Cyfoeth Naturiol Cymru
Natural Resources Wales

Compliance Assessment Report CAR_NRW0052590

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: Incident Response (Incident number 2607701).

On: 17/07/2026 between 11:40 and 12:50.

Parts of permit assessed: Waste storage, infrastructure, general management, drainage system.

NRW Lead Officer: Boguslawa Pierzchala, accompanied by Amy Henderson.

Report sent to: Joseph Mound, Owner, on 24/08/2026.

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	Action only (X)	
W4B - Waste - Information - Reporting	Action only (X)	
W2C - Waste - Operations - Operating techniques	Action only (X)	
W1A - Waste - Management - General management	Action only (X)	
W1A - Waste - Management - General management	Action only (X)	
W1A - Waste - Management - General management	C2 Significant	5.3.1. Table 2.1
W1A - Waste - Management - General management	Action only (X)	
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
1	31

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 provide clarification if the skips belong to Delyn Metals and why they were placed by the access gate.	31/08/2026
W4B	Please provide duty of care documents for the fire-damaged waste and firewater run-off taken off site	31/08/2026
W2C	Respond to questions regarding mixed waste storage on site	31/08/2026
W1A	Ensure all waste is stored in compliance with the site permit	31/08/2026
W1A	Please ensure all surfaces are maintained, kept in good condition and in compliance with the site permit	30/10/2026
W1A	Submit evidence to Natural Resources Wales that shows the site's engineered site containment and drainage systems are designed, constructed, inspected, validated and maintained and fully documented and recorded, to be fit for purpose and meets the standards specified in Table 2.1. Evidence should include: • photographs of the ground conditions in all areas of the site • Site drainage plan showing where impermeable and hardstanding areas are and what waste is stored on them. • site drainage report (for example a CCTV survey) to show site drainage is working as per standards in Table 2.1 • site drainage inspection logs including any issues noted or actions taken.	30/10/2026
W1A	ensure the site is fully secure	Already completed
W1A	Remove all waste stored outside the site boundaries and ensure the site is fully compliant with all requirements of the waste exemption	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.

<u>You are non-compliant with your permit.</u>

<u>We are currently considering taking enforcement action against you for the non-compliance recorded above.</u> We will contact you in due course.

4. Details of our assessment

On Thursday the 16th of July 2026 a fire broke out at Delyn Metals, Point of Ayr.

On Friday the17th of July 2026 Natural Resources Wales (NRW) waste regulation officers carried out a follow up inspection.

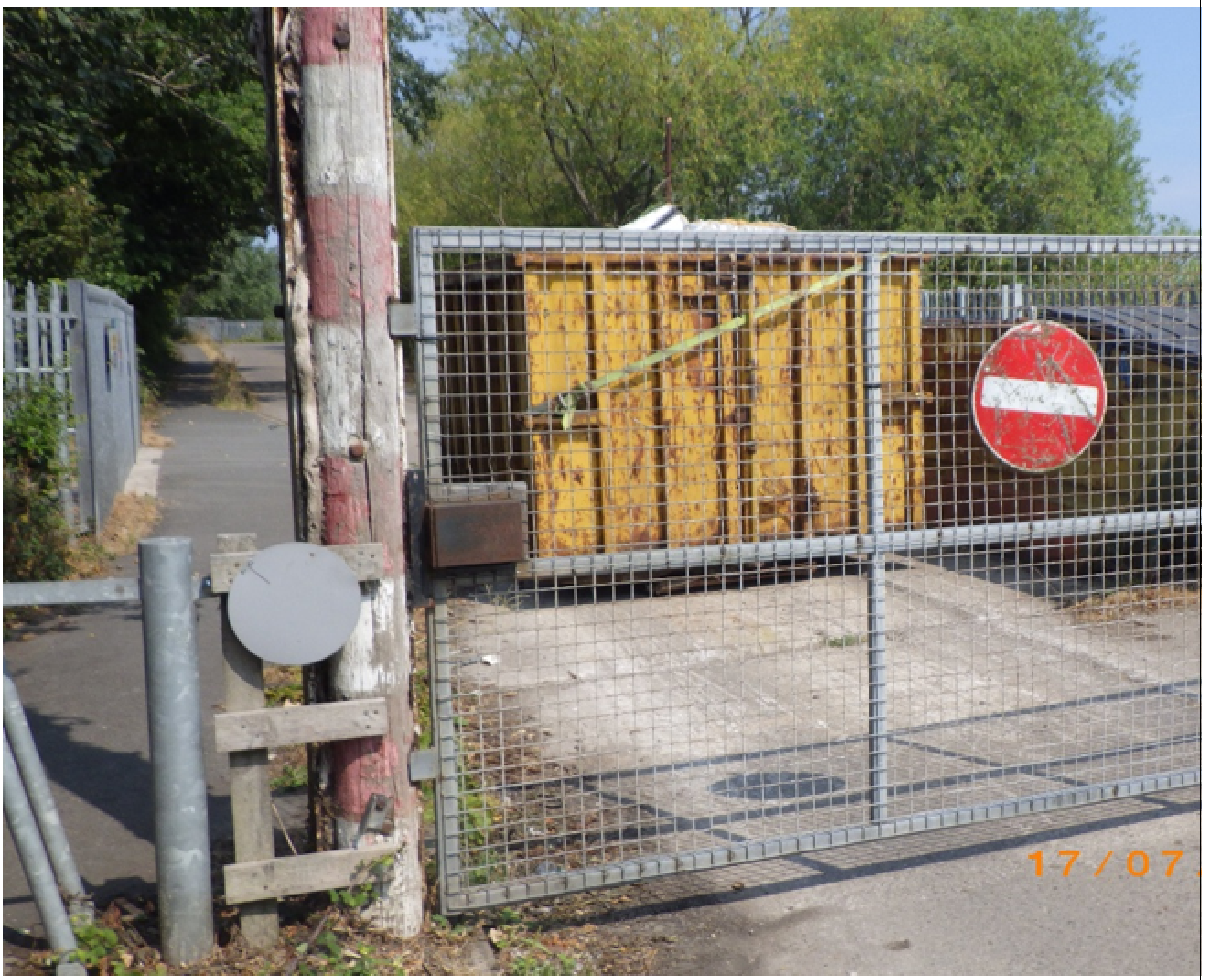
The weather at the time of inspection was dry and windy.

