

Compliance Assessment Report CAR_NRW0049919

Permit being assessed: NP3894FK.

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

At: Ffynnongroew, Flintshire, CH8 9UU.

Type of assessment: Site Inspection,

Reason: Routine.

On: 17/10/2025 between 10:00 and 10:55.

Parts of permit assessed: management, operations.

NRW Lead Officer: Boguslawa Pierzchala, accompanied by Carys Williams.

Report sent to: Joseph Mound, Owner, on 12/11/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	C3 Minor	1.1.1
W1A - Waste - Management - General management	C3 Minor	1.1.1
W1A - Waste - Management - General management	C3 Minor	table 2.1
W1A - Waste - Management - General management	Action only (X)	
W2E - Waste - Operations - Waste acceptance	C3 Minor	1.2.1
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
4	16

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
W1A	Please ensure waste is stored in compliance with the site permit. Consolidated non-compliance score including, but not limited to, storage of waste panels, batteries, tyres, oil contaminated parts, ELVs. and ensuring waste is not stored blocking access paths. Please comply by the 28th November 2025	28/11/2025
W1A	Remove all trommel fines, used to create the bund, from site and provide duty of care documents for the removal	28/02/2026
W1A	Please ensure all surfaces are maintained, kept in good condition and in compliance with the site permit.	28/11/2025
W1A	Please provide evidence to NRW of the last maintenance of the surface water drains.	14/11/2025
W2E	Please ensure your acceptance procedures are adhered to and all incoming waste is checked for non-conforming waste . Please ensure all pressurised gas containers are kept in the quarantine area in an upright lockable cage. For immediate compliance.	12/11/2025
W1A	Please provide evidence of the waste seen on site (PCBs) not containing hazardous components so they can be stored and treated as non-hazardous.	28/11/2025

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 Friday the 17th of October 2025 Natural Resources Wales (NRW) waste regulation officers attended at Delyn Metals Ltd, Point of Ayr. This was a planned, unannounced site inspection.

The weather at the time was dry and windy. It had been raining prior to inspection.

The officers were met by the site manager who walked around the site with officers.

(W1A) General management- storage of waste on site

The officers discussed storage arrangements for the site.

ELV process area/ Quarantine area

The area at the back of the site office is shown as a ELV process area, on the original site plan, and

as a quarantine area, in the updated site plan submitted to NRW.

The officers saw some improvement in this area, with some panels stored close to the WEEE storage area.

The storage of the insulation panels was discussed during the last visit. The area where the panels were stored is not included in the site plan and therefore a breach of the condition 1.1.1 which states: "No waste management operations shall be authorised by this licence unless, 1 specified in and undertaken in accordance with the limitation in the following table. Table 1.1. Specified waste management operations – Storage The storage of waste shall be restricted to the areas identified for this purpose and outlined in red on site plan reference No. DELYN/PDA/002 16092006.

This breach has been assigned a **CCS3 score**.

Action: Please ensure waste is stored in compliance with the site permit. Please comply by the **28th November 2025**



Panels stored on site

Batteries storage

The batteries storage remains non-compliant.

Officers checked the containers which appeared unsuitable.

They were not acid-resistant with some of them clearly corroded and perforated in places. Please see the photos below.



Batteries stored in corroded containers**Batteries stored in unsuitable metals containers**

Table 4.4 b) v) states: “Lead acid batteries shall be stored in containers with impermeable, acid resistant base and a lid to prevent ingress of surface water”.

This breach has been assigned a **consolidated CCS3 score**.

Action: Please ensure the batteries are stored in compliance with the site permit. Please comply by the **28th November 2025**.

Tyres stored on site

The storage of tyres on site remains non-compliant with the site plan.

Officers noticed tyres being stored around the site, including on permeable ground in the same location where they had been stored at the time of previous inspection, which resulted in a C3 non-compliance score. Please see photos below.



Tyres stored on the ground, same location as during the last site inspection



Tyres stored mixed with other waste in a metal container.



Tyre stored in corroded metal container mixed with several batteries

Table 4.4 Standards for handling and/or storage of residual wastes states: “Storage requirement C) Tyres, air bags and liquefied gas tanks.

