

Compliance Assessment Report CAR_NRW0052305

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: 30/06/2026.

Parts of permit assessed: Monitoring data, improvement condition.

NRW Lead Officer: Sarah Walton.

Report sent to: Paul Murphy, Landfill Manager, on 08/07/2026.

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	C3 Minor	A2 (a)
W2G - Waste - Operations - Improvement programme	C3 Minor	A3 (a)

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

Total non-compliances recorded	Total non-compliance score
2	8

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	Continue to investigate and verify leachate well depths across the site. Once levels are verified, ensure the leachate heads remain below the compliance limit of 2m.	07/08/2026
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 that is representative of compounds present in leachate from the site. Please include leachate data to support the	07/08/2026

Criteria	Action needed	Complete by
	proposals.	

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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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 quarter 1 2026 has been completed.

Leachate levels

A previous CAR report from 28/04/2026, highlighted discrepancies with reported data for quarter 1 2026 leachate head levels for monitoring points LS5 and LS6. This has since been queried a number of times with the site, however no direct response has been given regarding leachate head data and its validity. The site has confirmed however, that action is being taken to confirm the depth of leachate wells across the site.

A previous compliance assessment from 2019 identified that the site was unaware of base levels of leachate wells on site. This issue has therefore been ongoing for some time.

It is assumed that the leachate heads have been calculated incorrectly for LS5 and LS6, given the raw data presented on Table 1 of the quarterly report (page 20). The leachate heads for the other monitoring points appear to be calculated correctly.

LS5 has dip to base of 32m. The dip to liquid was recorded as follows:

13/01/2026: 19.00m. This equals a leachate head of 13m.

10/02/2026: 18.99m. This equals a leachate head of 13.01m

11/03/2026: 19.02m. This equals a leachate head of 12.98m.

LS5 has therefore breached the compliance limit of 2m above the well base.

LS6 has a dip to base of 33m. The dip to liquid was recorded as follows:

13/01/2026: 30.02m. This equals a leachate head of 2.98m

10/02/2026: 30.00m. This equals a leachate head of 3m

11/03/2026: 30.02m. This equals a leachate head of 2.98m.

LS6 has therefore breached the compliance limit of 2m above the well base.

The breach of leachate heads has been assigned a CCS C3 score against permit condition 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".

Table A2.1 notes Closure report (document reference number 3031-CAU-XXXX-RP-V-0304.A0-C3 as an operating technique. This closure report stipulates a leachate head compliance limit of 2m.

ACTION: Continue to investigate and verify leachate well depths across the site. Once levels are verified, ensure the leachate heads remain below the compliance limit of 2m.

Perimeter Landfill Gas

Section 4.2 of the site's Landfill Gas Management Plan (Appendix 4 of closure plan), notes a requirement for monthly monitoring of landfill gas at perimeter boreholes. It also stipulates trigger levels for methane and carbon dioxide. Perimeter gas data for quarter 1 has been assessed against these levels.

The only perimeter borehole to detect methane this quarter was BH22 which recorded a maximum concentration of 0.30%, which is below the compliance limit.

Groundwater

Ammoniacal Nitrogen concentrations were below the compliance limit of 6.4mg/l for monitoring points GW3, GW4R and GW7. GW6 was noted as being 'lost in transit'.

A previous CAR report from 31/03/2026 (CAR_NRW0051303) had an action to *"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"*. This action was due 22/05/2026.

A further CAR report issued following the incident 29/04/2026, again requested a response to this action.

As no response has been received to this action, a CCS C3 score has been applied against condition A3(a). The improvement program requirements are stipulated in table A3.1, with reference IC1.

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.

Surface water

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+

No exceedances of surface water parameters were identified across quarter 1 2026.

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.