

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		
Regime	Installations		
Date of assessment	24/02/2016	Time in	10:00
Assessment type	Report/Data Review	Out	13:00
Parts of the permit assessed	Annual report		
Lead officer's name	Willey, David		
Accompanied by	Lansdown, Ashley		
Recipient's name/position	Jonathan Davey/ Compliance Manager	Date issued	11/04/2016

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3	3.6.1(a)
	C4	3.6.1(c)
	C4	3.6.1(d)
	C4	4.2.1

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	4	Total compliance score (see section 5 for scoring scheme)	4.3
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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 Landfill site

Present: David Willey (NRW), Ashley Lansdown (NRW), George Augood (INFINIS), Jonathan Davey (NCC), Meirion Humphreys (NCC) and Ian Fisher (NCC).

Agenda

1. Site update / previous actions
2. Asbestos cell application update
3. Odour from the site
4. Leachate Management Plan revision
5. Variation to Area 1 permit closure conditions / boundary
6. Variation to Area 2 in regard to the WTS / asbestos storage area / permit boundary
7. Leachate drainage layer / tyre bales / fire risk / security
8. Monitoring returns / annual report due
9. M4 – variation implications
10. Waste to Neal Soils
11. Site health and safety – still relevant
12. Gas monitoring survey NRW
13. Site tour / inspection

1. Site update / previous actions

a. CCTV installation – This action was carried forward from the visit on the 8th June 2015 to improve security on site in line with condition 1.5.1 of the permit. NCC confirmed that they are in the process of obtaining funding for the equipment. The CCTV is important to act as a deterrent and avoid pollution incidents.

b. Borehole headworks inspection and sampling point accessibility - This has been resolved by NCC. W2 remains an issue as the expectation is for a sample downstream where accessibility

is limited due to the mud banks and high tidal range.

c. High methane readings during Round 137 – up until this point values have been zero.

GP03_06

Round 134, 135 and 136 at GP03_06 has elevated methane levels during these monitoring runs. Up until this point the values were zero.

In round 134 3.9% is the figure for MCH4, this is the peak methane measured. The stabilised reading was actually 0.0%. NCC confirmed with Peter Brett that they only report the peak figure. This approach may be a little misleading, in that there are two instances where the peak reading may be regarded as a false positive.

NCC explained that there are many instances where a small amount of methane will have collected in the top of the well which will be reflected in the peak figure, but will then clear very quickly and the reading will stabilise to 0%.

The peak reading can be the result of residual methane left over from the previous borehole. The instrument automatically purges prior to sampling for a period of 30 seconds, which is usually sufficient to clear the tubes and tanks, but not always. The methane levels were particularly high in the previous borehole (GP06_25).

GP05_14

Round 137 at GP05_14 value of 1.2, previous results typically 0 to 0.3.

GP05_20

Round 137 and 138 at GP05_20. The peak and stabilised are the same.

ACTION: NCC and NRW to review future monitoring trends for GP03_06, GP05_14 and GP05_20.

d. Justification for no leachate monitoring during Round 139 and 134

The leachate monitoring missing in Round 134 Well 6 and Round 139 Well 2 were not monitored as the stacks were recently raised in line with the landfill mass and were inaccessible. The photo below shows how monitoring can be difficult. The reason that the wells are made higher is in anticipation of the waste being deposited in the cell therefore raising the height of the cell. Once the waste has been deposited then the monitoring will be able to be undertaken at the wells.

Figure 1



ACTION: For further monitoring returns please indicate this in the report.

e. NRW query – NRW queried why a load was rejected from Docks Way. NCC confirmed that they reject loads with a noticeable liquid content as it creates problems for the landfill . Anything that can be done to control or reduce levels of leachate being removed from site has an associated saving for the site.

f. Knotweed - problem with Japanese knotweed on the river bank beside Docks Way. This has now been resolved.

2. Asbestos cell application update

NRW have given NCC a 60 day extension to provide an assessment of the stabilisation of the asbestos cell and the use of waste as a supporting structure. Need to ensure that the asbestos HSE COP guidance is followed.

ACTION: NRW to supply the HSE Guidance to NCC.

3. Odour from the site

Odour had previously been detected by NRW Officers in the nearby Maesglas Industrial Estate and had been related to landfill gas. However, only one complaint have been received from the public. As a result NCC undertook an investigation to identify potential sources of odour. The existing structures in place to seal the leachate wells do not capture 100% of the landfill gas and have led to some releases of landfill gas from the wells with the hydrogen sulphide being detectable at low concentrations off site. NCC checked all the wells and where necessary ensured

that the connections were tight. The photo below is an example of a typical well.

Figure 2



In response to this, and to improve the leachate monitoring on site, NCC propose to undertake work on the wells to reduce the diameter of the well. This will improve both the extraction efficient of landfill gas as well as improve the health and safety when taking samples for leachate monitoring. NCC have submitted a CQA to NRW and has been approved.

4. Leachate Management Plan revision

NCC originally submitted a leachate level investigation document in June 2011. NRW requested an updated version of the document but NCC stated that at the moment there wouldn't be much change at the moment. NCC agreed to submit a revised leachate level investigation document once the CQA work for the leachate wells has been completed. This will then help give a clearer picture of the leachate well depths.

ACTION: NCC to submit a revised leachate investigation document once the leachate works has been completed on site.