W1 General Management

On approaching the site officer saw that one of the two access gates had been locked with two skips placed behind it.

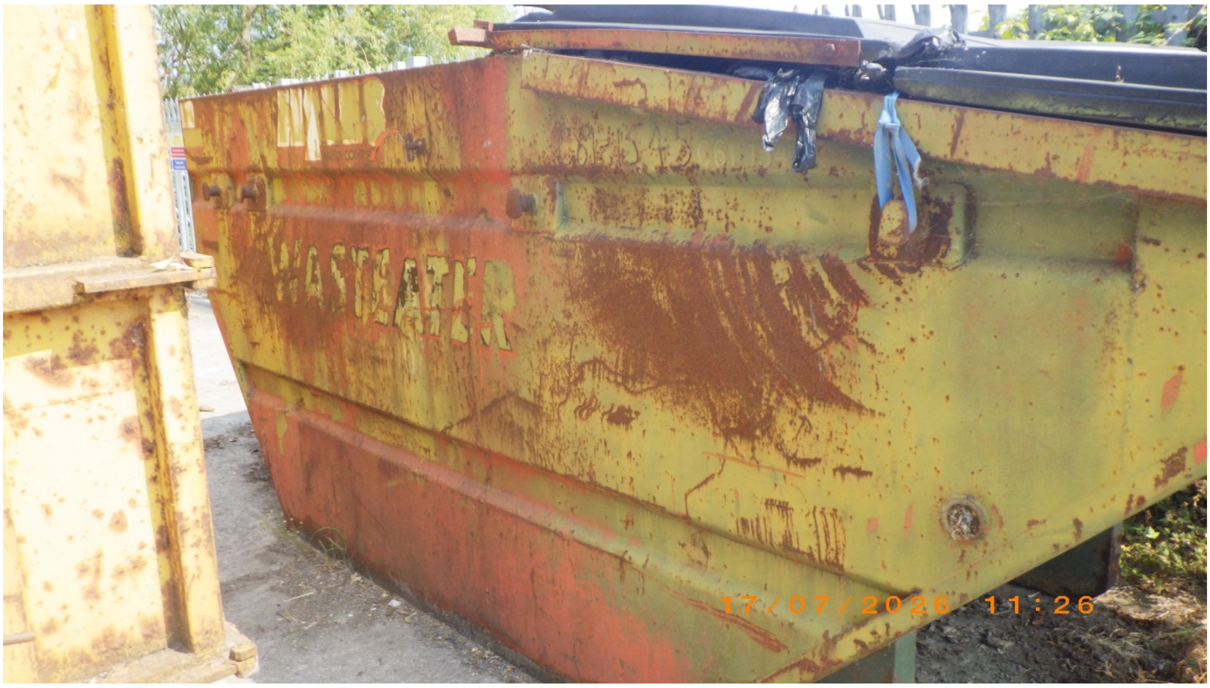
The skips were filled with mixed waste including mattresses and black bin bags filled with waste.

