

Compliance Assessment Report CAR_NRW0052132

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: 17/06/2026 between 14:00 and 14:45.

Parts of permit assessed: General Management/Operating Techniques/Waste Acceptance/Records.

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

Report sent to: Joseph Mound , Owner, on 22/07/2026.

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	C2 Significant	1.1.1; Table 4.4; Table 2.1
W1A - Waste - Management - General management	Action only (X)	
W1A - Waste - Management - General management	Action only (X)	
W2C - Waste - Operations - Operating techniques	C3 Minor	WEEE Table 1
W2C - Waste - Operations - Operating techniques	Action only (X)	
W2E - Waste - Operations - Waste acceptance	C3 Minor	1.2.1
W2E - Waste - Operations - Waste acceptance	Action only (X)	
W4A - Waste - Information - Records	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
3	39

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	Panelling to be stored compliant with EMS; Batteries to be stored in suitable containers; Tyres to be stored according to permit condition; Oily contaminated waste to be stored according to permit condition;	31/08/2026
W1A	ensure all surfaces are maintained, kept in good condition and in compliance with the site permit	30/10/2026
W1A	ensure the site is fully secure	10/08/2026
W2C	ensure your acceptance procedures are adhered to and all non-conforming waste is separated from other waste streams	31/08/2026
W2C	Respond to questions regarding mixed waste storage on site	14/08/2026
W2E	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	31/08/2026
W2E	Response to questions RE storage times	14/08/2026
W4A	Provide training records for site operators	31/08/2026

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 Friday the 17th of June 2026 Natural Resources Wales (NRW) waste regulation officers attended at Delyn Metals Ltd, Point of Ayr.

This was a planned, unannounced site inspection.

The site was last inspected on Friday the 17th of October 2025. It is noted that there are outstanding actions in relation to this inspection which are detailed in this Compliance Assessment Report.

The weather at the time of inspection was dry and windy.

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

(W1A) General management

The site appeared disorganised, untidy and overstocked in places.

The officers discussed storage arrangements with the manager who stated that due to staff shortages they hadn't been able to process the incoming waste quickly enough resulting in waste being stored in areas not designated for such activity.

It transpires that reoccurring issues are not being addressed sufficiently, which increases the environmental risks to a number of sensitive receptors nearby (i.e. the River Dee and associated designations).

The root cause of the numerous non compliances listed below appears to be insufficient management ensuring that the site operates in accordance with the written management system, which identifies and minimises the risks of pollution arising from the waste operations.

There appears to be deficiency in resources, inefficient training and awareness of management practices.

Reoccurring issues under this assessment criteria noted on site:

1) ELV process area/ Quarantine area

The area at the back of the site office is shown as an ELV process area, on the original site plan, and as a quarantine area, in the updated site plan submitted to NRW.

During the last inspection this area was being used to store waste panels.

During this site inspection this entire area was still being used for storage of the panels. Please see the photos below.



Waste panels in the quarantine area



Waste panels in the quarantine area completely blocking access to the storage areas at the back, including batteries and WEEE storage.

The panels were also stored at the back of the site as seen on the below photos





Panels stored at the back of the site

This area is not marked as a storage for panels on both, the original and the updated site plan.



Panels stored at the back of the site

This is a breach of the afore-mentioned permit condition and has been scored as a **C3** non-compliance that has been consolidated with others in the criteria. This has been logged as 'action only' in the results table above as it has been consolidated with the higher CCS score, and there are separate dates for compliance with this breach and others in this criteria

Action: Please ensure that the area is compliant with the site EMS. **For compliance by 31st August 2026**

2) Batteries Storage

The designated storage area could not be checked by officers due to blocked access. However, officers saw a box containing batteries next to storage skips .

The container was kept outside with no weatherproof cover



Batteries stored in unsuitable metals containers with no cover

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 is a breach of the afore-mentioned permit condition and has been scored as a **C3** non-compliance that has been consolidated with others in the criteria. This has been logged as 'action only' in the results table above as it has been consolidated with the higher CCS score, and there are separate dates for compliance with this breach and others in this criteria

Action: Please ensure the storage of batteries is compliant with the site permit. **For compliance by 31st August 2026**

3) Large metal deposited at the back of the site



Oversized metal waste seen stored at the back of the site, which is not marked as storage areas on the original and updated site plan.

