

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	08/06/2015	Time in	09:00	Out	11:00
What parts of the permit were assessed	Monitoring returns and response to incidents				
Assessment	Report/data review	EPR Activity:	Installation: X	Waste Op:	Water Discharge:
Recipient's name/position	Gwyn Jones				
Officer's name	David A Willey	Date issued	18/06/2015		

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	Compliance	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	C3
	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	N
	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	3	Total compliance score (see section 5 for scoring scheme)	4.2
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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: Docks way Landfill

Date: 8th June 2015

Time: 09:00

1. Monitoring returns
2. Submitted reports
3. Fire at barn
4. Asbestos meeting
5. CQA plan
6. Actions carried forward

1. Monitoring returns

The following returns have been received by NRW with the following comments;

Gas monitoring

Rounds 131 to 133 - no exceedences.

Surface water

Round 130 – exceedence of the Total Suspended Solid limit of 60mg/l at SW25 of 261mg/l.
Round 131 – exceedence of the Total Suspended Solid limit of 60mg/l at SW20 of 66mg/l.
Round 132 - exceedence of the Total Suspended Solid limit of 60mg/l at SW25 of 440mg/l.
Round 133 and 134 – no exceedences (SW25 re monitored in round 133 with no exceedence).

Groundwater

Round 130 –exceedence of the Arsenic limit of 60ug/l at GW06/37 of 230ug/l.
Round 130 –exceedence of the Arsenic limit of 30ug/l at GW09/32 of 33.8ug/l.
Round 130 –exceedence of the Nickel limit of 10ug/l at GW09/35 of 10.2ug/l.
Round 133 –exceedence of the Arsenic limit of 60ug/l at GW06/37 of 135ug/l.
Round 133 –exceedence of the Arsenic limit of 30ug/l at GW09/32 of 34.3ug/l.
Round 133 - exceedence of the Ammonical Nitrogen limit of 35mg/l at GW06/37 of 37.1ug/l.

Breaches considered a CCS4.

Leachate levels

Leachate levels exceedences in rounds 131,132 and 132. At LF08_07, C1A(Well 1) and C1B (Well 2)

Breaches considered CCS3.

2. Submitted reports

The following reports were submitted to NRW within the required timeframes. These include:

The annual report
Pollution inventory
Waste returns for the period October to December 2014.

3. Fire at barn on 4th May 2015

The fire was in the waste holding shed at the landfill site, there was an estimated 50 -80 tonnes of house hold waste being stored in the shed. The fire & rescue service had the incident under control by 20:00 hrs.

Prior to the bank holiday weekend between the 23rd and 25th May Newport City Council confirmed that they intended to clear the barn on the Friday to ensure there is a minimum amount of waste through the weekend.

A Schedule 6 notification was completed and submitted following the incident stating that it was the intention to review the CCTV coverage of the area.

Action: Newport City Council to provide a review of the CCTV coverage at the site and propose any changes to mitigate against potential future incidents. In addition, Newport City Council will propose contingency measures to prevent the risk of fires at the site during the weekends and especially during extended bank holiday weekends.

It was confirmed that there was very little impact from the fire, NCC tankered the fire water remaining in the area and cleaned up with sweeper collectors and have completed NCC site inspections of the structure with structural engineers. The Council fleet used Caerphilly's transfer station at Full Moon to bulk and transport the materials to Trident under a reciprocal arrangement established. There was very little damage to the barn apart from a few sheets and the odd twisted sheeting rail.

Considered a CCS4 as no impact to air or water.

4. Asbestos cell

An application has been received by NRW for the proposed asbestos cell at Docksway Landfill. The application was not Duly Made initially with additional information requested.

5. CQA

The CQA plan for Area 2 Base Stabilisation - 2015 was submitted and approved by NRW with the following comments. NRW would normally expect a range of proposed CQA forms to be included, and following field trials NRW would anticipate the engineer having a section on recording non conformances and having a table in the verification report that lists the non conformances that details the action taken.

NRW also confirm that we are satisfied that a revised proforma can be used for the cell 3 clay lining works providing that there are no significant changes etc. to the CQA that would require an assessment by NRW. Please could you provide NRW with a copy of the approved CQA and approximate dates / timetable for when you progress with the lining works.

NCC also queried the use of tyre bales for the use as a drainage medium. NRW do not object to the use of tyres and refer NCC to the 'Tyre-derived rubber materials' Quality Protocol produced by WRAP that must be adhered to.

6. Actions carried forward

ACTION: NCC to install CCTV standards, or provide equivalent security measures, to prevent vandalism of the perimeter fence and future breaches of the permit.

ACTION: NRW to arrange an inspection of the 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.

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

Work has also been carried out on site to improve the roads during wet conditions. At the time of the site visit the weather was dry so it was difficult to determine the quality of the roads but a visual inspection it was evident that improvement had been made.

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Operator/ Permit	Newport City Council	Date	08/06/2015

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

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.

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.	X
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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.	
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We will now consider what enforcement action is appropriate and notify you, referencing this form.	
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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
D2	N	No action specified	N/A
E1	C4	No action specified	N/A
E2	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.