5. Variation to Area 1 permit closure conditions / boundary

The permit EAWML 30058 for the closed landfill site Area 1 requires to be varied to include the closure conditions. This permit also allows for the operation of the Household Waste Amenity Site and the Composting Operations. The Composting Operation has now ceased and will be removed from the permit.

The permits were discussed at the meeting and a way forward needs to be confirmed and agreed between NRW and NCC.

ACTION: NRW to discuss the requirements to put the HWRC operations in the permit EPR/DP3733BK for Area 2.

The requirements of monitoring surface water at W2 was discussed with the implications associated with access highlighted. Samples have not been taken from this location due to health and safety reasons. NRW will look into the requirement of monitoring at this point due to these reasons.

6. Variation to Area 2 in regard to the WTS / asbestos storage area / permit boundary

The permit for Area 2 is currently with NRW's permitting team for a variation to include a stable non-reactive cell for asbestos waste. NRW have requested some additional work to be undertaken before it can make a final decision on the application. NRW are also consolidating the permit and its previous variations into a modern EPR Permit.

The permitted boundary for Area 2 includes the waste barn where waste is stored before being taken up onto the landfill for disposal. However, since Prosiect Gwyrdd has been adopted all household municipal waste received in the barn is kept separate from other waste and then transferred to Incinerator in Cardiff.

As the site is now transferring waste it is operating as a waste transfer station and the permit should reflect this as an activity.

NCC confirmed that it is unlikely to have an asbestos storage area on site, previously proposed where the old composting pad use to be, and that asbestos will be directed directly to the new cell.

7. Leachate drainage layer / tyre bales / fire risk / security

This was discussed briefly as the use of tyres is undecided. NCC will inform NRW if and when tyres are to be used at the site.

8. Monitoring returns / annual report due

The annual report was received after the required date on the 8th March 2016.

Considered to be a Category 4 breach of the permit condition 4.2.1.

Other monitoring returns are summarised at the end of the CAR Form.

9. M4 – variation implications

The impact the M4 may have on the site was discussed briefly. NRW wanted to confirm that the areas to be surrendered are not part of the landfill cells and that no activity has been undertaken on those areas of land.

10. Waste to Neal Soils

NCC confirmed that no waste has been sent to Atlantic Recycling Limited permit, EPR/PP3993VS as their permit has been suspended. This has been in place since the 17th December 2015.

11. Site health and safety – still relevant

NRW have Health and Safety documents for each site they attend to ensure that the necessary H&S requirements are met.

ACTION: NRW to send the Health and Safety sheet to NCC and INFINIS for confirmation.

12. Gas monitoring survey NRW

NRW discussed the proposal to undertake some landfill gas monitoring at the site to check for fugitive emissions realised from the site. NCC and INFINIS mentioned that the potential for this work to be undertaken before and after the CQA work for the leachate wells would be advantageous. NRW will confirm whether it has the resources to do both before and after monitoring.

13. Site tour / inspection

A site inspection was carried out to look at the areas to be surrendered as well as gaining an understanding of the leachate wells in line with the monitoring and fugitive releases. The photo below shows that area of land to be surrendered if the M4 project proceeds. The area is to the North of Area 2. The land to be surrendered to the North East of Area 1 was not visible and will need to be visited again by NRW.

There was visible waste on the track that leads to the active cell. This was windblown waste and was captured by temporary bunds to prevent the waste from entering the river. NRW encourage good housekeeping on site to avoid waste being deposited outside of the active cells.

Figure 3



Annual returns

The following returns have been received and reviewed by NRW;

Gas monitoring

Round 140 – breach at GP05_16 of Carbon Dioxide and GP09_18 of Methane.

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

Round 141 – all compliant

Round 142 – all compliant

ACTION: Could you confirm why monitoring is stated as N/A or GP05_22 in rounds 140 and 141?

Surface water

Round 141 – all compliant.

Round 142 – all compliant. There were raised levels of BOD and TSS at SW25 when compared to previous results.

Round 143 - all compliant with SW25 showing reduced levels for TSS, BOD not recorded due to a scheduling error at the laboratory.

ACTION: Could you confirm why monitoring has not been submitted for SW11?

Groundwater

Round 142 – exceedances at GW07_40 for both Nickel (31.1ug/m³ against the limit of 10ug/3) and Potassium (162mg/l against a limit of 45mg/l). These results are well above the trigger levels and prior to this round of monitoring the levels have been compliant. This borehole is located to the north of Area 2, NRW and NCC need to assess compliance during the next round of monitoring in March (round 145).

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

ACTION: NCC to provide an update for setting compliance levels for the three replacement wells – GW12_30, GW12_33 and GW12_38.

Leachate monitoring

Round 140 – Exceeding limit at all wells. Wells 2 and 6 were not monitored due to access issues and associated health and safety implications.

Round 141 - Exceeding limit at all wells. Wells 2 was not monitored due to access issues and associated health and safety implications.

Round 142 - Exceeding limit at all wells. Wells 2 and 7 were not monitored due to access issues and associated health and safety implications.

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

Also received was the leachate removed from site.

Waste returns

The CAR Form confirms receipt of the waste returns for the period October to December 2015.

End

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0000147**

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	24/02/2016

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.

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.

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			
G1	C3	No action	18/04/2016
G1	C4	No action	18/04/2016
G1	C4	No action	18/04/2016
G1	C4	No action	18/04/2016

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 reports 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 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.