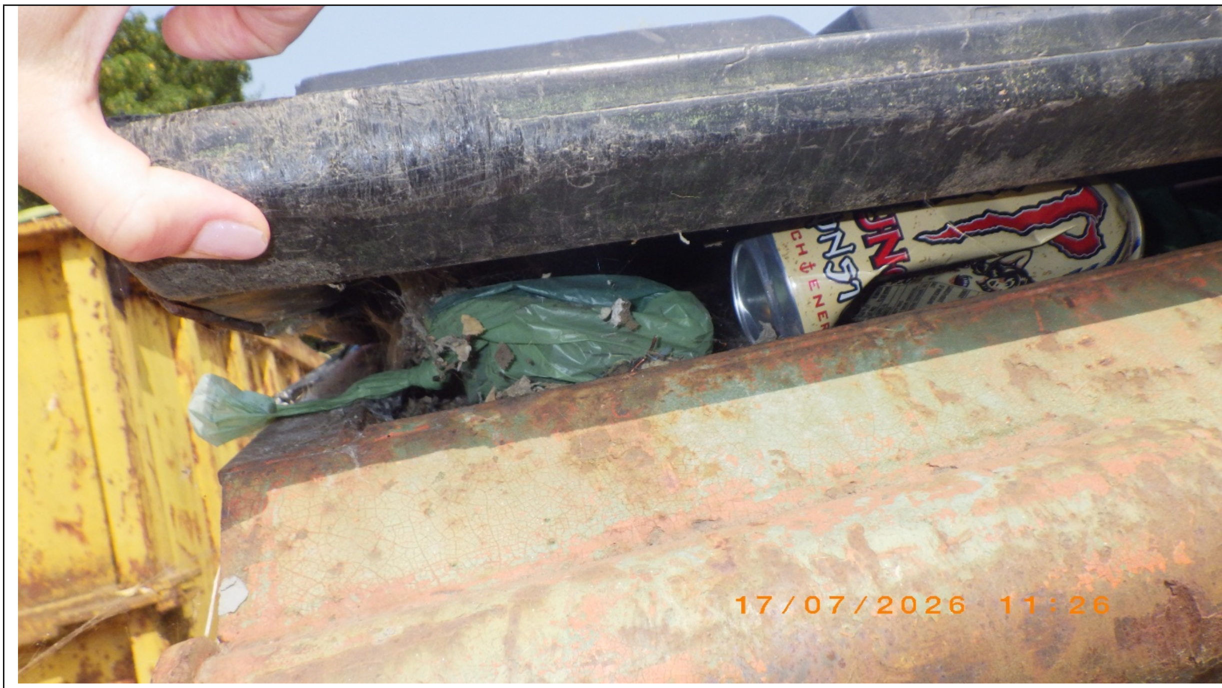
Please see photos below.



closed access gate with skips blocking access

Mattresses and general waste seen in an open top skip





General waste seen in the closed top skip

Action: Please provide clarification if the skips belong to Delyn Metals and why they were placed by the access gate by the **31st of August 2026.**

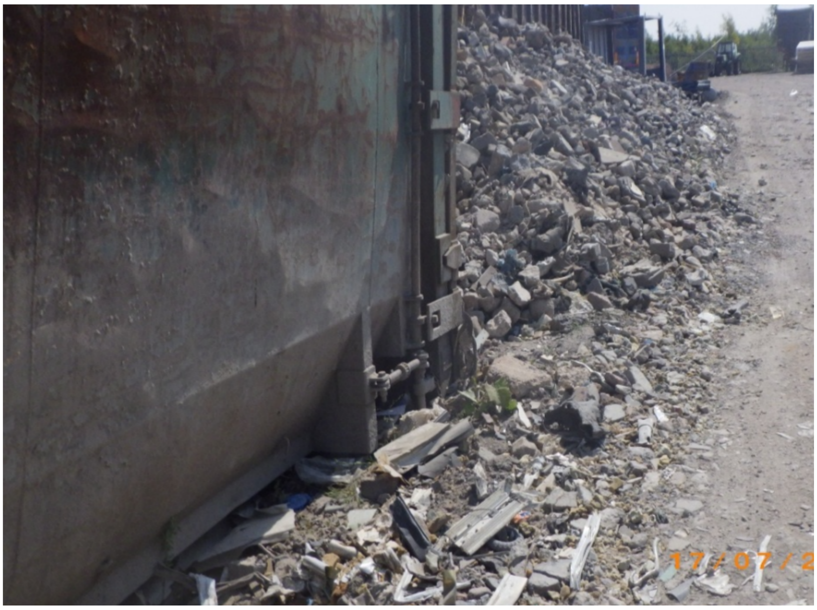
The officers drove through the second access gates and were met by the site manager and also by the permit holder, Joseph Mound who accompanied the officers throughout the inspection.

Mr Mound informed the officers that the fire had started when the site was closed with no operatives present. It was discovered by one of the employees who remotely checked the CCTV cameras and alerted the emergency services.

