

Compliance Assessment Report CAR_NRW0051303

Permit being assessed: BP3390VA.

For: Standard Landfill Site, **held by:** Flintshire County Council

At: Land / Premises At, Spencers Industrial Est, Buckley, Flintshire, CH7 3LY.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/03/2026.

Parts of permit assessed: See below.

NRW Lead Officer: Sarah Walton.

Report sent to: Paul Murphy, Landfill Manager / TCM, on 24/04/2026.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2C - Waste - Operations - Operating techniques	C4 No impact	A2A The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in table A2.1, unless otherwise agreed in writing by Natural Resources Wales.
W2C - Waste - Operations - Operating techniques	C3 Minor	A2 (a) The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in table A2.1, unless otherwise agreed in writing by Natural Resources Wales.

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2C - Waste - Operations - Operating techniques	Action only (X)	
W2C - Waste - Operations - Operating techniques	C3 Minor	A2A A2 (a) The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in table A2.1, unless otherwise agreed in writing by Natural Resources Wales.
W2G - Waste - Operations - Improvement programme	Action only (X)	
W1A - Waste - Management - General management	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
3	8.1

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
W2C	Please submit 'in waste' gas extraction well monitoring data, landfill gas engine and flare emission monitoring results to NRW, as per conditions of the closure report.	08/05/2026
W2C	Investigate the elevated leachate heads at LS5 and LS6. Take action to reduce leachate head levels and report back to NRW with findings and action taken.	22/05/2026
W2C	Please submit a copy of Appendix 7 of the closure report titled "Leachate Management Plan" and provide a site plan/drawing that shows locations of leachate monitoring points LC4, LC7, SSR5 and SSR6. Please confirm old and new references for each leachate monitoring point.	22/05/2026
W2C	Investigate elevated levels of ammoniacal nitrogen at SW4 and chloride at SW5 and report back to NRW with findings and any action taken.	22/05/2026
W2G	Please respond to this report with proposals for additional groundwater compliance limits for downgradient boreholes GW2 and GW3 for chloride and at least one other substance	22/05/2026

Criteria	Action needed	Complete by
	that is representative of compounds present in leachate from the site. Please include leachate data to support the proposals.	
W1A	Please confirm who the current Technically Competent Manager (TCM) is for the site. Please provide evidence of their competency, such as a certificate.	08/05/2026

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.

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

A review of monitoring data for 2025 has been completed as well as a review of the improvement condition required as part of the Environmental Permit variation in 2018.

The operator submitted an 'Annual Review' report on 06/02/2026.

The monitoring data has been assessed in line with the site permit and Closure report (document reference number 3031-CAU-XXXX-RP-V-0304.A0-C3).

Landfill gas management

Perimeter gas monitoring data has been submitted. No breaches have been identified for methane or carbon dioxide levels.

Section 2.5.10 of the closure report states *"It is proposed that the gas field monitoring and balancing is conducted on a quarterly basis, as detailed in Table 2.3"*.

Table 2.3 requires gas extraction wells to be monitored monthly for Methane, Carbon Dioxide, Oxygen, Carbon Monoxide, Hydrogen Sulphide, Relative pressure, gas flow rate & balance (%).

This monitoring data could not be identified in the annual review.

ACTION: Please can you submit gas extraction well monitoring data for 2025.

Section 2.5 of the closure plan concerns Landfill Gas Management and Monitoring. Section 2.5.14 states *"The engine will be monitored for the presence and concentrations of the parameters, listed in Table 2.4 below"*.

Section 2.5.18 of the closure report also states; *"The flare will be monitored for the presence and concentrations of the parameters, listed in Table 2.5"*.

Section 3.2.6 of the 2026 Annual Review report notes *"Emissions monitoring results were unavailable at the time of this report. The results will be forwarded as soon as they become available"*.

ACTION: Please forward engine emissions monitoring data and flare emissions data to NRW as soon as possible.

Please ensure that monitoring results are reported to NRW as per conditions of the closure report.

The lack of reporting on the above requirements is a breach of section 2.5.21 of the closure report which states *"All monitoring result recorded will be reported to NRW within 28 days of the end of the reporting period. A review of the landfill site and all monitoring data will be included in the annual environmental report for the site"*.

A CCS C4 score has been applied against permit condition A2A.

