

Compliance Assessment Report CAR_NRW0050482

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: 19/12/2025 between 07:55 and 12:30.

Parts of permit assessed: See Comments.

NRW Lead Officer: Luke Burton, accompanied by Neil Griffiths.

Report sent to: [REDACTED], Team Manager - Landfill, on 05/02/2026.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.6.5
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.6.5
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.6.1
IR1A - Installations - Management - General Management	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
3	12

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
IR3E	See Comments - inaccessible or missing leachate abstraction / monitoring infrastructure	01/04/2026
IR3E	See Comments - inaccessible or missing landfill gas external	01/04/2026

Criteria	Action needed	Complete by
	monitoring boreholes infrastructure	
IR3E	See Comments - inaccessible or missing asbestos cell stability monitoring infrastructure	01/04/2026
IR1A	See Comments - Wind blown litter/waste	Already completed

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Purpose of assessment

The purpose of this Compliance Assessment Report (CAR) is to record Natural Resources Wales' (hereafter NRW) off-site assessment of odour from the activities permitted under environmental permit DP3733BK and NRW's on-site assessment of missing or inaccessible landfill infrastructure required under the same environmental permit.

Regulatory Context

The odour assessment was carried out following reports received by NRW of odour in the locality of the permitted site. Several of these reports suggest the permitted site may be the source of the odour.

The reports being investigated as part of this assessment are - Wales Incident Recording System (WIRS) references: 2510990, 2510991, 2511007, 2511008, 2511009, 2511010, 2511012, 2511016 and 2511039.

The assessment of missing or inaccessible landfill infrastructure was carried out following:

The operator's submission and NRW assessment of annual performance report(s) - as documented in CAR_NRW0046507 – which identified a number of missing or inaccessible leachate extraction and monitoring points.

The operator informing NRW that a number of separation bund inclinometers - as required by condition 3.6.1 and specified in Table S3.10 – had been lost during landfilling.

CAR_NRW0046507 set an action for the operator to confirm all missing or inaccessible infrastructure and submit a timetabled plan for its access or replacement.

Timetabled plans were submitted, however no definitive list of missing infrastructure was included.

Work timetables planned to replace the missing before September 2025.

Assessment – odour

A selection of off-site locations in the locality of the permitted site was visited, and an odour assessment was carried out.

The details and findings of the assessments are fully recorded in the document – ‘ODOUR ASSESSMENT-FILENOTE-LB-20261219’.

Please note: odour assessments were undertaken for a duration of 10 minutes at each location. Assessments were not undertaken whilst travelling between locations.

At the time of the assessments, either no odours from the activities were detected, or, odours from the activities were detected, but not perceived to be at a level likely to cause pollution.

‘Pollution’ is as defined for the relevant activity in *The Environmental Permitting (England and Wales) Regulations 2016*.

Section ‘3.3 Odour’ of the environmental permit lists Condition 3.3.1.

Condition 3.3.1 of the environmental permit states:

Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.

At the time of the assessments, the Operator was assessed to have been complying with condition 3.3.1 of the environmental permit.

Assessment – missing or inaccessible infrastructure

During the inspection the operator confirmed that none of the missing infrastructure referenced in CAR_NRW0046507 has been replaced.

Condition of the environmental permit 3.6.5 states:

Permanent means of access shall be provided to enable sampling/monitoring to be carried out in relation to the emission points specified in schedule 3 tables S3.1 - S3.10 unless otherwise agreed in writing by Natural Resources Wales.

Condition 3.6.5 has been breached twice as the emission points within Table S3.1-S3.8 are not accessible or missing in respect of leachate abstraction / monitoring, and, landfill gas external monitoring boreholes.

The inaccessible or missing leachate abstraction / monitoring infrastructure has been scored a C3 (minor) non-compliance based on its potential to have a minor or minimal impact or effect on the environment.

The inaccessible or missing landfill gas external monitoring boreholes infrastructure has been scored

a C3 (minor) non-compliance based on its potential to have a minor or minimal impact or effect on the environment.

During the inspection the operator confirmed that neither of the 2 missing separation bund inclinometers had been replaced.

It was observed that 3 of the 5 original installed separation bund inclinometers are in place on site, however the 3 remaining were unequally distributed along the length of the separation wall.

Condition 3.6.1 of the environmental permit states:

The operator shall, unless otherwise agreed in writing by Natural Resources Wales, undertake the monitoring and any other actions specified in the following tables in schedule 3 to this permit: ... (f) Separation bund topography and Separation bund inclination as specified in table S3.9

Table S3.9 is partially reproduced below:

Table S3.9 Asbestos Cell Stability Monitoring Requirements				
Emission point ref. & location	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
Asbestos cell separation bund inclinometers 1, 2 and 3	Deformation behaviour of the separation bund measured at each inclinometer.	Prior to commencement and upon completion of each separation bund lift and at 6 monthly intervals.	Separation bund inclination and topography assessment. Plan and cross-sectional drawings of the separation wall to be included.	The three inclinometers in the separation wall will be equally distributed along the length of the separation wall. The inclinometers will be installed after the first 1-3 lifts of the separation wall, dependent on the starter length of pipe and thereafter be extended upwards. The inclinometer base will benefit suitable vertical location and protection measures in order to ensure that basal lining system is not compromised. The separation wall and inclinometers will be surveyed in. The separation wall will be constructed in lifts and each lift will be surveyed to outline its base and crest footprints.

Condition 3.6.1 has been breached as the separation bund inclinometers are not equally distributed along the length of the separation wall.

The unequally distributed asbestos cell stability monitoring infrastructure has been scored a C3 (minor) non-compliance based on its potential to have a minor or minimal impact or effect on the environment.

ACTION - inaccessible or missing leachate abstraction / monitoring infrastructure , landfill gas external monitoring boreholes infrastructure, and asbestos cell stability monitoring infrastructure: Operator to submit to NRW within the period specified, confirmation of all the inaccessible or missing infrastructure, and a timetabled plan for gaining access or replacing that infrastructure.

Action due date: 1 April 2026.

Assessment - windblown litter/waste

During the inspection windblown litter/waste was observed on two flanks of the landfill. No wind blown litter/waste was observed making its way outside of the landfill site or being close enough to the boundary to have the potential to escape from the site, at the time of the inspection.

ACTION – windblown litter: Operator to review measures for preventing litter/waste from escaping from the landfill site.

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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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(1) – Emissions to water
- IR3A(2) – Emissions to air
- IR3A(3) – Emissions to 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.

Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** enquiries@naturalresourceswales.gov.uk

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** 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.