4) Tyres stored on site

The storage of tyres on site remains non-compliant. This issue was raised during previous inspections.

Officers noticed tyres being stored in various places around the site. Please see photos below.



Tyres stored on permeable ground



Tyres stored next to shredded metal on permeable ground

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 is a breach of the afore-mentioned permit condition and has been scored as a **C3** non-compliance that has been consolidated with others in the criteria. This has been logged as 'action only' in the results table above as it has been consolidated with the higher CCS score, and there are separate dates for compliance with this breach and others in this criteria

Action: Please ensure the storage of waste tyres is compliant with the site permit. **For compliance by 31st August 2026**

5) Oil contaminated parts

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



Oily parts next to the designated container



Designated containers for oil parts with no weatherproof cover

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.

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 is a breach of the afore-mentioned permit condition and has been scored as a **C3** non-compliance that has been consolidated with others in the criteria. This has been logged as 'action only' in the results table above as it has been consolidated with the higher CCS score, and there are separate dates for compliance with this breach and others in this criteria

Action: Please ensure a weatherproof cover is available to ensure the storage of oily parts is compliant with the permit conditions. Please comply by the **31st of August 2026**.

6) Hardstanding surfaces

Parts of hardstanding storage areas continue to be non-compliant.

It was noted during this ,and previous site inspections, that water was pooling in places. The general condition of the surfaces would not allow for efficient cleaning and was visibly uneven in places.

Previously 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 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.



Water pooling next to waste piles



Water pooling with thick surface layer of dirt and shredded waste



Waste stored on permeable ground



Permeable surface the waste is being stored on

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 is a breach of the afore-mentioned permit condition and has been scored as a **C3** non-compliance that has been consolidated with others in the criteria. This has been logged as 'action only' in the results table above as it has been consolidated with the higher CCS score, and there are separate dates for compliance with this breach and others in this criteria

Action: Please ensure all surfaces are maintained, kept in good condition and in compliance with the site permit. Please comply by the **30th October 2026**. This has a longer date for compliance due to there being a potential for larger amount of work to be carried out to gain compliance.

7) Site Security

Parts of the site fence does not provide appropriate level of security.

In December 2025 a bund was removed from site but the fence has not been made secure. Please see the photo below.



Table 3.1 of the permit states

Maintenance standards: “ The site security shall be fully inspected at the commencement of each working day. Any defects or damage shall be made secure by temporary repair by the end of a working day, and shall be repaired within 7 working days of the damage being detected (...)”

The manager stated that contractors had been contacted and a date was set for the repair works; however there was a delay on the contractor’s side.

This is a breach of the afore-mentioned permit condition and has been scored as a **C3** non-compliance that has been consolidated with others in the criteria. This has been logged as 'action only' in the results table above as it has been consolidated with the higher CCS score, and there are separate dates for compliance with this breach and others in this criteria

Action: Please ensure the site is fully secure by the **10th of August 2026**

Due to the quantities and large sizes of some of the waste piles and also due to the blocked access to some of the waste storage areas (batteries, WEEE) access for NWFRS vehicles, should a fire occur, would prove difficult and increase the difficulty of extinguishing a fire.

A fire could have significant implications to neighbouring businesses and the nearby train transport, possibly resulting in cancellation of trains and transport disruptions.

Breaches of this nature are scored on the potential environmental impact. The site is located in close proximity to the River Dee Estuary which is a designated SSSI/SAC site, and also to a number of designated sites: SAC, RAMSAR and Shellfish Water Protected

areas which could be impacted from firewater runoff. The Dee Estuary is also an important cockle fishery.

For this reason a **CCS Category 2 non-compliance score** has been issued against the permit as there could be a significant environmental and amenity impact from a pollution incident from this site onto a highly significant protected site, businesses and important transport links. The number of permit breaches found that fall within this assessment criteria is reflected by the categorisation of the score.

The score is based on the potential impact of the increased fire risk due to the quantities and storage onsite and site not being fully secure.

Natural Resources Wales have the power to serve an enforcement notice for this breach. Failure to comply with the notice is an offence.