Leachate monitoring

Section 2.8.1 of the closure report states *"Due to the age and types of waste accepted at the landfill the will produce leachate for a number of years which will require ongoing management. This will be conducted in accordance with the Leachate Management Plan10 (Appendix 7)"*.

The closure report is missing Appendix 7 Leachate Management Plan.

ACTION: Please submit a copy of Appendix 7 of the closure report titled "Leachate Management Plan".

Section 2.8 of the closure plan, details compliance limits for Leachate heads across the site.

Leachate levels are measured at the following locations across the site: LC2, LC3, LC4, LC7, S1, S2, S3, SSR5 and SSR6.

The site map (Reference 14339a - 0) shows LC2, LC3, S1, S2 & S3. It is not clear where leachate monitoring points LC4, LC7, SSR5 or SSR6 are located.

In addition to this, it appears monitoring point references may have changed since submission of the closure report. It is assumed that LC2 is now reported as LC, SSR5 is now reported as LS5 and SSR6 now reported as LS6. Please can the operator confirm the old and new leachate monitoring reference points in relation to the closure plan.

ACTION: Please provide a site plan/drawing that shows locations of leachate monitoring points LC4, LC7, SSR5 and SSR6. Please confirm old and new references for each leachate monitoring point.

The leachate monitoring points noted above have a compliance limit of 2 m above base of cell.

The annual report shows a minimum and maximum leachate head record for each monitoring point.

For 2025, two leachate points breached the 2m compliance limit.

LS5 recorded a minimum 13.01m and a maximum of 13.20m.

LS6 recorded a minimum of 2.89m and maximum of 3.00m.

This breach of leachate head limit has therefore been scored a CCS C3 against permit condition A2(a) (closure report).

ACTION: Investigate the elevated leachate heads at LS5 and LS6. Take action to reduce leachate head levels and report back to NRW with findings and action taken.

Surface Water monitoring

Section 2.7.5 of the closure report states *"The parameters currently monitored at the surface water locations are summarised in Table 2.7"*.

Table 2.7 notes monitoring points SW4 and SW5 have the following compliance limits:

- Ammoniacal Nitrogen 1 mg/l+
- Chloride 105 mg/l+

Across the reporting year, SW4 recorded a maximum ammoniacal nitrogen level of **1.8mg/l**. SW4 did not have any breaches for chloride levels.

SW5 had no breaches for ammoniacal nitrogen but recorded a maximum chloride level of **264mg/l**.

These surface water quality breaches have been assigned a consolidated CCS C3 score against permit condition A2A.

ACTION: Investigate elevated levels of ammoniacal nitrogen at SW4 and chloride at SW5 and report back to NRW with findings and any action taken.

Permit condition A3a) "The operator shall complete the improvements specified in table A3.1 by the date specified in that table unless otherwise agreed in writing by Natural Resources Wales".

The last amendment of the permit took place in 2018. This was a Regulator led variation to move the site into definitive closure and aftercare phase, to include closure report and an improvement condition for additional groundwater compliance limits.

Table A3.1 of permit condition A3a, includes a requirement under reference IC1. The IC1 required the following *"The operator shall propose additional groundwater compliance limits for downgradient boreholes GW2 and GW3 for chloride and at least one other substance that is representative of the compounds present in the leachate. These shall be submitted to Natural Resources Wales for written approval. This condition shall only be discharged once Natural Resources Wales have provided written approval"*.

Our records show that some communication was received from the operator in 2018 suggesting that the two substances for additional groundwater compliance limits could be 2,4 dimethylphenol and bis (2-ethylhexyl) phthalate. There does not appear to be any reasoning given for this or what the compliance limits should be.

It does not appear that an agreement was reached between the operator and NRW for groundwater compliance limits in relation to permit condition A3a.

Given the length of time that has passed since the last compliance check, this outstanding matter is being recorded as action only for the time being.

ACTION: Please respond to this report with proposals for additional groundwater compliance limits for downgradient boreholes GW2 and GW3 for chloride and at least one other substance that is representative of compounds present in leachate from the site. Please include leachate data to support the proposals.

Technically Competent Persons

Please confirm who the current Technically Competent Manager (TCM) is for the site.
Please provide evidence of their competency, such as a certificate.

End of comments

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

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

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.