

## Compliance Assessment Report CAR\_NRW0052000

**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:** Audit,

**Reason:** Incident Response (Incident number 0000000).

**On:** 30/03/2026 between 08:45 and 17:00.

**Parts of permit assessed:** See 'Details of our assessment'.

**NRW Lead Officer:** Luke Burton, accompanied by David Thomson.

**Report sent to:** [REDACTED], Team Manager Landfill, on 28/05/2026.

### 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)	
IR3C - Installations - Emissions and monitoring - Odour	C2 Significant	1.1.1(a)

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

Total non-compliances recorded	Total non-compliance score
1	31

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
IR3C	<p>1. The operator must review and revise its OMP to comply with relevant guidance and sector best practice. The operator shall submit its revised OMP to NRW. The operator shall operate the activity in accordance with the revised OMP, from the date of submission.</p> <p>2. The operator must review and revise all procedures and EMS sections so they support the effective implementation of</p>	28/06/2026

Criteria	Action needed	Complete by
	the revised OMP. The operator shall notify NRW of these revisions. The operator shall operate the activity in accordance with the revised procedures and EMS sections, from the date of submission.	

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

This Compliance Assessment Report (CAR) has been created following a desk based audit of the scope and suitability of appropriate measures within the Odour Management Plan (OMP) and a site based, unannounced audit of targeted elements of the OMP and Environmental Management System (EMS).

#### Regulatory Context

The permitted activity of disposal of non-hazardous, biodegradable waste in a landfill is one for which odour is a key issue and for which the operator must have, and operate in accordance with, an approved OMP: as per NRW guidance – [How To Comply With Your Environmental Permit](#).

Since December 2025 to the date of the audit, 87 reports of odour, alleged to be originating from the site, have been received by Natural Resources Wales (NRW).

Despite NRW not substantiating the odour to date, the quantity and persistence of odour reports received has initiated NRW to undertake this audit.

By way of a regulatory request, the operator provided the odour management section of their EMS, document reference: *DWMS S5\_05 Odour Management*, on 05/03/26. This document is herein referred to as the 'OMP'.

At present, NRW are following the Environment Agency [H4 Odour Management Guidance](#) and [Landfill Sector Technical Guidance](#) – which forms the regulatory framework against which this assessment has been undertaken.

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#### Assessment

##### Section 1 - Desk-Based Audit

The desk-based audit was undertaken by Luke Burton. A review of the OMP against relevant guidance and sector best practice identified the following deficiencies.

##### a. Roles, Responsibilities and Competency

This section does not clearly assign responsibility for waste acceptance, nor does it reference contractors or other third parties working on site. These omissions weaken accountability and may hinder effective management of waste acceptance and other activities with odour-generation potential.

#### **b. Odour Risk Assessment (Source–Pathway–Receptor)**

While the OMP states that an Odour Risk Assessment has been undertaken, it is neither included nor specifically referenced. This assessment is fundamental to a robust OMP and provides essential operational guidance for staff and contractors involved in odour-related activities.

#### **c. Operational Controls and Mitigation Hierarchy**

This section is overly high-level and lacks sufficient operational detail. An effective OMP should clearly set out required actions or reference supporting documents, such as Standard Operating Procedures, that explain how controls are implemented in practice.

The section also fails to adequately address leachate monitoring and extraction as an odour control. There is insufficient detail on routine monitoring, management of extraction rates to prevent leachate head build-up, or the identification and control of leachate breakouts and pooling. Without effective leachate management, odour risks cannot be reliably controlled or demonstrated.

#### **d. Monitoring Framework**

The Monitoring Framework does not consider alternative monitoring methods, such as the measurement of specific odorous compounds (e.g. hydrogen sulphide) using portable analysers. This limits the OMP's effectiveness in identifying and managing odorants.

#### **e. Complaint Handling Workflow**

This section does not reference a comprehensive site activities log beyond plant operations and telemetry. A more detailed log would enable better correlation between odour complaints and site activities, supporting the identification of ineffective controls or previously unassessed odour sources.

This section contains no information on the operators procedures for handling incident notifications from NRW. NRW have sent the operator a number of emails notifying them of alleged odour incidents and asking the operator to undertake investigative actions. Many of these notifications have not received a response. Without appropriate procedures, the operator cannot ensure that odour notifications are investigated and the findings communicated to NRW.

