

Compliance Assessment Report CAR_NRW0049818

Permit being assessed: BP3494FC.

For: Gardden Claypit 1 Midlands, **held by:** WRG (Midlands) Ltd

At: Gardden, Ruabon, Wrexham, Clwyd, LL14 6RF.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 20/11/2025.

Parts of permit assessed: See below.

NRW Lead Officer: Sarah Walton.

Report sent to: Leon Terrace , Compliance Advisor, on 25/11/2025.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W3A(1) - Waste - Emissions and monitoring - Emissions to water	C3 Minor	3.1.1
W3A(2) - Waste - Emissions and monitoring - Emissions to air	C4 No impact	3.1.6
W3A(3) - Waste - Emissions and monitoring - Emissions to land	Assessed (A)	
W2G - Waste - Operations - Improvement programme	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total non-compliances recorded	Total non-compliance score
2	4.1

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
W3A(1)	Conduct further investigations to determine source of elevated ammoniacal nitrogen.	11/01/2026
W3A(2)	Further investigate elevated CO2 readings across the site to	11/01/2026

Criteria	Action needed	Complete by
	ensure levels are brought back within permit compliance limits.	

Compliance criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Review of monitoring data

A review of monitoring data has taken place for the period Quarter 4 2024 to Quarter 3 2025.

Permit condition 3.1.1 "There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 tables S3.2, S3.3 and S3.4".

Surface water monitoring

Table S3.3 contains emission limits for monitoring point WMP4a, which discharges to Afon Goch. The source of this emission is from trade effluent comprising of site drainage, discharged via surface water lagoon.

The operator first began reporting permit breaches at WMP4a for Ammoniacal Nitrogen in February 2024. The permitted limit for Ammoniacal Nitrogen is 1.3mg/l.

Below is a record of all permit breaches for Ammoniacal Nitrogen at WMP4a since February 2024;

14/02/2024: 10.1mg/l

15/04/2024: 3.8mg/l

13/05/2024: 3.9mg/l

10/09/2024: 8.6mg/l

07/10/2024: 8.1mg/l

04/11/2024: 3.7mg/l

05/12/2024: 2.1mg/l

06/01/2025: 2.2mg/l

22/04/2025: 7.8mg/l

08/05/2025: 9.9mg/l

15/07/2025: 23.4mg/l

19/09/2025: 16.9mg/l
22/09/2025: 4.2mg/l
24/10/2025: 14.5mg/l

The operator submitted schedule 5 notifications to notify NRW of these breaches. Thank you for your co-operation with this permit requirement.

The notifications provide detail on the measures taken, or intended to be taken, to stop the emission.

Some investigation has been completed looking into possible sources of pollution from site, such as integrity of leachate tanks and other infrastructure. Potential external sources of pollution have also been investigated, with emphasis being put on manure/slurry spreading nearby, surface water pollution from adjacent property and localised flooding in the area. Despite efforts by the operator to identify the source of the pollution, the sampling point continues to breach permit levels for ammoniacal nitrogen and no definite source has been identified.

Further investigation and associated evidence is required in order to eliminate potential sources of pollution from the landfill.

Given that the source of the pollution has not yet been established and there is a possibility the ammoniacal nitrogen may be coming from activities outside of the permitted area, **permit breaches against condition 3.1.1, have been consolidated into one CCS C3 score.**

ACTION: Please conduct further investigation into the source/s of ammoniacal nitrogen on site and in particular the surface water lagoon that feeds into WMP4A. Please forward any sampling results to NRW.

Landfill gas monitoring

Permit condition 3.1.6 "3.1.6 The limits for landfill gas arising from the facility set out in schedule 3, table S3.5 shall not be exceeded".

No permit breaches of methane (CH₄), were recorded in the period covered by this CAR report.

Across the reporting period, there were a number of breaches to permit condition 3.1.6 for Carbon Dioxide (CO₂). These breaches are summarised below, with the highest recorded CO₂ exceedances from each borehole for each month.

October 2024 - 27 breaches of CO₂ limits.

BH6: 3.8%; BH7: 3.7%; BH8: 3.1%; GBH2: 8.5%; GBH3: 2.2%; GBH4: 1.6%; GBH5: 3.7%; GBH6: 5.6%; GP4: 4.50%; GP11: 3.7%; GP14: 5.6%; GPF1: 1.7%.

November 2024 - 31 breaches of CO₂ limits.

BH7: 2.8%; BH8: 5.6%; BH13: 1.8%; BH2A: 3.3%; BH11A: 4.1%; BH12A: 4.8%; GBH2: 5.1%; GBH3: 7.3%; GBH4: 1.9%; GBH5: 11.8%; GBH6: 5.9%; GBH9: 1.9%; GBH10: 2.9%; GP1: 4.3%; GP4: 5.1%; GP11: 5.4%; GP14: 5.4%.

December 2024 - 25 breaches of CO₂ limits.

