

Compliance Assessment Report CAR_NRW0048976

Permit being assessed: LP3135SB.

For: Docksway Generation Plant EPR/LP3135SB/V003, **held by:** Novera Energy Generation No 2 Limited

At: Generation Plant Docks Way , Newport, South Wales, NP20 2NS.

Type of assessment: Site Inspection,

Reason: Other.

On: 27/05/2025 between 10:00 and 12:00.

Parts of permit assessed: 2.12 Multiple Operator installations.

NRW Lead Officer: Luke Burton, accompanied by Mostyn Wall.

Report sent to: NOVERA ENERGY GENERATION NO. 2 LIMITED, Director of HSQEC and Sustainability, on 28/07/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1F - Installations - Management - Multiple operator installations	Assessed (A)	

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?

No action required.

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 an assessment of the operator's co-operation in the management of landfill gas at Docks Way landfill.

Environmental permit condition 2.12.3 states:

2.12.3 Both Operators on the site shall co-operate to ensure the safe^[1] extraction and combustion of the landfill gas using the systems they have agreed and set out in the application.

Regulation 7 of the Environmental Permitting (England and Wales) Regulations 2016 ('the Regulations') defines an operator as:

"the person who has control over the operation of a regulated facility".

Regulatory Guidance Series, No RGN 1 sets high level guidance to who can be an operator and therefore hold an environmental permit.

Context of the assessment

The assessment was undertaken following the operator and Newport City Council (the operator of Docksway Area 1 and 2 Landfill, from which the combusted gas is derived) making representations in regards to the continued co-operation in the extraction and combustion of landfill gas.

In addition to the on site inspection, the operator provided the following information in support of the assessment:

- Email, 20 May 2025 14:33, from [Director of HSQEC and Sustainability] to Luke Burton.
- Email 28 May 2025 14:26, from [Director of HSQEC and Sustainability] to Luke Burton.

The operator has demonstrated through the site inspection and referenced emails that:

Both Operators on the site are co-operating to ensure the extraction and combustion of the landfill gas.

No information has been observed during the inspection or thereafter which suggest that the operator is no longer the legal organisation who has control over the operation of the regulated facility.

Note: The inspection was carried out on 27 May 2025, but further information required to make a full assessment of compliance following the inspection was provided on 28 May 2025. For the purposes of the Industrial Emissions Directive CARs can be issued 2 months following an inspection. Inspection in this sense is defined at the point at which all information required to make an assessment is provided.

Note: A full assessment of fugitive emissions to surface water and ground water in respect of containment of unpermitted releases of polluting liquids to the environment has not yet been undertaken and does not form part of this assessment.

¹ Natural Resources Wales are not the competent authority for safety - we therefore cannot comment on or assess the safety of any landfill gas extraction or combustion system.

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.