

Compliance Assessment Report

Report ID:
CAR_NRW0026552

This form will report compliance with your permit as determined by an NRW officer

Site	Docks Way Landfill	Permit Ref	NP3199FM			
Operator/Permit holder	Newport City Council					
Regime	Waste Operations					
Date of assessment	07/10/2016	Time in	13:00	Out	14:00	
Assessment type	Audit					
Parts of the permit assessed	Containment					
Lead officer's name	Willey, David					
Accompanied by	Ward, Tyrone					
Recipient's name/position	Jonathan Davey/ Landfill manager	Date issued	31/10/2016			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
B4 - Infrastructure - Containment of stored materials	C3	70.0.1
D2 - Incident Management - Accidents, emergency and incident planning	C3	70.1.1

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	8
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Docksway Civic Amenity site visit – 7th October 2016

Permit number EPR/NP3199FM

Site inspection

A site inspection was carried out on the 7th October of the Civic Amenity Site following an inspection of the Area 2 active landfill site.

The site in general was well managed with good housekeeping in operation. Whilst on site NRW witnessed members of the public being queried by NCC staff with regard to waste types arriving to site and which skips should be used.

Daily cleans are undertaken at the site at the end of each day with the level of waste on roads / pavements kept to a minimum.

During the inspection it was noted that IBCs containing AdBlue were being stored in an unbunded area with any potential spillages running onto the road. **This is considered a category 3 breach of permit condition 70.1.1 General management where there is the potential for a foreseeable impact that would have minor impact on surface water.**

All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or, where that is not practicable, to minimise, leakage and spillage from the primary container.

Below is taken from the document How to comply with your environmental permit.

Storage areas for intermediate bulk containers (IBCs), drums, bags, and so on, must be designed and operated to minimise the risk of releases to the environment. In particular:

- where spillage of any stored substance could be harmful to the environment, the area needs appropriate kerbing or bund
- provide appropriate storage facilities for substances with special requirements for example, flammable, sensitive to heat or light, and formal arrangements should be in hand to keep separate packages containing incompatible substances (both "pure" and waste). Do not use plastic IBCs to store flammable materials
- locate storage areas away from watercourses, unprotected drainage systems and sensitive boundaries, (for example those with public access) and protect them against vandalism

- consider undercover storage / weatherproof covering where pollution can be significantly reduced by so doing
- storage areas should have appropriate signs and notices and be clearly marked-out, and all containers and packages should be clearly labelled
- state the maximum storage capacity of storage areas and do not exceed this, and specify and adhere to the maximum storage period for containers
- store containers with lids, caps and valves secured and in place - and this also applies to emptied containers
- regularly inspect all stocks of containers, drums and small packages (at least weekly)
- have procedures in place to deal with damaged or leaking containers.

ACTION: NCC to provide details of how IBCs of AdBlue will be stored on site taking into consideration the section on Releases from liquids in containers found in the document How to comply with your environmental permit.

Photo 1: IBCs stored without suitable secondary bunding



The area housing the waste vehicles, the maintenance area and cleaning area and the refuelling area were all inspected and were all found to be well kept with good housekeeping in operation and where applicable suitable containment.

During the inspection the maintenance office was inspected where tools, chemicals and replacement parts are kept. At the time of the visit a member of the NCC staff were smoking in this office where there are a number of signs reiterating that there is no smoking on site. There is a designate smoking area near to the entrance of the site. **Considered to be a category 3 breach of the permit where there could be a foreseeable impact on human health through a direct releases of a substance as a result of chemicals being ignited.**

Monitoring returns

Surface water monitoring is undertaken as part of the closure plan and are acknowledges with any comments in the CAR Form produced for the Area 2 permit EPR/DP3733BK.

END

EPR Compliance Assessment Report

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Operator/Permit holder	Newport City Council	Date	07/10/2016

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
D2	C3	NCC to reiterate the no smoking policy at the site	31/01/2017
B4	C3	NCC to provide details of how IBCs of AdBlue will be stored on site taking into consideration the section on Releases from liquids in containers found in the document How to comply with your environmental permit.	31/01/2017

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.