

## Compliance Assessment Report CAR\_NRW0049343

**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:** 05/09/2025 between 12:00 and 13:00.

**Parts of permit assessed:** Permitted activities and general site operations management.

**NRW Lead Officer:** David Ellar, accompanied by Hugh Martin.

**Report sent to:** Stephen Thomas, Permit Holder, on 11/09/2025.

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

| Part of permitted activity assessed (compliance criteria)                                        | Assessment result | Permit condition    |
|--------------------------------------------------------------------------------------------------|-------------------|---------------------|
| W2A - Waste - Operations - Permitted activities                                                  | C2 Significant    | 2.3.1 and table 2.3 |
| W1C - Waste - Management - Avoidance, recovery and disposal of wastes produced by the activities | C3 Minor          | 1.2.1               |
| W2F - Waste - Operations - Technical requirements                                                | Assessed (A)      |                     |
| W4B - Waste - Information - Reporting                                                            | Assessed (A)      |                     |
| W3G - Waste - Emissions and monitoring - Fire                                                    | C2 Significant    | 3.4.1               |

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

| Total non-compliances recorded | Total non-compliance score |
|--------------------------------|----------------------------|
| 3                              | 66                         |

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      | You must ensure all waste is stored in accordance with the | 30/11/2025  |

| Criteria | Action needed                                                                                                                                                                                                                | Complete by |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
|          | Permit.                                                                                                                                                                                                                      |             |
| W1C      | Cease mixing trommel fines with general waste immediately. Segregate trommel fines and conduct WM3-compliant hazardous property assessments. Apply the waste hierarchy to fines, considering recovery and recycling options. | 30/09/2025  |
| W3G      | Store waste in bay and storage areas as defined in the FPMP                                                                                                                                                                  | 31/10/2025  |

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.**

**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

An unannounced, routine site inspection was undertaken on Friday 05 September 2025 at Thomas Brothers Skips (TBS), Plot 10 Waterstone Ind Est. Present at the time of the site inspection were David Ellar and Hugh Martin (NRW) and Stephen Thomas, David MacKay and the Office Manager (TBS), who also accompanied officers around the site. The site operates under a Standard Rules Permit SR2008No3 - Household, Commercial and Industrial Waste Transfer Station with Treatment. The weather was fine but it had recently been very wet. The purpose of the inspection was to assess compliance against conditions of the Environmental Permit (Ref: EPR/VP3598FA).

#### Permit Breaches:

1: **W2A - Permitted activities** – Permit Condition 2.3.1 and table 2.3 – Category 2 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.' A significant quantity of 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 2 non-compliance; this was also noted and scored as a permit breach during NRW's last two site inspections. The situation has worsened, with an increasing amount of waste now being stored in breach of the permit conditions. In previous inspections it was mainly farm plastics being stored in the uncovered area of the transfer shed, now it was mixed, unprocessed waste. This waste has a higher risk of causing environmental pollution, so the categorisation of the breach has risen from 3 to 2.

The Permit holder and site TCM explained that they were experiencing issues with waste outputs and logistics and they still had not recovered from the temporary stoppage of waste going to their nearest landfill. All waste outputs are now travelling great distances to their disposal/recovery sites and this was causing a backlog at the site.

Photograph of mixed waste stored in uncovered section of transfer shed:



**ACTION:** You must ensure all waste is stored in accordance with the Permit.

2: **W3G – Fire – Permit condition 3.4.1 – Category 2 noncompliance.**

Permit condition 3.4.1 states: 'The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.'

TBS has a Fire, Prevention and Mitigation Plan for the site and it is dated January 2022. Section 4.2 of the FPMP describes how waste is stored in bays - Storage areas 1a, 1b through to storage area 16, these areas are also annotated in the 'Site Layout & Fire Plan' in Appendix 1 of the FPMP. These bays and storage areas have been lost due to the amount of processed and unprocessed waste on site and waste was not being stored as described in the site FPMP. This is a breach of the permit and has been recorded as a category 2 non-compliance due to the fire risk caused by the quantity of unseparated waste and poor storage practices.

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Copy of plan from Appendix 1 of FPMP showing storage areas (bays) :



Photographs showing waste storage and loss of bays and defined storage areas:







**ACTION:** Waste must be stored in bays and storage areas as defined in the FPMP

3: **W1C** – Avoidance, recovery, treatment and disposal of wastes produced by the activities  
– Permit condition 1.2.1 – **Category 3 noncompliance.**

Condition 1.2.1 of the permit states: 'The operator shall take appropriate measures to ensure that:

(a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities; and

(b) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and

(c) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.

During site inspection and review of waste handling procedures, it was noted that trommel fines were being mixed into general mixed waste prior to landfill disposal. No evidence was provided to demonstrate that the fines had been separately assessed in accordance with WM3 waste classification guidance, nor that the waste hierarchy had been applied to this waste stream. This is a breach of the permit and has been recorded as a category 3 non-compliance.

**ACTION:** Cease mixing trommel fines with general waste immediately. Segregate trommel fines and conduct WM3-compliant hazardous property assessments. Apply the waste hierarchy to fines, considering recovery and recycling options.

**Previous inspection:**

One category 3 noncompliance was recorded during our last inspection under W2A –

Permitted Activities (see Compliance Assessment Report CAR\_NRW0046669 for full detail). An action was set to ensure all waste is stored in accordance with the Permit, this action was not completed and the situation has deteriorated.

### **General Observations:**

#### **Storage of waste:**

The site was busier than normal and waste storage had increased since our the last inspection. Segregation of some waste types was observed, but storage bays had been lost in the stockpiles. TBS explained that they had had logistical issues, staffing issues and were still being affected by the temporary 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. The picking line was operational and separation of some waste types was observed. A large pile of trommel fines was observed under the trommel. When questioned on where it went the the site TCM explained it was mixed back into the processed waste for disposal at landfill.

#### **Site infrastructure:**

The roof was still in need of repair following the fire incident that took place in August 2022. Some repairs have taken place but a large area of roof was still missing. The operator explained there had been delays with the replacement but the repair was still expected and would be carried out as soon as they could.

#### **Waste Returns:**

Waste returns were checked and were up to date with Q1 and Q2 2025 being submitted.

#### **TCM:**

James Mackay (David) is current TCM for the site, WAMITAB CC is in place until 21/02/2026

Thank you for your time during the inspection.

### **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](mailto: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](mailto: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.