

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

Site	Docksway Landfill - Area 2 EA/EPR/DP3733BK/V003		Permit Ref	DP3733BK		
Operator/ Permit holder	Newport City Council					
Date	15/01/2015		Time in	10:00	Out	14:00
What parts of the permit were assessed	Security, reporting data and inspection					
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op	Water Discharge
Recipient's name/position	Gwyn Jones					
Officer's name	David A Willey, Ty Ward		Date issued	02/02/2015		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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

Condition(s) breached

Permit Condition	CCS Score	Condition(s) Breached
a) Permitted activities	1. Specified by permit	N
b) Infrastructure	1. Engineering for prevention & control of pollution	N
	2. Closure & decommissioning	N
	3. Site drainage engineering (clean & foul)	N
	4. Containment of stored materials	N
	5. Plant and equipment	N
c) General management	1. Staff competency/ training	N
	2. Management system & operating procedures	N
	3. Materials acceptance	N
	4. Storage handling, labelling, segregation	N
d) Incident management	1. Site security	C4
	2. Accident, emergency & incident planning	N
e) Emissions	1. Air	C4
	2. Land & Groundwater	C4
	3. Surface water	N
	4. Sewer	N
	5. Waste	N
f) Amenity	1. Odour	N
	2. Noise	N
	3. Dust/fibres/particulates	N
	4. Pests, birds & scavengers	N
	5. Deposits on road	N
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	C3
	2. Records of activity, site diary, journal & events	N
	3. Maintenance records	N
	4. Reporting & notification	N
h) Resource efficiency	1. Efficient use of raw materials	N
	2. Energy	N

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded	4	Total compliance score (see section 5 for scoring scheme)	4.3
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If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Site: Docksway Landfill

Date: 15th January 2015

Time: 10:00

1. Update on site / issues and associated actions
2. CAR form actions 29th July 2014
 - 2a. Phasing and development - Cell 1 used not Cell 3
 - 2b. Consider Surface Water Management Plan
 - 2c. Improve gas extraction in Cell 1
 - 2d. Perimeter monitoring headwork's inspected – procedure
 - 2e. Site security
3. Horticultural project update
4. ETP proposal update
5. Asbestos cell update
6. M4 implications and Cardiff ERF
7. Review of complaints
8. Site inspection / update

1. Update on site / issues and associated actions – no issues to report.

2. CAR form actions 29th July 2014

2a. Phasing and development - Cell 1 used not Cell

Newport Council are looking to move from Cell 2 back into Cell 1 due to stability purposes. There is not much waste going onto the landfill due to waste being diverted to the incinerator in Cardiff under Project Gwrydd. Docksway still receives bulky waste via the CA site and acts as a 'backup' as part of the contingency plans for Project Gwrydd.

There is the potential for some investment in Cell 3 of Area 2 for a stable non-reactive cell for asbestos. This would involve the construction of a mono cell within Cell 3 with an estimated time to receive waste of October 2015. **NRW advise that early interaction with NRW through pre application discussions is important to discuss the cells design to avoid any unnecessary delays further down the line. NRW advised again that the variation would likely be a substantial variation and take up to 6 to 9 months.** The application will need to contain operational procedures and justification for the final design.

Newport City Council (NCC) are looking to complete stabilisation of Cell 3. Trials are being undertaken using bentonite / PFA in the week commencing 19th January 2015.

ACTION: NCC to provide NRW details of the proposed specification used by the contractor and confirm the system to be used for stabilisation and provide a CQA plan for approval.

2b. Consider Surface Water Management Plan - ACTION: Carried forward and will be resolved through site visit when checking headworks.

2c. Improve gas extraction in Cell 1

No update though NRW have received the CQA plan with the following recommendations:

1. Drawing WDS C2 of Appendix 1 excludes the surrounding parts of the site. Please could you therefore add further detail to

help clarification, including the Cell2/Cell1 boundary?

2. It would also be useful to include the existing gas infrastructure in the cell.
3. Are there any other areas of cell2 where drilled wells may be installed?
4. The drawing refers to Pin wells.

2e. Site security

A meeting had been held between NCC and the Directors at ABP Port in regard to site security issues. With regard to Docksway Landfill the issue with security is to the North East of the site where the fence meets the ownership boundary of ABP. NCC advised that no sooner than they identify and replace the damaged fence it is vandalised again. Visual checks are undertaken daily by NCC with problems identified almost daily. Without and CCTV or permanent security staff in this area and with the new polycell being constructed this will remain a problem for NCC. **Due to the failure to prevent site security issues at the site NRW have score a category 4 breach of the permit under condition 1.5.1.**

ACTION: NCC to install CCTV standards, or provide equivalent security measures, to help improve site security including the new horticultural building.

ACTION: NRW to arrange an inspection of borehole headworks in light of security problems encountered at the site. At the same time the access points for the sampling points will be checked for accessibility.

3. Horticultural project update

A useful update was provided - This area not within the permitted boundary for EPR/DP3733BK.

4. ETP proposal update – no update

5. Asbestos cell update - Covered in 2a

6. M4 implications and Cardiff ERF - no update

7. Review of complaints – none received though a landfill gas odour was detected on site during the inspection with need to improve extraction infrastructure.

Monitoring returns

This CAR form acknowledges the following submitted reporting forms and associated comments:

Surface water

R127 - Ammonical Nitrogen and BOD SW23 poor quality

R128 - Ammonical Nitrogen at SW23 poor quality and Ammonical Nitrogen and BOD SW26 poor quality

R129 - all ok

Waste and material facility returns – received on 31/10/14. NCC raise

Gas monitoring returns

21st and 22nd August – no breaches

17th September – no breaches

24th and 31st July – breach at GP05_14 with value of 1.1% against trigger level of 1%. Considered CCS4.

Groundwater returns

Round 127 – Dated 24th October 2014

Breach at GW09_35 for Nickel exceeding the 10ug/m3 limit with 11.9ug/m3. Considered CCS4.

The submitted report refers to condition 2.10.17 on page 4 of the report. The current permit does not have this condition, please could you amend this text to avoid confusion.

Leachate levels

Breach of leachate levels – 7.2metres. Considered CCS3.

Other:

Please note that monitoring returns should be sent to David Willey at NRW. David.willey@cyfoethnaturiolcymru.gov.uk

Whilst at the site there was evidence of good housekeeping through the use of road cleaning around the CA site that was preventing mud from leaving the site to the main road.

NRW are waiting for data to establish baselines for GW12_30, GW12_33 and GW12_38.

During the site tour the roads on the site were very wet and uneven due to the seasonal weather conditions. **ACTION: NCC to reinstate and improve site roads as soon as practicable.**

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Operator/ Permit	Newport City Council	Date	15/01/2015

Section 3- Enforcement Response **Only one of the boxes below should be ticked**

<p>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.</p>	
<p>Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.</p>	
<p>In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.</p>	
<p>We will now consider what enforcement action is appropriate and notify you, referencing this form.</p>	

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
D1	C4	No action specified	N/A
E1	C4	No action specified	N/A
E2	C4	No action specified	N/A
G1	C3	No action specified	N/A

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 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 which 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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.