

Compliance Assessment Report CAR_NRW0042440

Permit being assessed: WP3298FZ.

For: Waterston Car Breakers, held by Phillip Horrocks

At: Waterston, Milford Haven, Pembrokeshire, SA73 1DX.

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

On 06/09/2023 between 11:15 and 11:52.

Parts of permit assessed: Site

NRW Lead Officer: Cathy Lloyd, accompanied by Linda Warrick.

Report sent to: Phillip Horrocks, Operator on 19/09/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
D1 - Incident Management - Site security	Action only (X)	
C1 - General Management - Staff competency/training	C3 Minor	2.3.1.
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	5.1.2 Table 5.1 b iii, 5.3.2. Table 5.3 c, 5.4.1 Table 4.4 b 111
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	6.1.1
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
3	8.1

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
D1	Update site identification board	29/03/2024
C1	Provide details of the TCM for the site and their qualifications	29/09/2023

Criteria	Action needed	Complete by
C4	Ensure all containers are labelled and the lid/cap/bunds are in place following filling. Store all batteries as described in your permit	29/09/2023
G4	provide waste returns for the period 2020 to 2022	29/09/2023

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

An unannounced routine visit was carried out at Waterston Car Breakers on the 6 September 2023. The site operates under a bespoke permit WP3298FZ for a Vehicle Depollution and Dismantling (Authorised Treatment) Facility.

The operator, Phillip Horrocks, was not on site at the time of the inspection.

Weather :dry and sunny.

Site identification board

Condition 4.2.2 requires a site identification board which displays certain information.

A sign was displayed on the entrance gate, but some of the information is outdated and the sign needs updating. The permit is issued by Natural Resources Wales, WP3298FZ and the incident reporting number is 08000653000.

Action: Please update you site identification board by 29 March 2024.

Technical Competent Management (TCM) – Category 3 breach of condition 2.3.1

Following an inspection carried out on the 30/03/2021, NRW requested you send details of the TCM for the site. Phillip Horrocks has failed to provide this information.

This is a Category 3 breach of Condition 2.3.1 which requires the operator to provide details of the qualifications of the TCM for the site.

Action: Provide details of the TCM for the site and their qualifications by 29 September 2023.

Depollution building

The building where depollution of vehicles is carried out appeared to be in a good condition

in compliance with condition 3.1.2. Table 3.1 d.

There were no vehicles being depolluted at the time of NRW's visit.

Residual wastes - Category 3 breaches

A drum, which was not labelled appeared to be full and there was no cap in place.

This is a Category 3 breach of condition 5.1.2 Table 5.1 b iii, lids/caps/bungs shall be in place at the end of filling and condition 5.3.2. Table 5.3 c – 'storage areas, tanks and other containers shall be clearly defined and labelled to identify the waste stored within them.

Action: Ensure all containers are labelled and the lid/cap/bunds are in place following filling by 29 September 2023.

Batteries were stored outside on permeable ground and were not being stored in a suitable container. This is a category 3 breach of Condition 5.4.1 Table 4.4 b 111-Lead acid batteries shall be stored in containers with an impermeable, acid resistant base and a lid to prevent ingress of surface water

Action: Store all batteries as described in your permit by 29 September 2023.

Directly Applicable Legislation

Hazardous Waste Regulations

Action: Please can you provide all Hazardous Waste Consignment Notes for waste leaving the site since January 2022 by the 29th of September 2023.

Action: Can you also confirm by the 29th of September which companies remove the following wastes:

- Interceptor waste 13 05 07* and 13 05 08*
- Oils 13 02 05*
- Batteries 16 06 01*
- Catalytic convertors 16 01 21*

It is important that waste leaving the site is accompanied by a consignment note and it is going to a site that is permitted to take that waste.

Please ensure that your consignee returns register is up to date.

Hazardous Waste registration

Please note your hazardous Waste Producer registration expired on 31/03/2022. It is important that you ensure that you do not move more than 500kgs of hazardous waste within any 12 month period as this could result in a breach of the hazardous waste regulations.

Procedures are required that will ensure these issues are addressed along with procedures to ensure that the appropriate checks are made prior to waste leaving your site.

Action: Register as a Hazardous Waste Producer, link given below:

[Natural Resources Wales / Register or renew as a hazardous waste producer](#)

Waste Returns Category 4 breach of condition 6.1.1

NRW has not received any waste returns. This is a category 4 breach of condition 6.1.1 which states that ' A summary of the waste types and quantities accepted and the waste types and quantities removed from the site shall be made for each financial year and shall be submitted to NRW within 1 month following the end of that year.

Guidance can be found following the link below:

[Natural Resources Wales / Submit your waste return](#)

Action: provide waste returns for the period 2020 – 2022 by 29 September 2023

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.