Once removed from vehicles, these waste types shall be stored **in separately designated areas** provided with an **impermeable pavement and sealed drainage** in accordance with condition 2.1

Tyres shall be stored in **stable stacks** with individual capacities of no greater than 50 cubic metres and to a height of no greater than 3 metres. Individual tyre stacks shall not be stored within 6 metres of each other. Individual tyre stacks shall not be stored within 15 metres of the site boundary or building. Tyre stacks shall not be located within 10 metres of any area used for flame cutting operations”.

This breach has been assigned a **consolidated CCS3 score**.

Action: Please ensure the tyres are stored in compliance with the site permit. Please comply by the **28th November 2025**.

Oil contaminated parts

The storage of oil contaminated parts remains non-compliant and have been discussed with the management on a number of occasions.



The majority of oily part seen during the inspection were seen in upright metal containers. The containers were not weatherproof and did not have a cover. This has been raised with the manager during this and previous inspections.

It is noted that the site management has ordered more suitable covers. **Table 4.4 (b)** states that oil contaminated parts are to be stored within dedicated appropriate containers which are fit for purpose. The containers are to be clearly and unambiguously labelled regarding their content.

This storage arrangement is in breach of the afore-mentioned condition and has been assigned a **consolidated C3 score**.

Action: Please ensure the oily parts are stored in compliance with the site permit. Please comply by the **28th November 2025**.

End of life vehicles (ELVs) stored on site

The storage of ELVs on site remains non-compliant with the site plan.



ELVS stored at the back of the storage pile opposite the office



ELVs mixed with metal stored on site

The area at the back of the site office is shown as an ELV process area, on the original site plan. The updated site plan describes the storage area for depolluted, baled ELVs as being next to the interceptor.

Blocked path between the waste piles

During previous site inspection an issue of blocked paths was raised with the site manager.

As NRW officers walked around the site it was noted that one of the paths was still completely blocked by waste.

The arrangements are not as described in the current Working plan and are also a hazard should an emergency situation arise on site. This issue was discussed with the site manager and an immediate action is required to ensure emergency services have access to all parts of the site should they deal with an emergency situation i.e. fire.

Condition **1.1.1** No waste management operations shall be authorised by this licence unless. 1 specified in and undertaken in accordance with the limitation in the following table.

Table 1.1 Specified waste management operations – Storage

The storage of waste shall be restricted to the areas identified for this purpose and outlined in red on site plan reference No. DELYN/PDA/002 16092006.

This breach has been assigned a **consolidated C3 score**.

Action: Remove waste blocking the path by the **14th November 2025** and provide photographic evidence to NRW



Path blocked by waste

It was also noted that the access path the area to the left of the reception area had been cleared. The officers were concerned about the width of the path possibly being too narrow for emergency vehicles to access the storage area. The wider access area, to the left of the path, was strewn with pieces of metal which could make it unsuitable for vehicular access.

Please ensure that emergency access is maintained at all times.

Trommel Fines on site used to create a bund

The deposit of trommel fines and using them as material to build a bund on site is a breach of permit

condition 1.1.1.

This issue has been discussed with the site owner on a number of occasions.

Keeping the trommel fines at the current location on site constitutes an illegal deposit. As a result a **CCS3 score** has been assigned for this breach.

It is noted that since the discussions started, trommel fines, that are being created through the site's activities are now being stored in metal containers and taken off site to an appropriate permitted site.

NRW have now issued a notice to remove the trommel fines.

Action: Remove all trommel fines, used to create the bund, from site and provide duty of care documents for the removal. Please comply by the **28th of February 2026**.



Bund created using trommel fines**Hardstanding surfaces**

During the last inspection officers discussed impermeable surfaces used for storage of waste with the site manager. Officers saw water pooling in several places. An action was requested to ensure all surfaces are kept in good condition and in compliance with the below section of the site permit by the 31st of July 2025.

This action has not been completed.

During this site inspection it transpired that the surfaces remain uneven, cracked and filled with standing water after rainfall. This is a potential pathway for pollution from the waste stored on site. There was visible oily film on top of the standing water.

Please see the photos below.



