

10 March 2023

Dear

**ATISN 17145 – Environmental Information Request – Ty Llwyd Quarry, Ynysddu**

**Information requested**

Thank you for your request which I received on 10<sup>th</sup> February 2023. You asked for:

1. All the advice, reports and discussions on Ty Llwyd Quarry, Ynysddu, between Public Health Wales, Caerphilly County Borough Council (CCBC), NRW and the Welsh Government, as defined by Lesley Griffiths in answering a question from Natasha Ashgar SM (*Please note the recent written Senedd question relating to this matter from was answered by Julie James Minister for Climate Change and not Lesley Griffiths Minister for Rural Affairs and North Wales, and Trefnydd.*)
2. Provide all discussions, minutes of meetings, emails between Caerphilly County Borough Council and any Welsh Government Officials / Ministers have had with CCBC on all matters in relation to Ty Llwyd Quarry

**Our response**

The information you requested is provided below;

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From: Williams, Andrew (CCRA - ERA - Environmental Protection)  
Sent: Thu 09/02/2023 09:08  
To: Llewelin, Matt (Natural Resources Wales)  
CC: James, Trystan (Natural Resources Wales)

Morning both

There continues to be quite a lot of political interest in the site. Two Senedd questions and several pieces of inter-ministerial correspondence recently. Some of this has specifically asked what role / involvement NRW has had with the issues, so the update has been really helpful. I don't know if there will be supplementary questions at this point.

Grateful if you could keep us in the loop with the findings from the NRW investigation at Ty Llwyd that was mentioned within the briefing.

Thanks  
Andy

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From: James, Trystan  
Sent: 08 February 2023 18:49  
To: Williams, Andrew (CCRA - ERA - Environmental Protection)  
Subject: RE: Ty Llywd Quarry - Caerphilly

Hi Andy. Did anything come from the responses we provided?

Trystan

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From: Williams, Andrew (CCRA - ERA - Environmental Protection)  
Sent: Tue 30/01/2023 11:52  
To: Matthew Llewellyn (Natural Resources Wales)  
CC: Trystan James (Natural Resources Wales)

Hi both

I'm feeding into two Senedd questions which have been tabled regarding the above site and action under Part 2a, which is due back by noon tomorrow.

Grateful if you could provide a brief summary of NRW's position on this site / involvement to date?

Thanks  
Andy

**Andy Williams**

Environment Quality and Regulation Branch / [Y Gangen Ansawdd Amgylchedd a Rheoleiddio](#)  
Environmental Protection Division / [Diogeli'r Amgylchedd](#)  
Welsh Government / [Llywodraeth Cymru](#)  
Cathays Park / [Parc Cathays](#)  
Cardiff CF10 3NQ / [Caerdydd](#)

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From: Llewellyn, Matt (Natural Resources Wales)  
Sent: Tue 31/01/2023 10:34  
To: Williams, Andrew (CCRA - ERA - Environmental Protection)  
CC: James, Trystan (Natural Resources Wales)

Hi Andy,

We're working on this for you. Just waiting for a line or two from our Environment team with regards to how they've responded to reported incidents

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From: Llewelin, Matt (Natural Resources Wales)  
Sent: Tue 31/01/2023 11:53  
To: Williams, Andrew (CCRA - ERA - Environmental Protection)  
CC: James, Trystan (Natural Resources Wales)

*Hi Andy,*

*As promised, see below:*

### *Summary of site*

*Ty Llwyd was historically a stone quarry. From 1969 and 1972 the quarry was used for the disposal of industrial waste materials. When the tip was closed in 1972 the site was covered with shale and stone dust and overlain with topsoil and seed. In 1990 Caerphilly Council Borough Council (CCBC) took ownership of the site. An interim cap was installed over the site and a shallow, concrete lined ditch was constructed along the top boundary to divert surface water run-off. From 2006 CCBC installed groundwater monitoring points and started monitoring the site. The monitoring results were shared with NRW (Environment Agency Wales at that time) for review on approximately an annual basis.*

### *Part 2A process & responsibilities*

*Land affected by contamination can be managed and regulated in a few different ways, but the main regulatory regime is Part 2A of the Environmental Protection Act (EPA) 1990. Local Authorities are the lead regulator under this regime. NRW have an advisory role providing technical support and guidance to Local Authorities on the controlled waters element(s) of land contamination unless a site is determined a 'special site' in which case NRW would become the lead regulator. This is not the case at Ty Llwyd Quarry and CCBC are the lead regulator. In 2012 CCBC had the site assessed in line with Part 2A with respect to pollution of controlled waters. The assessment concluded that Ty Llwyd should not be determined as contaminated land with regards to controlled waters. NRW (Environment Agency Wales at the time) subsequently agreed with the conclusions of the report at the time. Regulation of the site remains with CCBC.*

