

Compliance Assessment Report CAR_NRW0046669

Permit being assessed: VP3598FA.

For: Thomas Brothers, **held by:** Steven Charles Thomas

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

Type of assessment: Site Inspection,

Reason: Routine.

On: 14/03/2025 between 13:00 and 13:45.

Parts of permit assessed: General site inspection.

NRW Lead Officer: David Ellar.

Report sent to: Stephen Thomas, Director, on 25/03/2025.

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	Assessed (A)	
W2A - Waste - Operations - Permitted activities	C3 Minor	2.3.1 and table 2.3
W2C - Waste - Operations - Operating techniques	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
1	4

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
W2A	Please ensure all waste is stored in accordance with the Permit.	31/07/2025

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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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 site inspection was undertaken on Friday 14th March 2025 at TBS Plot 10 Waterstone Ind Est. Present at the time of the site inspection were David Ellar and Ed Davies (NRW) and TBS / Lloyd Pawlett logistics Manger. Stephen Thomas and other TBS staff who normally accompany officers on waste inspections were unavailable at time of inspection. The site operates under a Standard Rules Permit SR2008No3 a Household, Commercial and Industrial Waste Transfer Station with Treatment.

The weather was fine and dry.

The purpose of the inspection was to assess compliance against conditions of the Environmental Permit (Ref: EPR/VP3598FA).

Permit Breaches:

W2A - Permitted activities – Permit Condition 2.3.1 and table 2.3 – CAT 3 noncompliance.

Permit condition 2.3.1 (table 2.3) states: Unless stored or treated outside as specified waste - all bulking, transfer or treatment of waste shall be carried out inside a building. Waste, mainly farm plastic and some mixed waste was observed being stored in an area where the roof had been damaged and the panels been removed. This is a breach of the permit and has been recorded as a category 3 non-compliance. This was noted and scored as a breach during our last inspection however the situation has not improved and more waste is now being stored.

Following our previous visit, TBS contacted NRW (email 25/11/24) to ask for an extension of the action to comply with this permit condition, TBS asked until the end of March 2025, that was agreed in principal with NRW but on the condition that the situation improved not worsened. Whilst some attempt had been made to cover the waste previously stored in this area, no progress has been made regarding the repair of the roof and more waste (uncovered) had been deposited and was stored not in accordance with the permit. This has been recorded as a cat 3 permit breach.

ACTION: Please ensure all waste is stored in accordance with the Permit.

Previous inspection:

1 x Category 3 breach was recorded during our last inspection (see Compliance Assessment Report CAR_NRW0044597 for full detail). Permit breach identified was:

W2A - Permitted activities – Permit Condition 2.3.1 and table 2.3 – CAT 3 noncompliance. Permit condition 2.3.1 (table 2.3) states: Unless stored or treated outside as specified waste - all bulking, transfer or treatment of waste shall be carried out inside a building. Waste, mainly farm plastic was observed being stored in an area where the roof had been damaged and removed. This is a breach of the permit and has been recorded as a category 3 non-compliance.

You were given an action that unless stored or treated outside as specified waste - all bulking, transfer or treatment of waste shall be carried out inside a building. You were to ensure all waste was stored in accordance with the permit. Whilst some effort had been made to try and cover some of the waste stored in the damaged part of the building, more waste (uncovered) was being stored in this location than the previous visit. The building is still not repaired, the roof section is missing, the waste is not covered and this action was not carried out.

Photograph showing waste stored in breach of permit condition:

**General Observations****Storage of waste:**

The site was busier than normal, segregation of waste types was observed, but storage bays were full to overflowing and the site was filling up. TBS explained that they had had logistical issues, staffing issues and were still being affected by the closure of a nearby landfill. They also explained that they were aware of the issues, they would be resolved, and plans including alternative disposal sites, were in place. Plastics and mixed waste were due to be removed from site very shortly as they were awaiting transport from the contractor.

Several skips of hard plastic were being stored outside of the permitted area awaiting off site removal, for these skips to be classed as 'in transport' they must be collected from site without delay. TBS said there had been a delay in them being removed but will be gone very soon.

There was a build up of trommel fines under the trommel, trommel fines can be a problematic waste type. Please ensure these are cleared, correctly coded and removed from site to a suitable facility, they cannot be mixed back into the general waste.

Photograph of trommel fines:



Site infrastructure:

The roof was still in need of repair following the fire incident that took place in August 2022.

Thank you for your time during the inspection.

Waste Returns:

Waste returns were checked and were up to date with Q1 - Q4 2024 being submitted.

Ends.

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.