21, leachate abstraction frequency has increased with the intention of reducing the leachate level to permitted levels.

The operator stated that leachate level measurements are being undertaken on a weekly basis.

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Leachate levels

The operator has reported reduction in leachate levels due to their increased abstraction of leachate via tankers.

Whilst the operator has reported reduction in leachate levels, no assessment of compliance has been made against leachate levels permit limits within this CAR.

Whilst NRW surmise that the leachate level is being influenced by the size of the working area and lack of temporary capping, and the operator reportedly controlling leachate levels through abstraction of leachate, it is vital that the operator to finds the root / underlying cause that have and may continue to contribute to the leachate level being above permitted limits.

NRW welcome and appreciate the operator's reported action already taken to reduce the leachate level. However, NRW note that non-compliance with the permitted leachate level has been a recurrent issue at this site and if leachate levels above the permitted limit persist, NRW may be required to take enforcement action against Newport City Council (see CAR *Important Information* section).

Off-site odour assessment

The purpose of the off-site odour assessment was to assess the operator's compliance with permit condition 3.3.1.

The assessment was undertaken at five locations outside of the site at sensitive receptors and/or orientated to the odour source.

At all locations emissions from the activities were free from odour at levels likely to cause

pollution outside the site, as perceived by the NRW officer.

Actions

Action 1: Operator to provide NRW proposals to meet the below industry standards and measures including site specific justification for their proposals, timelines for completion and any deviations.

- Minimise areas of active and uncapped tipping so to reduce leachate generation.
- Install intermediate cover that is expected to remain effective until temporary caps are installed.
- Install, to relevant standards and design considerations, temporary engineered capping which manages leachate production by controlling the ingress of rain and surface water into the underlying waste on incomplete areas as soon as practicable.
- Install, to relevant standards and design considerations, a permanent/final engineered cap on completed areas as soon as possible after the end of waste disposal in an area of the site.
- Intercept rainwater running off areas outside the landfill and channel it away from construction, operational and post-closure phases.

Action 2: Operator to increase reporting to NRW of leachate parameters to the below.

- Leachate levels/head and leachate volume [abstracted], as required by condition 3.6.1, to monthly, until further notice.

Action 3: Operator to increase monitoring of leachate parameters to the below.

- Leachate levels/head and leachate volume [abstracted], as required by condition 3.6.1, to weekly, until further notice

Action 4: Operator to undertake a root cause analysis to find the root or underlying cause and other factors that contributed to the leachate levels above those in Table S3.1 of the permit, and report their findings back to NRW.

Photographs

a. Landfill surface at southern edge of cell 2.



b. South-western edge of cell 1 and cell 2 interface



c. North-western edge of cell 1



d. Looking north across cell 1



END.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or

suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within twenty working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 to 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.