BH7: 3.0%; BH8: 5.4%; BH1B: 3.9%; BH3B: 2.9%; BH4B: 1.8%; GBH1: 6.4%; GBH3: 6.3%; GBH5: 4.4%; GBH6: 6.7%; GBH10: 3.1%; GP4: 5.4%; GP11: 5.0%.

January 2025 - 35 breaches of C02 limits.

BH7: 3.0%; BH8: 5.3%; BH1B: 8.0%; BH2A: 5.6%; BH3B: 6.0%; BH4B: 3.4%; BH11A: 3.3%; GBH1: 6.6%; GBH2: 2.6%; GBH3: 6.8%; GBH5: 10.2%; GBH6: 5.2%; GP4: 6.5%; GP11: 4.7%.

February 2025 - 21 breaches of C02 limits.

BH7: 2.7%; BH8: 4.5%; BH1B: 2.1%; BH2A: 1.8%; BH4B: 3.3%; BH11A: 3.2%; GBH1: 6.5%; GBH2: 3.8%; GBH9: 1.6%; GP1: 3.5%; GP11: 3.2%.

March 2025 - 21 breaches of C02 limits.

BH8: 4.6%; BH1B: 1.8%; BH2A: 2.6%; BH4B: 3.2%; BH11A: 2.6%; BH12A: 2.6%; GBH1: 6.6%; GBH2: 3.8%; GBH3: 1.9%; GBH4: 4.5%; GBH6: 4.6%; GBH10: 2.9%; GP4: 4.8%.

April 2025 - 17 breaches of C02 limits.

BH8: 4.1%; BH1B: 1.9%; BH2A: 4.8%; BH11A: 1.6%; BH12A: 6.2%; GBH4: 6.3%; GBH6: 5.2%; GP4: 5.8%.

May 2025 - 19 breaches of C02 limits.

BH8: 3.5%; BH11A: 2.9%; BH12A: 6.5%; GBH2: 3.0%; GBH4: 6.3%; GBH6: 6.9% GP4: 6.0%; GP11: 3.6%.

June 2025 - 29 breaches of C02 limits.

BH6: 3.0%; BH7: 1.5% BH8: 2.5%; BH4B: 1.7%; BH11A: 2.8%; BH12A: 4.8%; GBH2: 3.5%; GBH3: 5.1%; GBH4: 6.9%; GBH5: 6.5%; GBH6: 7.6%; GP4: 4.80%; GP14: 5.1%; GPF1: 1.7%

July 2025 - 22 breaches of C02 limits.

BH6: 3.0%; BH7: 1.5% BH8: 2.5%; BH4B: 1.7%; BH11A: 2.8%; BH12A: 4.8%; GBH2: 3.5%; GBH3: 5.1%; GBH4: 6.9%; GBH5: 6.5%; GBH6: 7.6%; GP4: 4.80%; GP14: 5.1%; GPF1: 1.7%

August 2025 - 31 breaches of C02 limits.

BH6: 5.3%; BH7: 2.4%; BH8: 2.0%; BH1B: 2.3%; BH2A: 4.0%; BH3B: 4.7%; BH11A: 2.4%; BH12A: 3.0%; GBH2: 2.9%; GBH3: 5.1%; GBH4: 5.4%; GBH5: 5.6%; GBH6: 4.3%; GP1: 5.8% GP2: 3.5%; GPF1: 4.0%.

September 2025 - 23 breaches of C02 limits.

BH6: 3.6%; BH7: 4.2%; BH1B: 1.7%; BH2A: 5.5%; BH11A: 1.7%; BH12A: 2.4%; GBH2: 2.9%; GBH3: 2.5%; GBH4: 2.5%; GBH5: 5.2%; GBH6: 4.8%; GP2: 4.6%; GPF1: 4.3%.

The above breaches of permit condition 3.1.6, have been assigned a consolidated CCS C4 score.

Leachate monitoring

Permit condition 2.7.1 "The limits for the level of leachate listed in schedule 3 table S3.1 shall not be exceeded".

There were no breaches of permit condition 2.7.1 across the reporting period covered by this CAR report.

It is noted that Leachate monitoring point GWM3 is consistently close to the permitted limit of 114.25 mAOD.

Improvement Programme

Permit condition 2.4.1 "The operator shall complete the improvements specified in schedule 1 table S1.3 by the date specified in that table unless otherwise agreed in writing by Natural Resources Wales. Table S1.3 Improvement programme requirements".

"The operator shall undertake a review of the surface water management system, prepare a report and submit it to Natural Resources Wales for written approval. The report shall include proposed monitoring frequencies, analytical suites and monitoring locations with justification for the proposals". This document was due within 12 months of issue of the consolidated permit.

This document was submitted by the operator on 11/04/2024.

This document will be reviewed by NRW and feedback given in due course.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Waste compliance criteria (used in section 1 and 2):

1. Management

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information

- W4A – Records
- W4B – Reporting
- W4C – Notification

Enforcement response

Any non-compliance with a permit condition is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within twenty working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 to 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.