Standing water, storage areas



Standing water with oily film visible

Table 2.1 states: Site containment and drainage standards. Type of Site Surface and Drainage

a) Hardstanding

Areas of hardstanding shall be constructed of granular material (e.g. crushed stone, aggregate, road planings or other similar material) and maintained such that the working surface:

- i. shall remain even
- ii. shall not be subject to settlement or differential settlement

- iii. shall not be subject to rutting by vehicles even when wet
- iv. shall have sufficient durability to allow cleaning for example by scraping
- v. **shall remain free of standing water.**

This breach has been assigned a **CCS3 score**.

Action: Please ensure all surfaces are maintained, kept in good condition and in compliance with the site permit. Please comply by the **28th November 2025**.

Blocked drains

During the last inspection blocked drains were discussed with the site manager. An action was requested to check and clear the drains, which was to be carried out by an external company. During this site inspection the drains appeared to have a lot of residue, including pieces of foam.

The manager stated that the drains had been cleared within the time frame set after the last site inspection.

Action: Please provide evidence to NRW of the last maintenance of the surface water drains. Please comply by Friday the **14th of November 2025**.

Please ensure the drainage system is clear of debris and compliant with the permit section **5.3.1.2**.

Also ensure all surfaces are inspected and maintained, where necessary, as required in the permit, to ensure they are fit for purpose.

Should the drainage system appear blocked the issue should be rectified without delay.



Residue at the bottom of surface drain.

Environment Management System (EMS) Fire Prevention and mitigation Plan (FPMP)

NRW received updated EMS and FPMP for the site. Further comments will be sent separately to the site management.

Fire extinguishers

Fire extinguishers were seen amongst other waste metal on site, in a corroded container and also on the ground.

Permit Section 1.2.1 states: No wastes other than those which are categorised below in Table 1.2 and specified in detail in Appendix A to these conditions shall be accepted at the site.

This waste type (EWC code 16-05-05 Gases in pressurised containers) is not on the list of wastes that can be, accepted on site. This breach has been assigned a **CCS3 score**.

Action: Please ensure your acceptance procedures are adhered to and all non-conforming waste is separated from other waste streams. Please ensure all pressurised gas containers are kept in the quarantine area in an upright lockable cage. **For immediate compliance.**



Pressurised gas containers dotted around the site

Treatment of WEEE

As officers walked around the site they noted several circuit boards were present mixed with a large pile of shredded waste. The manager stated that shredded metals are separated into ferrous and non-ferrous metals on site and pointed to a metal container which contained a mixture of shredded metals, including printed circuit boards (PCB)



Mixed shredded metals including PCBs



Circuit boards mixed with waste in the large storage area

Schedule WEEE1 – Operations, Table 1.1 Licensed activities states:

“ Batteries, PCBs/PCTs containing capacitors and other hazardous waste must be stored in dedicated, labelled appropriate containers”.

Action: Please provide evidence of the waste seen on site (PCBs) not containing hazardous components so they can be stored and treated as non-hazardous. Please comply by the **31st of November 2025**.

Storage times

It was also noted that some waste appear to have been on site for considerable amount of time.

Please ensure all waste is processed and removed from site within the specific time frame: 1 year prior to disposal or 3 years prior to recovery.

Summary

As a result of the site inspection it's been identified that some of the permit breaches remain unaddressed.

NRW is concerned that the non-compliances observed on site are persistent and recurring.

It is note that the site has slightly improved in some areas; however, the pattern of repeated storage issues remains.

It is also noted that access paths are being blocked with waste which increases the environmental risk.

The officers will carry out a follow-up site inspection to ensure all actions have been addressed and completed.

Should the issues continue it would suggest a failing within the general management operations and would increase the environmental risk to a number of sensitive receptors nearby (i.e. the River Dee and associated designations).

Reoccurring breaches would also attract a higher non-compliance score based on the elevated environmental risk.

Should there be insufficient improvement in site management NRW will review its enforcement options including the issue of a Regulation 36 EPR 2016 notice for the site to get back into compliance with its permit.

Thank you for your time during the inspection.

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.

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 – Emissions to water, air or 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.

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 to 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.