

Compliance Assessment Report CAR_NRW0050687

Permit being assessed: AP3739KS.

For: Brookhill Landfill Site EPR/AP3739KS, **held by:** Flintshire County Council

At: BROOK HILL LFS PINFOLD INDUSTRIAL ESTATE , BUCKLEY, BUCKLEY, CLWYD, CH7 3PL.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2025.

Parts of permit assessed: See Below.

NRW Lead Officer: Philip Harper.

Report sent to: Regulatory Service Manager/ FCC Landfill Manager, Regulatory Service manager/ FCC Landfill Manager, on 30/04/2026.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2K - Installations - Operations - Landfill gas management (only applicable to landfill)	Assessed (A)	
IR2I - Installations - Operations - Leachate levels (only applicable to landfill)	C3 Minor	2.7.1
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	C3 Minor	3.1.5
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	C3 Minor	3.1.5
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.5.1
IR1A - Installations - Management - General Management	C3 Minor	1.1.1a

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

Total non-compliances recorded	Total non-compliance score
5	20

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
IR2I	See actions in main text	31/03/2026
IR3A(1)	See actions in main text	31/03/2026
IR3A(1)	See actions in main text	31/03/2026
IR3E	See actions in main text	31/03/2026
IR1A	See action in main text	31/03/2026

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

This Compliance Assessment Report follows a review of monitoring data for Q4 and annual reporting for the 2025 period.

Quarterly Monitoring of Results- Q4 (October– December), due 31st December 2025.

Quarter 4 monitoring data for Brookhill Landfill Site, Pinfold Industrial Estate, Buckley, Clwyd, CH7 3PL was submitted to Natural Resources Wales in accordance with permit condition 4.2.2 on the 6th February 2026 following an agreed extension.

IR2K Landfill Gas

Methane and Carbon dioxide levels did not exceed the permitted limits in offsite monitoring boreholes during the review period. However, NRW is aware that some perimeter gas wells are blocked and that monitoring may not be representative. The operator is currently working to unblock perimeter gas monitoring wells.

It was noted in the report that oxygen levels greater than 5 % have been observed in gas wells across the site. These are being managed in accordance with the gas management plan.

IR2I Leachate Levels

Leachate level breaches over the 2m and 3m above base limits occurred in all cells apart from Cell 3 which remained compliant throughout the quarter. The leachate maximum rest levels, above the compliance levels, were as follows: Cell 1 (1.56 m), Cell 2 (0.22 m), Cell 4 (0.54 m), Cell 5 (2.01 m) and Cell 6 (2.54 m).

A **category 3 score** has been applied against permit condition **2.7.1** "For the following activities referenced in schedule 1, table S1.1 (A1.) The limits for the level of leachate listed in schedule 3 table S.1 shall not be

exceeded”.

Action 1: Continue to manage levels by extracting leachate from site.

IR3A Leachate Quality

Leachate quality has been reported as described by permit condition 3.5.1(a) Schedule 3.8. No permit breaches have been identified.

Land and Groundwater

IR3A Groundwater Levels

Groundwater levels were recorded monthly with levels reflecting seasonal trends.

IR3A Groundwater Emissions

The sampling of groundwater was undertaken monthly as stated in permit condition 3.5.1 Schedule 3.9.

The following emissions limit breaches were observed, maximum measured concentration provided in each case:

GW2A: ammoniacal nitrogen **5.9 mg/L** compared to permitted limit of 1.7 mg/L, Chloride **78.5 mg/L** compared to permitted limit of 60 mg/L.

GW3A: ammoniacal nitrogen **5.6 mg/L** compared to permitted limit of 1.7 mg/L, Chloride **114 mg/L** compared to permitted limit of 60 mg/L.

GW4A: ammoniacal nitrogen **1.8 mg/L** compared to permitted limit of 1.7 mg/L.

A **category 3** score has been applied in response to a limit breach of ammoniacal nitrogen against permit condition 3.1.5 “For the following activities referenced in schedule 1, table S1.1 (A1.) The trigger levels for emissions into groundwater for parameters and monitoring points set out in schedule S3.4. shall not be exceeded”.

A **category 3** score has been applied in response to a limit breach of chloride against permit condition 3.1.5 “For the following activities referenced in schedule 1, table S1.1 (A1.) The trigger levels for emissions into groundwater for parameters and monitoring points set out in schedule S3.4. shall not be exceeded”.

No other breaches were identified.

Action 2: Continue to monitor trends. As per previous CAR forms and advice, consider varying the trigger limits for these boreholes.

IR3A Surface Water

Surface water data from P4 indicates that permitted surface water emissions limits set for P2 have been exceeded. However, no emission limits have been set for P4.

