

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

Site	Docksway Landfill	Permit Ref	DP3733BK		
Operator/Permit holder	Newport City Council				
Regime	Installations				
Date of assessment	16/02/2018	Time in	10:00	Out	14:00
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Monitoring returns				
Lead officer's name	Willey, David				
Accompanied by					
Recipient's name/position	Jonathan Davey/ Landfill Manager	Date issued	28/02/2018		

### Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. 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
C3 - General Management - Materials acceptance	C3	2.6.7
E1 - Emissions - Air	C3	3.6.1
E2 - Emissions - Land and groundwater	C3	3.6.1
E5 - Emissions - Waste	C3	3.6.1

**KEY:** See Section 5 for breach categories, suspended scores will be indicated as such.

**A** = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

**O** = Ongoing non-compliance, not scored.

<b>Number of breaches recorded</b>	<b>4</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>16</b>
------------------------------------	----------	---	-----------

**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

### Site meeting on 16<sup>th</sup> February 2018

#### Previous actions carried forward since the last CAR Form issued on 13<sup>th</sup> January 2018

ACTION: Please could NCC confirm why TSS was not monitored in round 145 to 150? – *Completed.*

ACTION: Please could NCC confirm why TSS was not monitored in round 151. - *Completed.*

It is acknowledged that TSS should of been monitored and has not been submitted due to an error in submitting the data following the sample being taken. NCC have recognised this and will ensure that the TSS is submitted at the same time as the other required parameters.

ACTION: Please can you confirm whether this location is only monitored annually in line with the closure plan? - *Completed.*

NRW and NCC went through the monitoring requirements of the permit. NRW agreed to send NCC the spreadsheet used to show all monitoring requirements. This includes the permit EPR/DP3733BK, the transfer station EPR/NP3199FM and the two discharge consents for both SW25 and SW26, AN0394301 and AN0401301 respectively.

#### Actions from the CAR Form dated 15<sup>th</sup> December 2017.

ACTION: Please submit the monthly monitoring in line with the requirements of the permit for Area 2. – *Completed.*

NRW have supplied NCC with a spreadsheet that has all the monitoring and returns required by both permits and the two discharge consents. Monitoring is required for the asbestos cell including monthly monitoring for surface water, 6 monthly air quality monitoring, 6 monthly cell stability (with associated requirements). Process monitoring is also required as well as hazardous waste consignment notes and waste returns.

**ACTION:** NRW to consider this request and respond to NCC. – *Carried forward.*

A letter was received from Peter Brett Associates LLP in April 2017 requesting that the submission of the annual environmental performance reports be changed from an annual submission to a five-yearly submission. Monitoring will remain in line with requirements of the

closure plan with any exceedances or any abnormal trending will be reported to NRW.

The Area 1 closure plan dated Feb 2013 Ref: DW13-CP01 requires annual monitoring for groundwater, leachate and surface water as specified in Table 3.1d.

This was discussed during the meeting and it wasn't clear what part of the annual submission was looking to be changed. NCC suggested that this could be the topographic survey. Please could NCC / Peter Brett detail what parts of the monitoring for Area 1 they are proposing to change?

**ACTION:** NCC to check data entry for dissolved oxygen during the monitoring round 158 and 159. At SW1A, SW23 and SW24 the values are the same for both rounds. – *Completed.*

This was confirmed as being a typo and has been amended. Please can you confirm the data for these two rounds.

Reported dissolved oxygen levels are:

	<b>April</b>	<b>May</b>
<b>SW1A</b>	92.7	92.7
<b>SW23</b>	93.9	93.9
<b>SW24</b>	82.6	82.6
<b>SWAsb</b>	115.7	115.7

**ACTION:** NCC to confirm the compliance limits for the replacement monitoring wells GW12\_30, GW12\_33 and GW12\_38. – *Carried forward.*

**ACTION:** NCC to continue to monitor and investigate the reasons for these exceedances. – *Carried forward.*

These exceedances will be assessed in more detail during the next site inspection.

**ACTION:** Please could you confirm the dates for submission of the following permit requirements:

- Landfill gas from capped surfaces as set out in Table S3.5 required annually.
- Particulate matter in ambient air as set out in Table S3.8 required six monthly.
- Asbestos cell stability as set out in Table S3.9 required six monthly.
- Process monitoring requirements as set out in table S3.10 required annually.

