

## Compliance Assessment Report CAR\_NRW0050838

**Permit being assessed:** MP3036SS.

**For:** Whitehall Landfill, **held by:** Cemex UK Materials Ltd

**At:** Old Port Road, Cardiff, Glamorgan, CF5 6AW.

**Type of assessment:** Report/Data Review,

**Reason:** Routine.

**On:** 31/12/2025.

**Parts of permit assessed:** IR4B.

**NRW Lead Officer:** Brigid Armstead.

**Report sent to:** Site Manager, Whitehall Landfill, on 24/02/2026.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W4B - Waste - Information - Reporting	Assessed (A)	
W3A(1) - Waste - Emissions and monitoring - Emissions to water	C3 Minor	3.2.3 Q2 GW Naphthalene
W3A(1) - Waste - Emissions and monitoring - Emissions to water	C3 Minor	3.2.3 Q2 GW Ammoniacal nitrogen
W3A(1) - Waste - Emissions and monitoring - Emissions to water	C4 No impact	3.2.3 Q2 GW Iron
W3A(1) - Waste - Emissions and monitoring - Emissions to water	C3 Minor	3.2.3 Q3 GW Naphthalene
W3A(1) - Waste - Emissions and monitoring - Emissions to water	C3 Minor	3.2.3 Q3 GW Ammoniacal nitrogen
W3A(1) - Waste - Emissions and monitoring - Emissions to water	C3 Minor	3.2.3 Q4 GW Naphthalene
W3A(1) - Waste - Emissions and monitoring - Emissions to water	C3 Minor	3.2.3 Q4 GW Ammoniacal nitrogen

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

Total non-compliances recorded	Total non-compliance score
7	24.1

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)	A meeting has been arranged between Cemex and NRW to discuss the review of the technical note and further actions will be taken from this meeting.	30/04/2026
W3A(1)	As above	30/04/2026
W3A(1)	As above	30/04/2026
W3A(1)	As above	30/04/2026
W3A(1)	As above	30/04/2026
W3A(1)	As above	30/04/2026
W3A(1)	As above	30/04/2026

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.

**You are non-compliant with your permit.**

**We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

## 4. Details of our assessment

### Cemex - Q4 and Annual Report for 2025

The Whitehall landfill site is currently permitted to accept inert waste; however it stopped accepting waste at the end of October 2018 as filling is complete.

The most recent Hydrogeological Risk Assessment Review (HRAR) is dated September 2021.

### **Quarterly Reporting (4.2.2)**

Q2, Q3 and Q4 2025 monitoring reports were received by NRW on the 21<sup>st</sup> June, 27<sup>th</sup> October 2025 and 10<sup>th</sup> February 2026 respectively. Cemex advised NRW of a delay in providing the Q4 and Annual reports and requested an extension which is agreed.

### **Groundwater**

Permit MP3036SS requires monitoring and reporting of groundwater quality at four down-gradient perimeter boreholes; BH1, BH12, BH13 and BH14 and at five up-gradient boreholes BH3, BH3A, BH6, BH9 and BH15. This groundwater monitoring changed from monthly to quarterly in 2015 by agreement with NRW.

Trigger levels are set for Ammoniacal Nitrogen, Chloride, Iron, Potassium and Napthalene in the

down gradient boreholes.

Cemex are currently monitoring groundwater at BH1, BH12, BH13 on a monthly basis in response to emission limit non compliances.

### **Quarter 2 Results**

The 2025 Q2 GW monitoring results were received for BH1, BH3, BH3A, BH6, BH12, BH13, BH14 and BH15. No results were received for BH9 as the borehole was reported to be dry,

*There were 4 breaches of the Napthalene compliance limits in Q2 2025. **These breaches are considered a category 3 non compliance with permit condition 3.2.3.***

*There were 3 breaches of the ammoniacal nitrogen compliance limit in Q2 2025. **These breaches are considered a category 3 non compliance with permit condition 3.2.3.***

*There was 1 breach of the Iron compliance limit in Q2 2025. **This breach is considered a category 4 non compliance with permit condition 3.2.3.***

### **Quarter 3 Results**

The 2025 Q3 GW monitoring results were received for BH1, BH3, BH3A, BH6, BH12, BH13 and BH15. No results were received for BH9 as the borehole was reported to be dry, and BH14 due to 'insufficient liquid to obtain a sample'.

*There was 1 breach of the Napthalene compliance limits in Q3 2025. **This breach is considered a category 3 non compliance with permit condition 3.2.3.***

*There was 1 breach of the ammoniacal nitrogen compliance limit in Q3 2025. **This breach is considered a category 3 non compliance with permit condition 3.2.3.***

### **Quarter 4 results**

The 2025 Q4 GW monitoring results were received for BH1, BH3, BH3A, BH6, BH12, BH13 and BH14. No results were received for BH9 as the borehole was reported to be dry, and BH15 due to 'unable to draw water from Waterra'.

*There was 1 breach of the Napthalene compliance limits in Q4 2025. **This breach is considered a category 3 non compliance with permit condition 3.2.3.***

*There were 3 breaches of the ammoniacal nitrogen compliance limit in Q4 2025. **These breaches are considered a category 3 non compliance with permit condition 3.2.3.***

The following **action was set in CAR\_NRW0046438 dated 31 December 2025:** Please provide a full rational of groundwater exceedances from 2000 to date as well as a plan of action to ensure permit compliance.

A technical note that was submitted to NRW in July 2025 entitled “331201219TN1 Whitehall Compliance Limit Exceedances FINAL VERSION 220725.pdf” has been reviewed by NRW and an external company contracted for NRW.

**Action:** A meeting has been arranged between Cemex and NRW to discuss the review of the technical note and further actions will be taken from this meeting.

### **Perimeter gas monitoring**

Permit MP3036SS requires reporting of specified parameters from perimeter gas monitoring boreholes GM2, GM4, GM5, GM7, GM8, GM10, GM11.

Q2, Q3 and Q4 monitoring results received for the perimeter gas boreholes were below the limits set by Table 4.2 of the permit.

### **Other items**

Closure Plan.

**Action** - please provide an update on previous comments as soon as practicable.

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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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(1) – Emissions to water
- W3A(2) – Emissions to air
- W3A(3) – Emissions to 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.

**Disputing the Content of this Compliance Assessment Report Form**

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

**Concerns Not Related to the Content of this Compliance Assessment Report Form**

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk)

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** [ask@ombudsman.wales](mailto: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.