W2C – Operating Techniques

1) Mixed waste seen on site

Officers noted mixed waste stored on site.



A concrete blocks storage bay was seen to be filled with mixed waste which was

overspilling to the side of the bay as seen on the above photos.

The manager stated that, at times, mixed waste is found in the skips containing metal waste accepted on site. This waste is then shredded and sent off site.

Permit condition Table 4.2 Standards for waste acceptance and control procedures states:

- a. All wastes received at the site i) shall be inspected at on receipt to confirm their description and composition against the relevant waste transfer note and other accompanying documentation
- b. i) any items of non permitted waste which are detected after acceptance at the site, shall be placed immediately in a designated quarantine container, (...)

ii) in the quarantine area, wastes shall be kept segregated from other wastes which are likely to be incompatible

iii) quarantine wastes shall be removed from site within 7 days

NRW is concerned about this practise and requires further clarification as stated below:

- 1. What code is assigned to this waste stream when accepted on site?
- 2. What is the procedure for checking the skips at the time of accepting the skips on site?
- 3. What is being done with the above pictured waste?
- 4. Under what code the processed waste is being sent off site?
- 5. How much of this waste has been processed and sent off site from 1st January 2026 to 17th July 2026?

Please provide your response by the **14th of August 2026**.

2) Printed Circuit Boards (PCB)

During the last site inspection officers noted several circuit boards were mixed with shredded waste. An action was requested to provide evidence that the PCBs seen on site were not containing hazardous components so they could be stored, and treated ,as non-hazardous. Evidence was to be provided by the 31st of November 2025 - This action has not been completed.

The management has been approached to provide clarification to the above; however this query remains unactioned.

During this inspection PCB were seen on site again





Mixed shredded metals including PCBs

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”.

During the inspection multiple PCBs were observed in piles of waste and not in dedicated containers.

This breach has been assigned a **CCS3 score** under the W2C – Operating Techniques criteria.

Action: Please ensure your acceptance procedures are adhered to and all non-conforming waste is separated from other waste streams. **For compliance by 31st August 2026**

W2E waste acceptance

1) Fire Extinguishers

A fire extinguisher was seen amongst other waste on the ground. Please see the photo below.

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 issue has been raised with the site management during previous inspections.

This breach has been assigned a **CCS3 score** under this criteria

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 compliance by 31st August 2026.**



Pressurised gas container amongst other waste on site

2) Storage times

It was noted that some waste appears 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 as described in the Landfill Directive 1999

Officers noted a large pile of, what appeared to be, mattresses springs that have been on site for a considerable amount of time.

Whilst it is apparent that some waste has been processed and removed from site, a considerable amount remains in place despite previous discussions with the management to remove it.

Waste that remains on site beyond permitted timeframes is more likely to degrade, generate leachate, increase fire risk and potentially cause pollution.

Action: Please clarify the below in relation to this waste, seen on the below photo by the

14th of August 2026.

1. What is the purpose of keeping the waste on site?
2. How long has this waste been kept on site?



Training records

Please provide all training records in relation to the site EMS, duties involving accepting, handling and storing of waste.

Please provide the records for all sessions delivered in 2025 and 2026 by the **31st of August 2026.**

Previous inspections:

Summary

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

NRW is concerned that the non-compliances observed on site are persistent. It is noted that the site has slightly improved in some areas; however, the pattern of repeated storage issues remains.

Given the significance of the breaches above, NRW will have to consider its enforcement response. We do have powers to serve an enforcement notice for this breach to get the site back in compliance with its permit, failure to comply with the notice is an offence. You will be written to separately regarding this decision.

Since the inspection NRW re-attended the site following a fire incident.

A summary of the attendance details and findings will be submitted separately.

Officers had an opportunity to liaise with the permit holder in person, and a number of actions have been discussed which are reflected in this inspection's timeframes and will be detailed in the separate Compliance Assessment Report.

In particular, officers raised concerns regarding the size of storage piles which appear to be too large and therefore present an increased fire risk in case of an emergency.

Thank you for your time during the inspection.

Kind regards,

Boguslaw Pierzchala Waste regulation Officer (Waste Regulation Team)

Email: boguslaw.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 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.