

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

Site	Docksway Landfill EPR/DP3733BK	Permit Ref	DP3733BK		
Operator/ Permit holder	Newport City Council				
Date	18/12/2015	Time in	00:00	Out	00:01
What parts of the permit were assessed	Monitoring returns				
Assessment	Report/data review	EPR Activity:	Installation: X	Waste Op:	Water Discharge:
Recipient's name/position	Jonathan Davey				
Officer's name	David A Willey	Date issued	18/12/2015		

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 Conditions and Compliance Summary	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 N
	2. Accident, emergency & incident planning N
e) Emissions	1. Air C4 3.6.1;
	2. Land & Groundwater C4 3.6.1;
	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 3.6.1;
	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.

CAR Form - 18th December 2015

Previous actions – carried forward

CAR Form dated 08/06/15 – CCTV installation in regard to avoid fire at the barn. (NCC)

CAR Form dated 08/06/15 – Arrange an inspection of the headworks. (NRW)

Monitoring returns

The following monitoring returns have been received and reviewed by NRW.

Gas monitoring

Monitoring rounds 134 to 139 has been undertaken in 2015 with the following breaches of the 1% limit for methane:

April – GP03_06 - 3.9%

May – GP03_06 – 2.3%

June – GP03_06 – 7.7%

July – GP05/15 – 1.2% and GP05/20 – 17.4%

August - GP05/20 – 2.5%

Considered to be Category 4 breach of the permit condition 3.6.1(d).

ACTION: Provide an understanding of the raised monitoring result of 17.4% recorded at GP05_20 during the July round of monitoring (Round 137). Up until this point the values have been zero.

Surface water monitoring

Rounds 136 – 140 have been received. Surface water monitoring is a requirement of the Area 1 permit.

Groundwater monitoring

Round 136 – There were no exceedances of the compliance limits for the hazardous or the non-hazardous substances.

Round 139 – An exceedance of the Arsenic compliance limit was recorded at GW09/32 (31.2ug/l against 30ug/l limit) and GW06/37 (176ug/l against a limit of 60ug/l).

GW06/37 recorded a slight exceedance of the Ammonical Nitrogen Compliance Limit of 35mg/l with a recorded level of 35.5mg/l. An exceedance was also recorded at GW09/35 for Nickel of 18.2ug/l against the compliance limit of 10ug/l.

Considered to be Category 4 breach of the permit condition 3.6.1(c).

Condition 3.6.1 (c) of the permit requires Groundwater monitoring for the full list 1 screen (hazardous) substances to be monitored annually as specified in Table 4.7. The following were detected in the annual screen, 4-Nitrophenol, n-Dibutylphthalate, 4-Methylphenol, Phenol and Bis(2-Ethylhexyl) phthalate.

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

Waste returns

The waste returns for July – September was received late due to problems with the reporting forms. This has now been received by NRW.

Leachate levels

Leachate levels reported for rounds 134 to 139 exceeded the leachate level limit of 2 metres. There was no monitoring undertaken at C1B (Well 2) for round 139 or C1D (Well 6) for round 134.

Considered to be Category 3 breach of the permit condition 3.6.1(a).

ACTION: Could you please provide justification for there being no monitoring at C1B (Well 2) for round 139 or C1D (Well 6) for round 134.

ACTION: The Leachate Management Plan formalised as a result of the Leachate Level investigation in June 2011 needs to be revised in order to bring the sites leachate levels back towards compliance. The leachate levels were discussed previously during the site inspection on the 27th May 2014. Options discussed included a leachate pumping scheme to a central collection point. Since these discussions there has been no reduction in the levels with no indication of any reduction. The plan will involve proposed techniques and where applicable a cost benefit analysis where techniques are not considered appropriate.

An annual screen was undertaken in line with condition 3.61(a) of the permit. The following substances were found to be above the detection limits; Dibutyl tin, Bis(2-Ethylhexyl) phthalate, Haphthalene, Isophorone and Methyl tertiary butyl ether.

CQA plan and report

This CAR Form acknowledges the submitted Construction Quality Assurance Plan dated October 2015 for the drilling of 8 new gas extraction wells as well as the subsequent Construction Quality Assurance Report dated December 2015. NRW reviewed the validation report that appeared satisfactory. The ID changes were amended from the submitted plan to 1601 – 1608.



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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.

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
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.