On arrival the site was being cleared and most of the fire-damaged waste had been taken off site. The fire water disposal was being organised at the time officers were on site

Action: Please provide duty of care documents for the fire-damaged waste and firewater run-off taken off site by the **31st of August 2026**

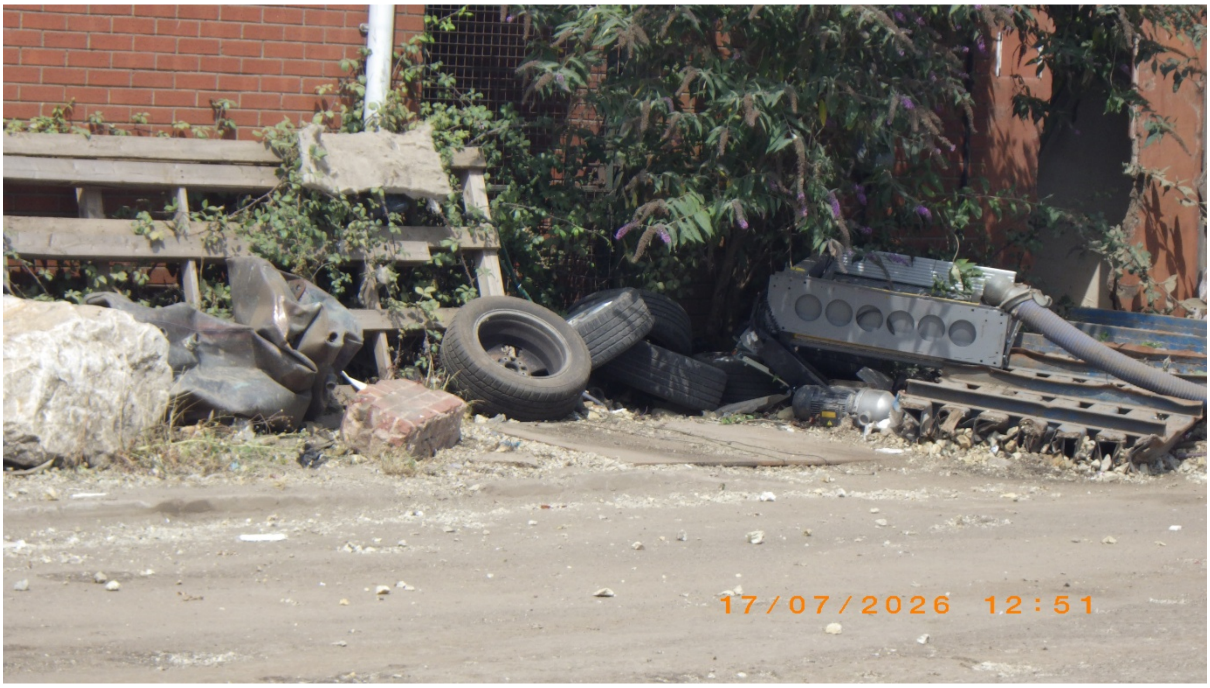
The site still appeared disorganised and untidy in places, especially with pieces of foam, waste tyres and small pieces of processed waste strewn on the ground throughout the site. Please see photos below



Waste strewn on the grown and overspilling for the storage piles

Waste scraped to one side of the main yard showing with large amount of foam and small pieces of processed waste

