

Compliance Assessment Report CAR_NRW0038366

Permit being assessed: NP3894FK.

For: Point Of Ayr Treatment Facility, held by Delyn Metals Ltd

At: Ffynnongroew, Flintshire, CH8 9UU.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 25/05/2021 between 10:30 and 11:10.

Parts of permit assessed: management system and operating procedures, waste returns

NRW Lead Officer: Boguslawa Pierzchala, accompanied by Steven White.

Report sent to: Stuart Butterworth/Marek Warda, manager/TCM on 11/06/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Ongoing (O)	Condition 1.10.2 of the site permit states that in the event that the site ceases receiving waste for longer than 21 days then within 7 days following the elapse of that time, The Licence Holder shall inform the Agency in writing of the date of cessation and of the planned date of recommencement. In the event that the Licence Holder intends that the site shall recommence receiving wastes sooner than the notified date then they shall give the Agency not less than 7 days prior notice in writing.
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	
C4 - General Management - Storage, handling labelling and Segregation	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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
G4	<p>Action Required: A written notification to NRW of the site becoming operational must be submitted to</p> <p>Natural Resources Wales, Chester Road, Buckley Flintshire. CH7 3AJ.</p> <p>FAO Boguslawa Pierzchala no later than 25th of June 2021.</p>	25/06/2021
G4	<p>Condition 7.2.2 of your permit requires you to submit within one month of the end of each quarter, a summary of waste quantities and types accepted on to and removed from site for that quarter.</p> <p>Please fully complete the waste return form to include the authority area where the waste arose, EWC code, description and tonnage. Please return the completed form by no later than the 25th of June 2021.</p>	25/06/2021
C4	<p>Move WEEE to a more suitable area as per permit condition 1.1.</p> <p>Remove fire extinguishers and vary site permit to accept this waste stream if you wish to accept them in future.</p>	25/06/2021

Action 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

On Tuesday the 25th of May 2021 waste regulation officers Boguslawa Pierzchala and Steve White

attended Delyn Metals, Point of Ayr Treatment Facility. This was an unannounced, follow-up visit after the inspection on the 12th of November 2020.

Whilst at the site officers were met and accompanied through the inspection by Stuart Butterworth, site manager/TCM and Marek Warda, who will be taking over from Mr Butterworth

Management system and operating procedures

The production of the corrugated roof sheets continues at the site. It was raised with Mr Butterworth and Mr Warda that an exemption will need to be registered in order for the process to continue.

This action has been completed since the visit. Thank you.

Please ensure that in order to comply with the exemption requirements you must store the waste in a secure location at the place where the manufacturing is carried out. Metals must be stored at a secure location with sealed drainage.

At the moment there is a large number of off-cuts lined on both sides of the path leading onto the site. Please ensure they are moved onto a secure area.



metal off-cuts stored on site

Reporting and notification

There were large piles of metal observed at the site. They were approximately five to ten metres high but appeared stable.

The storage of metal and the site activities were discussed. Mr Butterworth stated that the main site in Gwespyr is now empty and some of the metal that used to be stored there had been moved into Point of Ayr.

The acceptance of waste metal on site qualifies the site as being operational and NRW needs to be made aware of this change.

Condition 1.10.2 of the site permit states that in the event that the site ceases receiving waste for longer than 21 days then within 7 days following the elapse of that time, The Licence Holder shall inform the Agency in writing of the date of cessation and of the planned date of recommencement. In the event that the Licence Holder intends that the site shall recommence receiving wastes sooner than the notified date then they shall give the Agency not less than 7 days prior notice in writing.

The breach relating to notification was raised within the previous CAR form with the due date being the 22nd of December 2020 .

This matter was discussed with the site manager again and an immediate action is required.

Action Required: A written notification to NRW of the site becoming operational must be submitted to

Natural Resources Wales,
Chester Road, Buckley
Flintshire.
CH7 3AJ.

FAO Boguslawka Pierzchala no later than 25th of June 2021.

Waste returns

Condition 7.2.2 of your permit requires you to submit within one month of the end of each quarter, a summary of waste quantities and types accepted on to and removed from site for that quarter. Waste returns were checked for the site and we are in receipt of your Q1 waste return form. Thank you.

The form has not been fully completed namely - the "amount received" tab.

Action required: Please fully complete the waste return form to include the authority area where the waste arose, EWC code, description and tonnage. Please return the completed form by no later than the 25th of June 2021.

The above-mentioned requirement will be marked as "action only" on this car form

During the inspection some gas cannisters, fire extinguishers and WEEE were observed.

Condition 1.1.1 of your permit requires you to store WEEE, spare parts, components or residues on impermeable surface with sealed drainage with provision of spillage collection facilities and, where appropriate, decanters and cleansers degreasers. They are also to be stored in areas provided with a weatherproof covering where appropriate or in containers providing a weatherproof covering where appropriate.

Please ensure all such items are stored appropriately and in accordance with your permit.

Fire extinguishers were being stored with other metals on site, see photo below. This waste type (16-05-05 Gases in pressurised containers) is not on the list of wastes that can be accepted on site.

If you wish to keep accepting these wastes you will need to vary your permit in order to do so, otherwise these wastes need to be removed from site immediately.



Fire extinguisher on site



WEEE observed on site

Thank you for your time during the inspection, please find my contact details below.

Kind regards

Boguslawa Pierzchala

Waste regulation Officer (Waste Regulation Team)

Email: boguslawa.pierzchala@naturalresourceswales.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales

established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

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 only relating to the activity assessment
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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at 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.