

Compliance Assessment Report CAR_NRW0052750

Permit being assessed: CG0375201

For: POINT OF AYR FFYNNONGROYW, **held by:** DELYN METALS LIMITED

At: FFYNNONGROYW, HOLLYWELL, FLINTSHIRE, WALES, CH8 9JJ.

Type of assessment carried out: Check Monitoring/Sampling,

Reason: Incident Response (Incident number: 2608170).

On 26/07/2026, between 09:00 and 17:00.

Parts of permit assessed: 6. Composition

NRW Lead Officer: Amy Chisnell.

Report sent to: DELYN METALS LIMITED, The operator, on 24/08/2026.

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

Part of permitted activity assessed (criteria)	Assessment result	Non-compliant permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C1 Major	6 (1) - the discharge shall not contain more than 100mg/l suspended solids
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C1 Major	6 (2) - the discharge shall not contain more than 75 mg/l chemical oxygen demand (COD)

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-C1	Ensure discharge from the interceptor is within permitted limits	31/08/2026
WQ-C1	Ensure discharge from the interceptor is within permitted limits	31/08/2026

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.

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 **26 July 2026**, NRW was notified of a significant fire at **Delyn Metals**, involving approximately North Wales Fire and Rescue Service (NWFRS) attended with multiple appliances, a high-volume pump and aerial ladder platform. Due to the quantity of firefighting water being used, concerns were raised regarding the potential for contaminated fire water runoff from the site to enter the Dee Estuary.

At approximately **11:37**, NRW officers were informed by NWFRS that around **300,000 litres of water** had been used to fight the fire, with additional abstraction planned from the Dee Estuary. Firefighting foam had also been used in the early stages of the response. Officers were advised that the site's interceptor had an estimated capacity of approximately **200,000 litres** and that there was considered to be no immediate runoff risk due to evaporation.

However, during site inspections at approximately **11:50**, NRW officers identified **two outfall pipes discharging to a tributary of the Dee Estuary**. One pipe was observed to be discharging **discoloured water**, which differed from its normal clear discharge according to Flintshire County Council Streetscene staff. Samples were collected from the discharge. Officers noted that the sample exhibited characteristics consistent with fire water, including a fuel-type odour. Upstream and downstream samples could not be obtained at that time due to equipment limitations.

By **14:39**, officers had confirmed that the discharge point was associated with a permitted asset operated by Delyn Metals (**Permit CG0375201**). Concerns were raised that contaminated fire water was escaping the site and entering a tributary of the estuary. Officers recognised that firefighting operations remained the priority.

Given the proximity of the Dee Estuary and the known shellfish waters, NRW also identified a potential public health risk associated with contamination of local cockle beds, prompting notifications to Flintshire County Council and other relevant bodies.

During the evening site visit on **26 July**, NRW officers undertook further assessment of the fire water management arrangements. By approximately **19:30**, officers reported that NWFRS had been operating a high-volume pump since around 09:30 at approximately **5,000 litres per minute** and estimated that a total of **2.5 million litres of water** had been used during firefighting operations. Approximately **600 litres of firefighting foam** (30 x 20-litre containers) had been used, although NWFRS advised there were no current plans for further foam application unless operationally required.

At that time, officers observed **foam present at the outfall**, with indications that material was potentially being contained behind a boom installed within the receiving watercourse.

NWFRS were also recirculating water from behind the boom as part of their containment efforts. NRW officers additionally identified an onsite drain that had not been covered, and NWFRS subsequently installed a **Dammit mat** to prevent further drainage from entering the system. Due to smoke conditions, officers were unable to safely inspect the site interceptor.

At approximately **20:15**, NRW collected additional samples from the outfall for analysis. Assessment of the wider impact on the River Dee was limited that evening due to low tide conditions, with the estuary channel located some distance across the mudflats.

NWFRS advised on the morning of **28 July 2026** that the fire had been extinguished and a stop notice had been issued to the site by NRW. FRS Resources remained on site to support damping down and recovery operations.

The sample results were as follows:

TIME	11:15	20:15	Permit limit
0135 / Sld Sus@105C	258	79	100mg/l
0092 / COD as O2	206	246	75mg/l

Based on these sample results, this discharge is considered to have a category 1 impact - it has the potential to cause MAJOR environmental effects.

Action: Ensure discharge from the interceptor is within permitted limits

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 to 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
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

Full list of water quality action criteria (used in section 1 and 2):**WQ A: Management**

- WQ-A1 General management

WQ B: Operations

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

WQ C: Emissions and monitoring

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Monitoring
- WQ-C5 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

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.