pieces of foam on the ground in the main yard

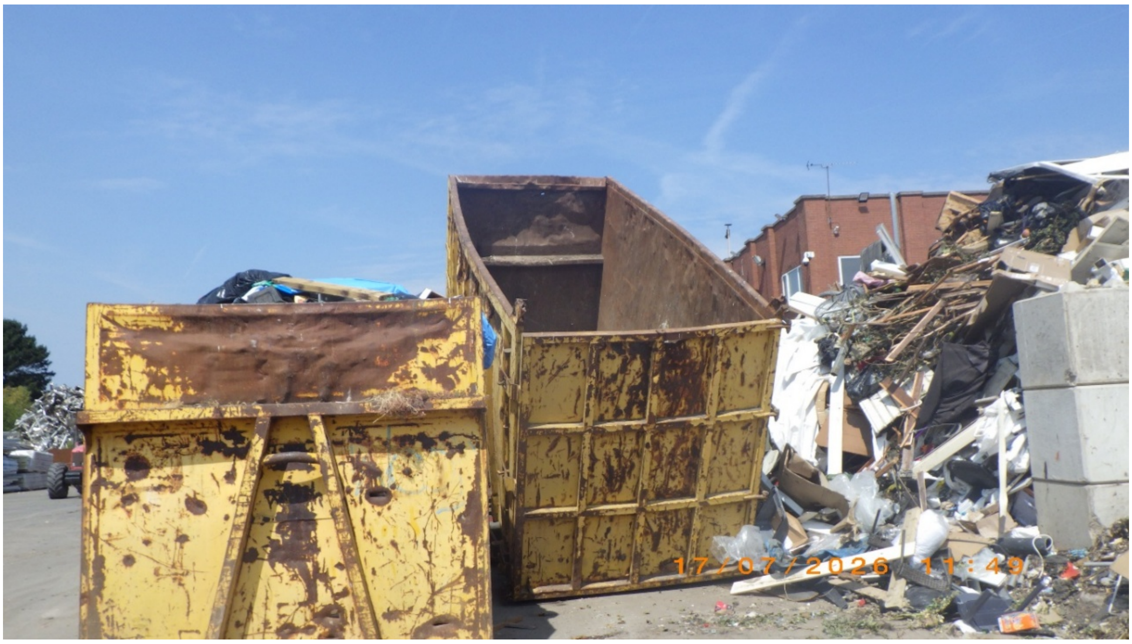


Waste tyres dotted around the site

Waste tyres stored at the back of processed waste pile

(W2C) Operating techniques

As the officers walked around the site they noticed a concrete blocks bay being used to store what appeared to be mixed waste with visible black bin bags, large plastics and wood. The waste was over spilling as the concrete walls were not high enough to contain the quantities stored inside.



Waste stored in concrete bay overspilling onto shredded residue/trommel fines

The owner stated that the waste seen in the bay is what had been discovered after accepting skips containing other waste on site.

This issue had been raised with the management during previous site inspection and the following action has been requested to clarify the below points:

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?

This action **has not** been completed. Please provide your response by the **31st the of August 2026.**

A large number of panels was seen on site. The owner stated that the site manager had several deliveries a day and due to the contract arrangements did not want to halt the deliveries which resulted in the panels being stored in areas of the site not designed for such activity.

This breach was raised and given a non-compliance score as part of the previous site inspection and was given a comply-by date of the **31st of August 2026**. It has therefore, been logged as 'action only' in the results table, with the same date for compliance.


Panels stored at the back of site

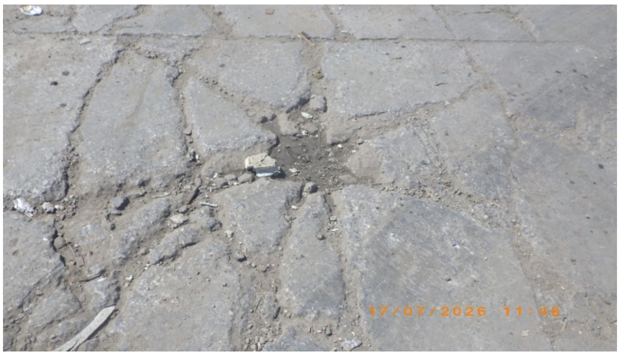
W1 General management- permeable and impermeable surfaces

Issues with permeable and impermeable surfaces remain in parts of site and are non-compliant with Table 2.1 of the site permit. This issues was raised during the previous site inspection.

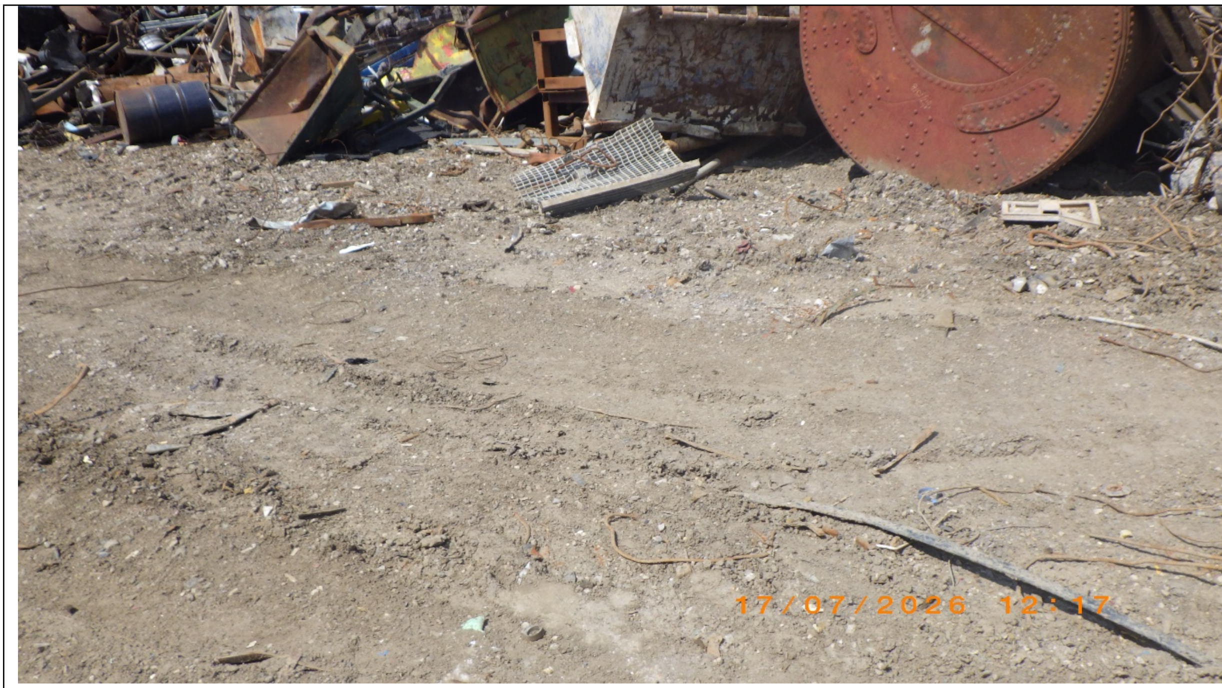
This breach was raised and given a non-compliance score as part of the previous site inspection and was given a comply-by date of the **30th October 2026** due to there being a potential for larger amount of work to be carried out to gain compliance.