#### **f. Incident Response**

Out-of-hours arrangements are not addressed, including roles, responsibilities, or notification procedures. Without defined procedures, timely response to odour incidents outside normal working hours cannot be assured. This is particularly concerning because some odour-generating activities operate continuously.

#### **g. Review, Audit and Continual Improvement**

This section does not reference the relevant guidance on which the OMP should be based. Regular review of sector best practice and structured gap analysis against the OMP are necessary to ensure ongoing compliance and continual improvement.

#### **Section 1 note:**

Aside from the issues identified above, the overall scope and intent of the OMP broadly align with relevant sector guidance and best practice.

#### **Section 2 - Off-site odour assessment**

On 30 March 2026 a selection of off-site locations in the locality of the permitted site was visited, and an odour assessment was carried out.

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

The reports investigated as part of this assessment are - Wales Incident Recording System (WIRS) reference: 2602271, 2602277, 2602280, 2602294, 2602297, 2602327, 2602381, 2602425, 2602451, 2602519, 2602974, 2603029, 2603079 and 2603097.

The details and findings of the assessments are fully recorded in the document – ‘ODOUR ASSESSMENT-FILENOTE-LB-20260330’.

Please note: odour assessments were undertaken for a duration of 10 minutes at each location, except the final location where an assessment of 5 minutes was undertaken. 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*.

At one location - whilst not at a level perceived to be causing pollution – odour, consistent with landfilling activities, was perceived at a persistence and intensity greater than had previously not been encountered during previous assessments.

### **Section 3 - On-site Audit – Office**

Following the off-site odour assessment, an on-site audit was undertaken by Luke Burton (NRW), accompanied by David Thomson (NRW), on 30 March 2026.

Procedural and EMS documents were reviewed to assess whether they provided sufficient clarity and detail to support effective implementation of the OMP. Compliance with relevant procedures was also verified through inspection of logs and interviews with staff from monitoring, weighbridge, and supervisory roles.

Based on the review of documents, logs, interviews, against the OMP, and relevant guidance and sector best practice, the following deficiencies were identified:

#### **a. Meteorological Management**

Meteorological management documents do not reference odour or explain how weather conditions should inform operational decision-making. They lack procedures for scheduling odorous activities during favourable conditions or restricting operations when meteorology increases the risk of off-site impact. This limits the effectiveness of the OMP, as its controls are not supported by practical implementation guidance.

#### **b. Capping Inspections**

No checklists were available to demonstrate inspections of capping for cracks or damage. Existing checklists focus on housekeeping and health and safety and do not address capping integrity. This increases the risk that defects remain undetected, representing a weakness in odour control.

#### **c. Pre-acceptance Checks**

Although weighbridge staff demonstrated that olfactory checks of incoming waste are undertaken, pre-acceptance procedures do not reference odour. The absence of documented steps increases the risk that odour screening may be inconsistently applied, reducing the site’s ability to identify and reject unsuitable

waste at the weighbridge.

#### **d. Landfill Gas Management**

Documents and staff interviews indicate that correspondence with the landfill gas management company on site is informal and ad hoc. There are no documented or scheduled processes between the operator and the company for reviewing maintaining negative pressure, balancing the gas field, or agreeing contingencies such as increased flaring or temporary gas capture. This lack of formalisation increases the risk of missed opportunities to optimise gas capture and minimise fugitive, odorous emissions.

#### **Section 3 note:**

Aside from the issues identified above, the documents reviewed provided adequate detail to support implementation of the OMP, and logs and interviews demonstrated that relevant procedures were generally being followed in practice.

#### **Section 4 - Inspection – Area 2 landfill**

Following the office based element of the audit, an inspection of the Area 2 landfill was undertaken by Luke Burton (NRW), accompanied by David Thomson (NRW) and two Docksway landfill operatives on 30 March 2026.

The following aspects of the OMP were inspected: maintenance of effective temporary/permanent capping; inspection and repair of capping cracks or damage; application of daily cover; minimising face area; and, housekeeping.

The following deficiencies from the OMP have been noted:

##### **a. Effective capping**

The capping material observed was of an unsuitable specification; containing a high proportion of contaminants (see Image 1 attached to CAR), which is considered likely to compromise cap integrity, achieved thickness and effective landfill gas sealing performance.

Landfill gas-related odours were perceived on the western and southern flanks of the landfill, upwind of the working area and coincident with areas where these inappropriate temporary capping materials appeared to be present, indicating a potential pathway for uncontrolled gas and odour emissions.

