

Compliance Assessment Report CAR_NRW0036848

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 carried out: Site Inspection, Reason: Routine.

On 11/09/2020 between 12:30 and 15:00.

Parts of permit assessed: See below

NRW Lead Officer: Tyrone Ward.

Report sent to: Silvia Gonzalez-Lopez, Waste and Cleansing Service Manager on 28/09/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E3 - Emissions - Surface water	Action only (X)	
E2 - Emissions - Land and groundwater	C3 Minor	3.6.1
B1 - Infrastructure - Engineering for prevention and control of emissions	C3 Minor	3.6.1
E2 - Emissions - Land and groundwater	C3 Minor	3.6.1
A1 - Specified by permit	Ongoing (O)	2.6.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	
E1 - Emissions - Air	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	

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

Total number of 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
E3	To discuss exceedances of SS, COD and ammoniacal nitrogen as part of our next meeting	30/10/2020
E2	Trend ongoing monitoring and discuss with operator	30/10/2020
B1	Refer to management plans and previous CAR forms	30/10/2020
E2	To discuss with operator at our next meeting	30/10/2020
A1	Vary permit	30/09/2020

Action 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

Site Inspection 18 Nov 2019

Inspection including SNRHW asbestos cell. Pictures and a video of the acceptance procedures were taken which showed these are in line with procedures NCC have on site. We had no issues with the process. The waste was being sprayed with water and was being covered over straight away after. Large soil stockpiles available. There is a booking-in system for waste acceptance with asbestos waste only allowed to site on certain days.

Site Inspection 11 Sept 2020

General inspection of the landform and discussion of intentions going forward. Tipping of non hazardous wastes in cell3, though no asbestos was being accepted in the adjacent SNRHW cell at time of visit. Checked the entrance to asbestos cell and reception pad from a distance.

NCC to provide dates for us to discuss the first lift of separation bund, which must follow the permit requirements.

Site traffic was busy due to customer shutdown but in good order.

No complaints received over last 12 months.

Annual Environmental Report 2019

Report Ref 14739/3548/AEPR/AREA2/2019/R00 received and reviewed.

Surface water

SW_25 and SW_26 monitoring continues to be undertaken in line with the associated discharge consents.

2.2.9 Comments in section 2.2.9 of report noted, to discuss single exceedance of SW_26 ammoniacal nitrogen (49.2mg/l) as part of our next meeting.

2.3.1 Overall comments noted, NCC to re-arrange for laboratory testing for asbestos fibres (C3_Asb) as soon as practicable, as non-compliant (*update 11 Sept 20 - this has now been completed*)

Groundwater

3.2.2, Table 3.2 details the borehole specific Control and Trigger levels which are in place.

GW06_37 Ammoniacal nitrogen level exceeded in June and September.

GW06_37 Arsenic exceeded in June - report comments noted.

Considered to be a category 3 breach of permit condition 3.6.1.

3.4.1, 3.4.2 overall comments noted.

Leachate

Table 4.1.2 details recorded levels.

Whilst exceedances of the 2.0 metre limit were recorded, the overall control of leachate level continues to improve.

Exceedances are considered to be a category 3 breach of permit condition 3.6.1.

4.1 overall comments noted.

Volume of leachate (disposed of off-site as detailed in Table 7-1) noted.

Landfill Gas

5.3.2 GP05_15, GP05_17 recorded marginal exceedances of trigger level.

5.3.8 Breach of trigger level at GP09_18, GP09_18A, GP09_18B and GP09_18C. To discuss elevated levels of methane in this location as part of our next meeting, and agree actions going forward.

Considered to be a category 3 breach of permit condition 3.6.1.

5.4.1 overall comments noted.

General

8.1 We agree with the general conclusions in this section of the Annual Report.

Particulate monitoring (asbestos cell) 2019

Asbestos monitoring results provided for 2019 to date separately. The reported results are less than the clearance indicator of 0.01 f/ml.

Monitoring data should be submitted using the reporting form 'Particulate1' going forward.

Monitoring returns

Rounds 185 to 198 (for the period July 19 to Aug 20) received and reviewed. Includes surface water, groundwater, leachate and landfill gas.

Surface water

To discuss SW_25 multiple breaches of suspended solids e.g. (79.7mg/l, 99.7mg/l, 197mg/l) as part of our next meeting.

To discuss C3_Asb breaches of COD (184mg/l, 220mg/l, 181mg/l) and ammoniacal nitrogen (7.18mg/l, 9.79mg/l, 5.21mg/l) as part of our next meeting.

Noted the July 20 monitoring round (Round 197) includes re-instatement of laboratory analysis for asbestos fibres in water.

Groundwater

GW06_37 Ammoniacal nitrogen and Arsenic levels marginally exceeded on occasion. Non compliance included above.

Leachate levels

Whilst exceedances of the 2-metre limit were recorded, the overall control of leachate level continues to improve. Non compliance included above.

Landfill Gas

Breach of level at GP09_18, GP09_18A, GP09_18B and GP09_18C. Non compliance included above.

Waste Returns

Quarterly returns received and reviewed for 2019. The annual tonnage exceeded permitted limits by approximately 14,000 tonnes. This relates to an ongoing non-compliance.

A permit variation to increase tonnages (with associated risk assessments and supporting documents) has been since been provided.

Q1 and Q2 returns provided for 2020 and detail a reduction in inert wastes accepted.

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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 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 – 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.