It has therefore, been logged as 'action only' in the results table, with the same date for compliance.

Action: Please ensure all surfaces are maintained, kept in good condition and in compliance with the site permit. Please comply by **30th October 2026**

Cracked impermeable surface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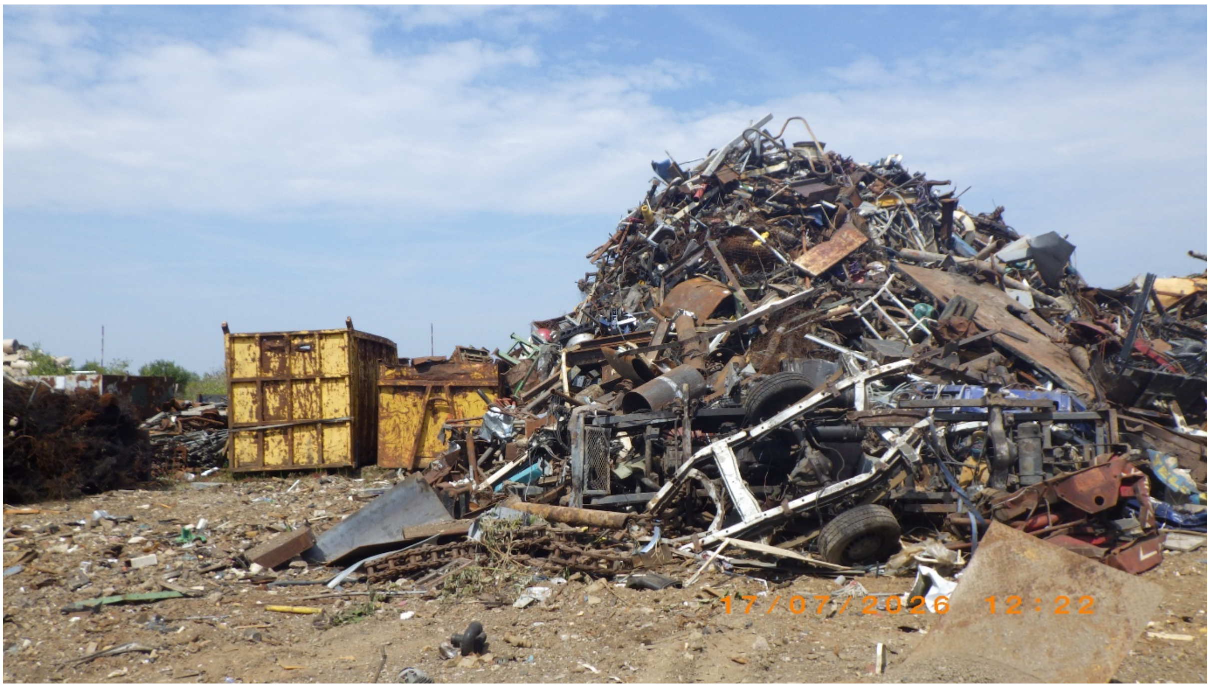

