

## Compliance Assessment Report CAR\_NRW0049502

**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:** Other,

**Reason:** Routine.

**On:** 30/09/2025.

**Parts of permit assessed:** Emissions and Monitoring, and, General Management.

**NRW Lead Officer:** Luke Burton.

**Report sent to:** [REDACTED], Team Manager (Landfill), on 30/09/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.2.1
IR1A - Installations - Management - General Management	C3 Minor	1.1.1

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

Total non-compliances recorded	Total non-compliance score
2	8

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
IR3B	The operator shall review and revise its environmental management system, and associated documents, to identify and minimise the risks of pollution from operations – the leachate extraction system.	31/10/2025
IR1A	The operator shall review and revise its environmental management system, and associated documents, to identify and minimise the risks of pollution from operations – the	31/10/2025

Criteria	Action needed	Complete by
	leachate extraction system.	

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

#### Purpose of assessment

The purpose of this Compliance Assessment Report (CAR) is to record Natural Resources Wales' (hereafter NRW) findings following an assessment of the cause of 2024 groundwater trigger limit exceedances and the appropriateness of measures to identify and minimise the risks of pollution arising from the leachate extraction system.

#### Regulatory Context

This assessment has been conducted in response to the groundwater ammoniacal nitrogen trigger limit being exceeded on 2 monitoring periods in 2024 at groundwater monitoring borehole GW06\_37 – As recorded in CAR\_NRW0046507.

CAR\_NRW0046507 placed 'ACTION GW06\_37' on the Operator to investigate the root cause of the exceedances and detail actions to be taken to prevent, or where that is not practicable, to minimise further exceedances.

Investigations by the operator discovered a split in the leachate extraction pipe located in the vicinity of monitoring points GW06\_37 and GW12\_33 with this damage believed to have contributed to elevated concentrations in the surrounding groundwater.

The Operator has replaced the damaged section and undertaken regular monitoring.

Further to ACTION GW06\_37 and the operator establishing the root cause, NRW has requested from the Operator all sections of the environmental management system, leachate management plan and relevant policies and procedures which document how they inspect and maintain the leachate extraction system, to identify and minimise the risks of pollution.

A number of documents were submitted in response to the above request:

- Newport City Council – Waste Management Section [leachate collection] Risk Assessment
- DWMS S4\_14 Maintenance and Management of Leachate V2
- DWMS S4\_15 Leachate Management Plan (LMP) V2

## Assessment

Following the Operator's investigations, repairs and submission of the above documents - ACTION GW06\_37 can be closed.

The split in the leachate extraction pipe located in the vicinity of monitoring points GW06\_37 and GW12\_33 has been determined by the Operator to be the cause of the GW06\_37 ammoniacal nitrogen breaches.

This represents non-compliance with the environmental permit as substances not controlled by emission limits (leachate) has caused pollution (exceedances of a groundwater trigger limit).

Appropriate measures (frequent inspections, monitoring and maintenance) was not undertaken as leachate was allowed to emit from an extraction pipe for a sufficient period that it was detected in a nearby groundwater monitoring point.

Condition 3.2.1 of the environmental permit states:

*Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.*

As a result of this non-compliance, a non-compliance category C3 has been recorded against compliance sub-criteria IR3B – Emissions of substances not controlled by emission limits.

A C3 non-compliance has been levied as it is reasonably foreseeable that non-compliance with permit condition 3.2.1 will result in a minor pollution of the environment.

NRW has identified the root cause of the GW06\_37 ammoniacal nitrogen breaches as the implementation of inappropriate control measures. Specifically, the leachate extraction pipework was not monitored with sufficient frequency to prevent or mitigate pollution risks. As a result, a split in pipework allowed the unpermitted emission of a pollutant (leachate) to persist for a sufficient period that a constituent (ammoniacal nitrogen) of the pollutant was detected at a nearby groundwater monitoring location.

This represents non-compliance with the environmental permit as parts of the written management system did not effectively identify and minimise the risks of pollution (leachate) arising from operations (leachate extraction).

Condition 1.1.1 of the environmental permit states:

*The operator shall manage and operate the activities:*

*(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and*

As a result of this non-compliance, a non-compliance category C3 has been recorded against compliance sub-criteria IR1A – General management.

A C3 non-compliance has been levied as it is reasonably foreseeable that non-compliance with permit condition 1.1.1 will result in a minor pollution of the environment.

Action IR1A - The operator shall review and revise its environmental management system, and associated documents, to identify and minimise the risks of pollution from operations – the leachate extraction 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](mailto: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](mailto: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.