*Completed.*

**ACTION:** NCC to confirm how the waste sent from the HWRC to the landfill is accounted for in the waste returns. – *Completed.*

**ACTION:** Please submit this return with the asbestos waste marked as hazardous. – *Completed.*

## **Surface water returns**

The permit EPR/DP3733BK requires monthly monitoring at the asbestos cell Cell3A reference C3\_Asb.

Additional monitoring is required through the closed landfill permit EPR/NP3199FM at SW1A, SW02, SW11, SW23, SW24 and SW25 on an annual basis.

**ACTION:** NCC to provide annual monitoring for the required locations and associated parameters as listed in the Area 1 Closure Plan Dated February 2013.

Discharge consents AN0394301 (SW25) and AN0401301 (SW26) require monitoring no less than 12 times per annum (equivalent to monthly).

The following surface water returns have been received by NRW with associated comments:

Round 161 (July) – SW24 had higher levels of dissolved oxygen but soon recovered to normal levels in rounds 162 to 166. Monitoring at SWAsb began.

Round 162 (August) – no comments.

Round 163 (September) – Monitoring was undertaken at SW11 in this round.

Round 164 (October) - no comments.

Round 165 (November) - no comments.

Round 166 (December) - no comments.

**ACTION:** NCC to look at the requirements of the permits, closure report and discharge consents to ensure monitoring is undertaken in line with the appropriate requirements.

### **Groundwater returns**

The following groundwater returns have been received by NRW with associated comments:

Round 163 – Exceedance of the permitted limit for arsenic at GW06\_34.

Round 163 - Exceedance of the permitted limit for ammoniacal nitrogen at GW06\_14A.

Round 166 – Exceedance of the permitted limit for arsenic at GW06\_34.

Round 166 - Exceedance of the permitted limit for ammoniacal nitrogen at GW06\_37.

Levels of arsenic have breaches the compliance level of 65 on two monitoring rounds in a row. Prior to this there have been no breaches at this location. **Considered a category 3 breach of permit condition 3.6.1.** The operator has stated that this will be reviewed following the next round of monitoring. The breach of ammoniacal nitrogen at GW06\_37 was a marginal breach and will be looked at during the next round of monitoring. The breach at GW06\_14A was the first breach recorded at this location and has since returned into compliance in Round 166.

### **Annual screen**

The annual screen of other hazardous substances was carried out during round 163 with Dichlobenil and Phenols (Total Monohydric) detected.

### **Leachate monitoring**

July, August, September and December leachate head data was submitted with the following exceedances.

October and November data appeared to be missing from the submission.

**ACTION:** Please submit the missing data.

C2B however remains above the leachate head limit. **Considered a category 3 breach of permit condition 3.6.1.**

### **Leachate removal**

Leachate removed from site has started to indicate a reduction, any downward trends will become evident on receipt of the 2017 submissions.

Leachate collected and removed from site for in Rounds 161, 162 and 163.

### **Gas monitoring**

The following gas monitoring returns have been received by NRW with associated comments:

Round 161 (July) – Breach of methane limit at GP03\_06, GP09\_18 and GP05\_20

Round 162 (August) - Breach of methane limit at GP09\_18 and GP05\_20

Round 163 (September) - Breach of methane limit at GP09\_18

Round 164 (October) - Breach of methane limit at GP09\_18

Round 165 (November) - Breach of methane limit at GP09\_18

Round 166 (December) - Breach of methane limit at GP09\_18

Continued exceedances of the 1% trigger level having a minimal effect on human health.

**Considered a category 3 breach of permit condition 3.6.1.**

It is not clear why there are continued exceedances of the methane trigger limit at GP09\_18. Levels at and GP03\_06 and GP05\_20 have dropped down below the trigger levels. The area where GP09\_18 is located is an area where NRW will be undertaking further work in 2018. GP09\_18 is showing a downward trend. NRW and NCC will continue to assess the submitted returns.

Table S3.4 requires monitoring on a quarterly basis

### **Annual report**

**ACTION:** Permit condition 4.2.2 (g) requires a calculation of the remaining void to be submitted in the annual report. Please could NCC ensure this is submitted?

## **Waste returns**

Waste returns for Q4 Oct to Dec received for both the permits EPR/DP3733BK and EPR/NP3199FM.

NCC queried the submission of several jobs all with individual hazardous waste notes in one load. NRW confirmed that there is no limit on the number of individual consignments that can be included on a multiple round and the total on the weighbridge should match those of the consignment notes.

## **Weighbridge**

A hazardous waste audit was carried out for the wastes accepted to the stable non-reactive cell that is permitted to accept asbestos wastes.