No other surface water samples could be obtained.

No breach identified.

IR3A Emissions to Sewer

The quality of leachate which was discharged to the Welsh Water sewage network was reported as described by permit condition 3.5.1(g) Schedule 3.11. All parameters were compliant with the Welsh Water discharge consent.

IR3A Dust

Dust monitoring has been undertaken in accordance with permit condition 3.5.1. No breaches have been observed.

IR3E Monitoring of Emissions and the Environment

Monitoring has been undertaken in accordance with Condition 3.5 and schedule 3 of the permit.

IR4B Reporting and Notification to Natural Resources Wales

A report presenting monitoring data for Q4 2025 has been received as specified by permit condition 4.2.5.

Annual Report

Groundwater

Annual groundwater sampling was undertaken during December 2024. Results show no breach of permit.

Leachate

Annual leachate sampling was undertaken during December 2025 in accordance with Condition 3.5.1(a) and Table S3.8. Levels remain above compliance limits across wells at the site. Breaches have been identified within CAR forms relating to quarterly monitoring for 2025.

The base of the leachate wells were dipped in December 2025.

Point Source Emissions

Condition 3.5.1(b) requires annual point source emission monitoring to be undertaken as specified in Table S3.2., no monitoring data for the landfill gas engine has been provided for 2025 within the annual report.

The operator was reminded of the monitoring requirement in CAR_NRW0039355 which was issued to the operator the 18th February 2022 and in CAR_NRW0042170 which issued to the operator on the 3rd August 2023.

A **category 3** breach of permit Condition 3.5.1 has been applied under subheading IR3E Monitoring.

Repeated failure to undertake the monitoring as required by the permit indicates that the site is not being

managed in accordance with a suitable robust management system and is not being operated by competent personnel.

A **category 3 breach** of permit Condition 1.1.1 has been applied under subheading IR1A.

Action 3: Ensure monitoring is undertaken in accordance with the permit and review when it is scheduled to minimise any impacts caused by delays.

This data has now been received by NRW.

Trace Gas Analysis

Condition 3.5.1(d) requires landfill gas monitoring as specified In Table S3.7 to be undertaken annually. The submitted report states that trace gas monitoring results were unavailable at the time of the report.

The operator was reminded of the permitted requirement to undertake annual trace gas monitoring in CAR_NRW0039355 which was issued to the operator the 18th February 2022 and in CAR_NRW0042170 which issued to the operator on the 3rd August 2023.

A category 3 breach of permit Condition 3.5.1 has been applied under subheading IR3E Monitoring.

Repeated failure to undertake the monitoring as required by the permit indicates that the site is not being managed in accordance with a suitable robust management system and is not being operated by competent personnel.

A **category 3** breach of permit Condition 1.1.1(a) has been applied under subheading IR1A. This score has been consolidated with previous scores against permit condition 1.1.1a.

Action 5: Ensure monitoring is undertaken in accordance with the permit and review when it is scheduled to minimise any impacts caused by delays.

This data has now been received by NRW.

Annual Production/ Treatment

Permit condition 4.2.2(b)O and Table S4.3 requires that the energy consumption at the site is reported. The report states that this information was not available at the time of report completion, therefore, it has not been provided.

Action 7: Report energy consumption data to NRW when it is available.

Topographical Survey

In accordance with permit condition 4.2.3(d-g) the topographical survey was undertaken on the 22nd August 2025. The settlement between the survey in September 2024 and August 2025 is approximately 2062 m³. As the site has been filled a calculation of remaining capacity has not been provided.

As requested previously, an assessment of the settlement behaviour of the landfill body has not been provided and should be included in future reports.

Repeated failure to submit an assessment of the settlement behaviour of the landfill body has attracted a category 3 breach of permit Condition 1.1.1(a) which has been applied under subheading IR1A. This score has been consolidated with previous scores against permit condition 1.1.1a.

Action 8: Ensure any assessments are included in future reports including how the levels link to the planned settlement of the site.

Outstanding Data**Data from Gas Monitoring Wells as required by CAR_NRW0048346**

CAR_NRW0048346 required the testing of perimeter gas wells for ammonia and chloride levels. This is to be used to demonstrate whether offsite pollution is likely to be occurring from the landfill site and determine if additional groundwater monitoring wells are required. This data has been received as part of the annual report and will be reviewed by NRW.

Kind Regards

Phil Harper

Senior Industry and Waste Regulation Officer NE

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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 Industry compliance criteria (used in section 1 and 2):**1. Management**

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A(1) – Emissions to water
- IR3A(2) – Emissions to air
- IR3A(3) – Emissions to land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – 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.