Where capping materials are of insufficient quality, the cap may not perform as intended in controlling landfill gas emissions, thereby potentially allowing odorous fugitive releases.

##### **b. Minimising face/working area**

Following the inspection, the operator provided a plan (see image 2 attached to CAR) showing the capped and uncapped areas of the landfill surface. The plan demonstrates that a large proportion of the landfill surface, predominantly on the north-westerly and south-westerly flanks of the landfill, is covered by 'non-engineered soil cover'.

'Non-engineered soil cover' is considered, from a regulatory perspective, to be functionally equivalent to daily cover as it has not been constructed in accordance with any engineering standard.

Areas covered with 'Non-engineered soil cover', from a regulatory perspective, are therefore regarded to be uncapped and functionally equivalent to the active working area.

Use of non-engineered cover, beyond daily cover, can have the potential to contribute to odour releases because it often lacks sufficient integrity, thickness, and gas-sealing performance. This potentially allows landfill gas and odorous compounds to migrate to the surface and the atmosphere through cracks, poor compaction, or material degradation.

### C. Inspection and repair of capping cracks or damage

Leachate was observed escaping (breaking out) from areas of the north-westerly and south-westerly flanks of the landfill and collecting in depressions at the toe of the landfill (see image 3 attached to CAR). No measures were being taken to prevent or minimise the breakouts.

Leachate-related odours were perceived on the north-westerly and south-westerly flanks of the landfill, coincident with areas where these leachate outbreaks were observed and upwind of the working area.

Leachate breakouts through landfill capping have the potential to generate odour emissions as they create a direct pathway for the release of landfill gas and odorous compounds at the point of breakout. Any pooled leachate allows the volatilisation of dissolved gases which have the potential to generate off site odours.

#### Section 4 note:

Aside from the points noted above, the inspection indicated the effective implementation of the OMP in the areas of application of daily cover and general housekeeping.

#### Section 5 - Conclusion of off-site odour assessment

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 in compliance with condition 3.3.1 of the environmental permit – in that emissions from the activities were free from odour at levels likely to cause pollution outside the site.

#### Section 6 - Conclusion of audit

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*  
*(b) using sufficient competent persons and resources.*

- Aspects of the written management system, for which the OMP is part, have been identified through the desk based review to be inadequate in detail.
- Aspects of the written management system have been identified through the site inspection to not have been managed or operated as described in the OMP.

This represents non-compliance with permit condition 1.1.1(a) in that:

- The written management system, for which the OMP is part, does not identify and minimise the risks of pollution

- The activities are being operated in a way that does not minimise the risks of pollution, including those arising from operations and incidents.

This non-compliance has been classified as a Category 2 breach because multiple, related instances of non-compliance with the OMP have been identified. Collectively, these non-compliances have the potential to cause intense, offensive, persistent or extensive off-site odours that would prevent or restrict some of the local population's use of an amenity or recreation area.

Action: The operator must review and revise its OMP to comply with relevant guidance and sector best practice. The operator shall submit its revised OMP to NRW. The operator shall operate the activity in accordance with the revised OMP, from the date of submission. By 28 June 2026.

Action: The operator must review and revise all procedures and EMS sections so they support the effective implementation of the revised OMP. The operator shall notify NRW of these revisions. The operator shall operate the activity in accordance with the revised procedures and EMS sections, from the date of submission. By 28 June 2026.

## Section 6 - Further points

NRW have identified a number of non-compliances with a single permit condition (1.1.1 (a)) whilst auditing the OMP. We have consolidated these individual non-compliances into one non-compliance score.

This CAR included a high level assessment of the Operator's waste acceptance procedures, landfill gas management and capping in respect of odour management, only. No part of this report should be construed as recording, interpreting, or commenting upon these aspects fully.

Landfill gas management was the subject of a detailed audit on 19 May 2026 and waste acceptance will be considered as part of future regulatory compliance activities undertaken by NRW.

Information or observations from this assessment may lead to additional non-compliance scores where they demonstrate breaches of other permit conditions. While assessed here in relation to odour, future assessments may identify non-odour-related breaches e.g. capping.

This is an assessment of the scope and suitability of key measures within the OMP, procedures and EMS only. This assessment should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the operator's responsibility.

On site and during a follow up telephone call on 31 March 2026 the operator was notified of permit breaches identified during the audit.

WIRS number recorded as '000000' as 'reason' area only allows entry containing 7 digits.

**(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](mailto: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](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.