The hazardous waste audit looked at the submitted waste returns as well as the NCC internal reporting system and the hardcopies stored in the weighbridge. All data for the 2017 returns matched including the data reported through the Pride In Newport scheme where fly tipping waste is collected and disposed of at Docksway. NRW will now cross reference the submitted documents with the hazardous waste consignment notes.

The waste returns have also indicated a breach of the total amount of waste permitted to be accepted at the site. **Considered category 3 breach of permit condition 2.6.7** where the total amount of waste accepted exceeded the total waste permitted of 103,500 tonnes per annum with reported levels of 129,759 tonnes. The tonnage is due increased levels of fines accepted to the site.

**ACTION:** To ensure there are no future breaches of the amount of waste accepted, and if NCC expect to receive similar annual tonnages, NCC should apply to vary the permit increasing the amount of wastes accepted.

## **Composting pad at permit EPR/NP3199FM**

NCC are looking to start up the composting operations at the site again. The site is still permitted to undertake this process but haven't been accepting waste to compost for a few years. NCC will be accepting and treating green waste only in a two-stage process. Stage 1 will take place on the existing slab where green waste will be accepted, sorted and shredded prior to be moved to stage 2 where the green waste will be sorted in to windrows to begin the composting process.

NCC are looking to achieve PAS 100 status for the compost and are currently putting together process controls to ensure that the requirements of the quality protocol are met.

NRW supplied NCC with guidance on composting including best available techniques for the process. NCC are in the early stages of planning and constructing the composting area. NCC need to consider what procedures are in place if the material does not meet the PAS100 status.

Following discussions NRW advise that there should be sealed drainage for both the stages with the potential for the collected liquid used on the windrows.

## **Improvement conditions overview check complete**

The consolidated permit had six improvement conditions inserted. This CAR Form reflects and acknowledges completion of the following conditions:

**Improvement condition 1 - completed:** Leachate levels are monitored monthly with a marked improvement in monitoring levels from April 2017 onwards. There is no need to submit a report as improvements have been made and the site is continuing to look at ways to bring C2B into compliance.

**Improvement condition 2 - completed:** This has been installed with monitoring to commence upon completion of each separation bund lift and at 6 monthly intervals

**Improvement condition 3 - completed:** Asbestos monitoring has been undertaken at the site with the submitted report showing the locations where the monitoring has taken place.

**Improvement condition 4 – carried forward:** It is not clear whether any baseline conditions have been set. Monitoring has been undertaken in December 2017. Despite this monitoring undertaken whilst the cell was operational presented no asbestos fibres detected demonstrating that there are likely to be no other potential sources of asbestos in the area as well as the asbestos cell itself not emitting any asbestos fibres.

**Improvement condition 5 – carried forward:** NRW do not appear to have the full CQA validation report referred to. Please could NCC submit?

## **Construction Quality Assurance Plan (CQA)**

A CQA plan was received in February 2018 from Infinis for the retro drilling of gas wells

The proposed works include the installation of 6 Landfill Gas Extraction wells by means of Retro Drilling to be drilled in areas of uncapped waste. All works are to be carried out in accordance with this CQA Plan. NRW provided the following comments:

- Proposed well locations are shown on Docks Way– Proposed Well Plan – January 2018. In order to maximise performance, consideration should be given to sealing/decommissioning any of the nearby redundant wells/features as shown on the drawing.
- Please can you provide the CQAI's cv as soon as practicable, and prior to commencement of works.

once the pin wells are installed it would be worthwhile undertaking the fugitive emissions survey that will take into account the ongoing non compliances at GP 18 and GP 06

## **Ongoing work**

NRW will be undertaking a fugitive emissions survey in Q2 of 2018. This will complement the existing work being undertaken by NRW looking at the data obtained pre-and post-capping. In addition, data received from the gas compound will help demonstrate the improved gas capture and utilisation. This work will help demonstrate the reduction in the release of greenhouse gases from the site.

**END**

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0032962**

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

Site	Docksway Landfill	Permit Ref	DP3733BK
Operator/Permit holder	Newport City Council	Date	16/02/2018

### 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			
C3	C3	Ensure waste accepted does not exceed limit and apply for a variation if likely to exceed limit in the coming years.	30/04/2018
E1	C3	NRW and NCC will continue to assess the submitted returns.	30/04/2018
E5	C3	NCC continue to improve leachate levels.	30/04/2018
E2	C3	The operator has stated that this will be reviewed following the next round of monitoring.	30/04/2018

## 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 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 fifteen 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](mailto: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.