17/07/2026 12:22

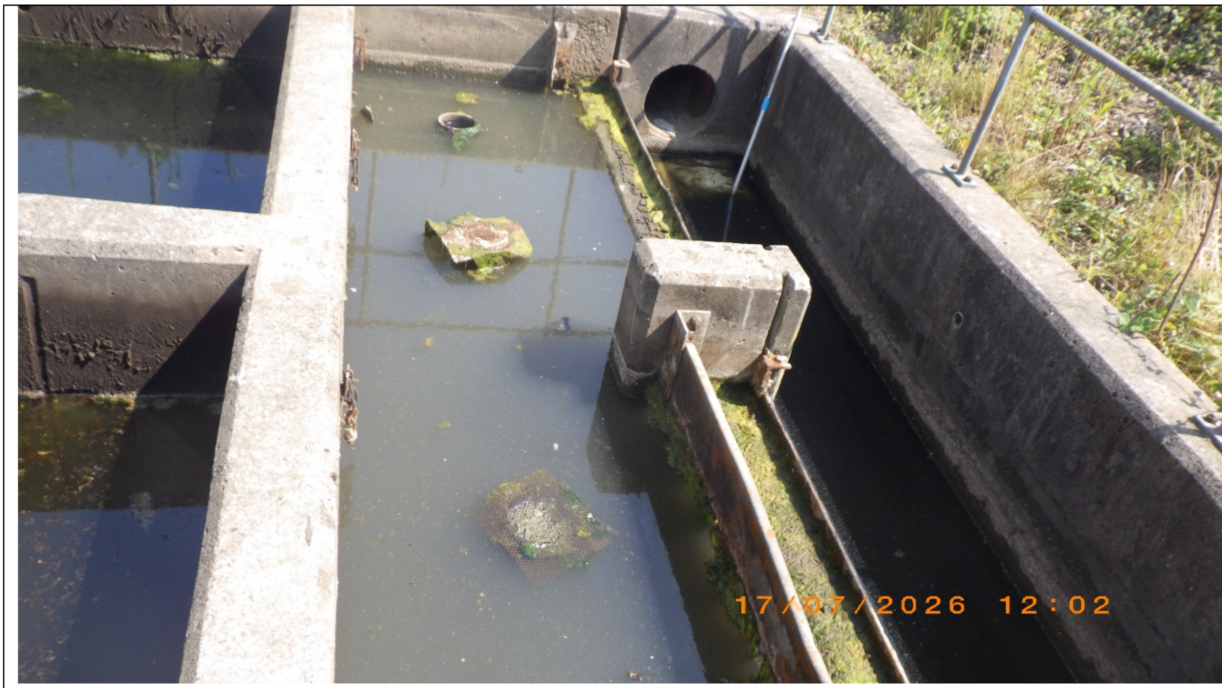
Hardstanding surfaces not compliant with Table 2.1 of the site permit

W1 General management – drainage system and site containment

Officers also asked to see the interceptor and whether it had been blocked off during the fire. The owner confirmed that it had been done; however, on inspection, it transpired that the interceptor outlet pipe had not been blocked. It appeared that there had been no run off through the outlet pipe only due to the fact that the fire run-off had remained below the level of the pipe.

Please see the below photos:

Site's interceptor



Unblocked outlet pipe

Table 2.1 Site containment and drainage standards c) states:" Drainage to areas of impermeable pavement shall be provided by a sealed drainage system, that is comprised of a drainage system with impermeable component which does not leak and which will ensure that: No liquid will run off the pavement other than via the system; and except where they may ne lawfully discharged , all liquids entering the system are collected in a sealed sump.

Ensuring there is an effective way of stopping the run-off leaving the site would minimise the potential environmental impact on the special features at the location. At the time of the fire there were no measures implemented to ensure compliance with the above permit condition.

A fire that occurred could have had significant implications to neighbouring businesses, 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. There are currently over fifty licenced cockle gatherers who would suffer financial losses should the cockle beds be closed.

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 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.

Action: Submit evidence to Natural Resources Wales that shows the site's engineered site containment and drainage systems are designed, constructed, inspected, validated and maintained and fully documented and recorded, to be fit for purpose and meets the standards specified in Table

2.1. by the **30th of October 2026.**

Evidence should include:

• photographs of the ground conditions in all areas of the site

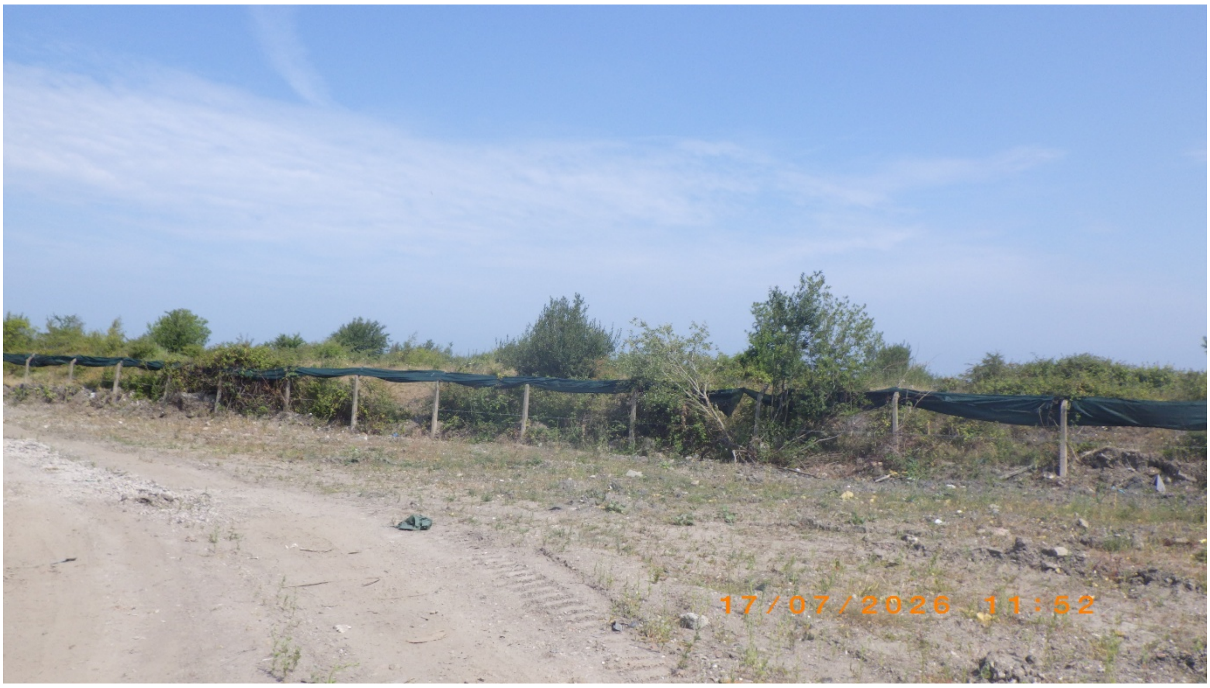
• Site drainage plan showing where impermeable and hardstanding areas are and what waste is stored on them.

