

Compliance Assessment Report CAR_NRW0051709

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: Other,

Reason: Incident Response (Incident number 2604342).

On: 28/04/2026 between 11:00 and 13:00.

Parts of permit assessed: See below.

NRW Lead Officer: Sarah Walton, accompanied by Eleanor Pierce, Molly Callow.

Report sent to: Paul Murphy, Landfill Manager, on 29/05/2026.

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	C2 Significant	A2(a) Table A2.1 Closure Report
W2C - Waste - Operations - Operating techniques	Action only (X)	
W2C - Waste - Operations - Operating techniques	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
1	31

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	Review and update the site's leachate management plan, including management conditions for sump 5. It is advised sump 5 is monitored and limits set for liquid level. Ensure that the site manages leachate in accordance with this leachate	19/06/2026

Criteria	Action needed	Complete by
	management plan. Once reviewed, submit a copy of the site's Leachate Management Plan to NRW.	
W2C	Provide CQA / installation records, to verify the base level of leachate wells on site. If no records are available, please propose other means to verify the depth of the leachate wells.	29/06/2026
W2C	Submit a copy of the Hydrological Risk Assessment (HRA) for the site.	03/06/2026
W1A	Submit a copy of the latest site closure and aftercare management plan.	03/06/2026

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

On Tuesday 28th April 2026, Natural Resources Wales received an incident report which noted liquid was coming out of the ground near to a concrete chamber on the landfill. The liquid was said to have a pungent smell and a grease like film on the top where it had settled.

NRW officers attended the site at 11:00 on 28/04/2026. At the time of arrival, the permit operator was not present. Officers identified what appeared to be leachate coming from the base of a concrete chamber on the eastern side of the landfill. There was no label or mark to identify the precise monitoring point. Later conversation with site staff, identified this location to be 'sump 5'. This sump is directly adjacent to the public footpath. The liquid was brown in colour and smelled strongly of leachate. The leachate was running from sump 5, down the public footpath and was pooling in some areas. There was a clear void of vegetation around sump 5 where the liquid was running, suggesting this leak may have been occurring for some time or is a frequent issue. Photos of the discharge are shown below:







Photographs showing discharge from sump 5

The inside of sump 5 was inspected. This chamber was unlocked and could be opened by officers. Inside the chamber was full of leachate which had risen above the gravel base.



Photograph showing inside of sump 5

Officers proceeded to take samples of the discharge coming from sump 5. These samples have been sent for laboratory analysis.

A short while later, a representative of Flintshire Council attended site and met with NRW officers. The staff member identified that the air pump in sump 5 was faulty, which had allowed leachate to build up. The pump was fixed at the time and the level of leachate in the chamber started to reduce.



Photograph showing sump 5 following intervention by staff

The photo above shows a line in the chamber where the liquid has risen to. This is also shown on the blue pipes. These marks also suggest the liquid level had been high for some time.

Once officers were satisfied enough action had been taken to stop the discharge, they left site at approximately 12pm.

NRW was later notified that the operator had used a bowser to remove residual leachate from the sump, which was transferred off site for treatment.

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

A previous CAR report from 31/03/2026 requested a copy of the leachate management plan. This was again requested at the time of the incident (as this was not included in the closure report). A response from the site highlighted that this document was not kept by the operator and therefore not used by management as per section 2.8.1 of the closure report. The emission of leachate from sump 5 is believed to be caused by a failure to manage the site using a leachate management plan.

The site has therefore been scored a CCS C2 breach against permit condition A2(a). Leachate can be a highly polluting substance containing high levels of contaminants such

as chloride and ammoniacal nitrogen. This poses a potentially significant environmental impact. This site is directly adjacent to a Site of Special Scientific Interest (SSSI), namely Buckley Claypits & Commons, so the environmental risk is greater given potential impact to the protected site.

At the time of this report being issued, the operator is seeking to acquire a copy of the leachate management plan.

It is understood that sump 5 is not included in the monitoring round for leachate levels. Site management have informed NRW staff that this sump is only shallow (1m deep). The liquid from this sump is then pumped and collected as part of the leachate collection system. The site's management confirmed that the pump in the sump 5, had failed and had begun pumping leachate into the chamber as opposed to removing liquid. Given the liquid from this sump is dealt with as leachate, it is important that sump 5 is included in the site's leachate management plan. It is also recommended that this sump is included in the monitoring round to check the liquid level and that the infrastructure is working as it should. Management confirmed that a non-return valve would be added to the air pump to help prevent a recurrence of the incident.

ACTION: Review and update the site's leachate management plan, including management conditions for sump 5. It is advised that a schedule/plan should be incorporated for checking sumps not included in the monitoring round. Ensure that the site manages leachate in accordance with this leachate management plan.

ACTION: Once reviewed, submit a copy of the site's Leachate Management Plan.

Elevated leachate levels

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

A previous CAR report (CAR_NRW0051303), identified that the site was breaching leachate levels at SSR5 & SSR6 (LS5 & LS6).

A previous action was placed on the operator to *"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"*.

Following the incident, site management responded to this action stating *"Pumps serving these chambers are currently being serviced, and pumping durations are being increased to further reduce leachate levels. Findings and actions taken will continue to be monitored and reported as required"*.

Since the incident, leachate head results for quarter 1 2026 have been submitted by the site. The data submitted contains some discrepancies which are currently being queried with site management. **Therefore, assessment of leachate head compliance for quarter 1 will be covered in a later separate CAR report, once these matters have been addressed.**

Quarter 1 monitoring report for 2026, notes that base levels of the leachate wells are unconfirmed and so the accuracy of leachate head figures cannot be verified.

Therefore, it is suggested that some investigation is conducted into these wells to ensure that base levels are verified to ensure that leachate head levels are accurate and that the wells are in good state of repair.

ACTIONS:

- **Provide CQA / installation records, to verify the base level of leachate wells on site. If no records are available, please propose other means to verify the depth of the leachate wells.**

Closure and aftercare management plan

On the day of the incident, it was noted by NRW that sump 5 and a number of the other monitoring locations were unlocked and able to be opened. As much of the site is open to the public, it is advised that all accessible monitoring locations are locked and secured to prevent tampering. Please ensure this is added to the working plan.

Permit condition A5 Closure and aftercare a) reads *"The operator shall maintain a closure and aftercare management plan"*.

ACTION: Please submit a copy of the site's closure and aftercare management plan and incorporate procedures to ensure all monitoring points are locked and secured to prevent tampering by the public.

Hydrological Risk Assessment

Closure report section 2.6.8 states *"The Site is subject to a six-yearly Hydrological Risk Assessment (HRA), where the groundwater contours and quality trends are critically reviewed alongside the leachate levels and quality. The frequency for groundwater monitoring shall be reviewed as part of every review"*.

ACTION: Submit a copy of the latest Hydrological Risk Assessment for the site.

Outstanding actions from CAR NRW0051303

There are some actions that still require completion from a previous CAR report (CAR_NRW0051303):

- Please submit 'in waste' gas extraction well monitoring data, landfill gas engine and flare emission monitoring results for 2025 to NRW, as per conditions of the closure report.
- Investigate elevated levels of ammoniacal nitrogen at SW4 and chloride at SW5 and report back to NRW with findings and any action taken.
- 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.

Please respond to these outstanding actions as soon as possible.

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.