• site drainage report (for example a CCTV survey) to show site drainage is working as per standards in Table 2.1

• site drainage inspection logs including any issues noted or actions taken.

W1 General management -Site security

The site perimeter fence remained non-compliant with Table 3.1 of the site permit and did not provide appropriate level of security.



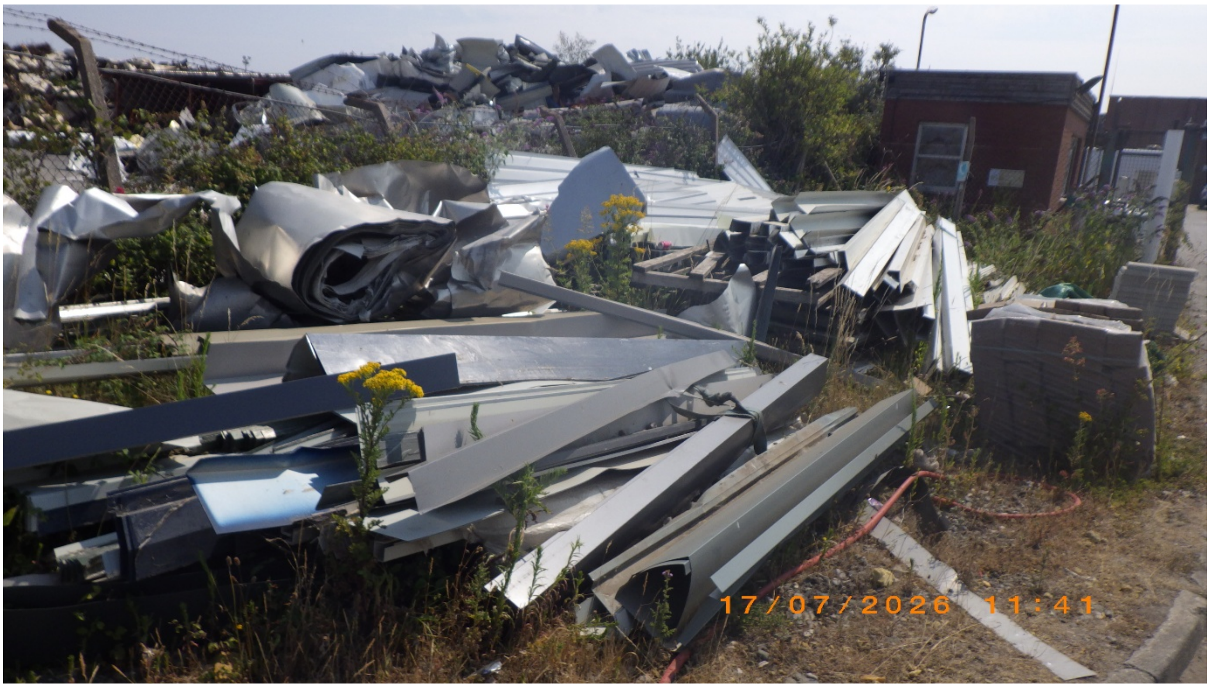
Perimeter fence

This breach was raised with the site management and given a non-compliance score as part of the previous site inspection and was given a comply-by date of the **10th of August 2026**.

Since the inspection photographic evidence has been received by NRW as a confirmation that the newly installed perimeter is now in place. It has therefore, been logged as "already completed" in the results table.

Exemption site

It was noted that waste used on the exemption site was stored outside its boundaries.



Waste stored outside of the site boundaries

Action: Remove all waste stored outside the site boundaries and ensure the site is fully compliant with all requirements of the waste exemption by the **31st August 2026.**

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 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.