*Human health risks are the responsibility of Local Authorities, so CCBC will be able to advise on this.*

### *Current status and NRW involvement*

*Occasionally, following prolonged periods of heavy rainfall there are leachate outbreaks on site. In order to manage the visual impact and public concern regarding these outbreaks, CCBC and their consultant Arcadis have implemented a voluntarily*

*scheme of works to divert outbreaks through a cascade, slowing down the flow and volatilising potential contamination before it soaks back into the ground. Drainage culverts on site have also been improved to maintain separation of the leachate from surface water courses to protect the environment. Whilst the scheme itself doesn't require any direct input from NRW, members of Geoscience team were invited to a site visit by CCBC officers on the 15/9/22 where they were shown the implemented scheme. It was acknowledged at the time that further improvement works were required to cope with more frequent high rainfall events. It is understood that CCBC/Arcadis are due to carry out improvements during early 2023. Again, CCBC will have further details.*

### Reported Incidents

*As soon as reports were received of a potential pollution incident in the Ynysddu area in Caerphilly, NRW attended the site to carry out an investigation and take samples. These are being analysed in our laboratory in Swansea and we are continuing to liaise closely with Caerphilly Council as part of the ongoing investigation process. Any appropriate enforcement action will be carried out as necessary. As with any investigation, no case details can be disclosed as this could impede any outcome.*

*NRW are due to meet with local councillors and residents at the request of CCBC on March 6<sup>th</sup> 2023 to discuss the site.*

*Kind Regards*

*Matt Llewellyn MSc BSc(Hons)  
Cynghorydd Arbenigol Arweiniol (Tir Halogedig) / Lead Specialist Advisor  
(Contaminated Land)  
Cyfoeth Naturiol Cymru / Natural Resources Wales*

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Brilliant. Thanks Ceri!!

**From:** Davis, Ceri J  
**Sent:** 30 January 2023 11:39  
**To:** Williams, Andrew (CCRA - ERA - Environmental Protection)  
C.C Godfrey, Maria

**Subject:** RE: Ty Llywd Quarry

Hi Andy

Yes, it's fine to say 'in the near future'. Our consultants are actually going to site next week to undertake a round of monitoring to feed into their Part 2A assessment.

Thanks

Ceri

**Ceri Davis**

Swyddog Iechyd yr Amgylchedd Rhanbarth | District Environmental Health Officer  
Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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**From:** Williams, Andrew (CCRA - ERA - Environmental Protection)

**Sent:** Mon 30/01/2023 11:33

**To:** Godfrey, Maria Caerphilly Council

**CC:** Davis, Ceri J Caerphilly Council

Morning Maria

Hope you had a good weekend. Just a really quick one. Two Senedd questions have been raised regarding the above site requiring a Ministerial response which I'm feeding into before noon tomorrow.

When we spoke, you mentioned the Council was thinking about considering Ty Llywd under the contaminated land legislation again (after doing this previously back in 2013).

Therefore, would it be accurate for me to say the Council will be assessing the site under Part 2A of the EPA 1990 in the near future? I just need some clarification particularly in terms of whether a commitment has been made by the Council to undertake this work and proposals are being developed, or whether it's a more aspirational consideration currently?

Thanks  
Andy

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Sure, thanks, I'm on (redacted).

**From:** Godfrey, Maria

**Sent:** 19 January 2023 15:12

**To:** Williams, Andrew (CCRA - ERA - Environmental Protection)

**Subject:** RE: PCB Briefing - Caerphilly Sites - Current Position

Hi Andy – can you please send me your telephone number because I am just clocking off for the day and off tomorrow so can chat you through it quicker than typing!

Thanks

**Maria Godfrey**

Arweinydd Tîm | Team Leader

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

**From:** Williams, Andrew (CCRA - ERA - Environmental Protection)**Sent:** 19 January 2023 15:05**To:** Godfrey, Maria**Subject:** RE: PCB Briefing - Caerphilly Sites - Current Position**Importance:** High

Hi Maria

Hope all's good with you.

We've been approached by the media who have asked for comments from the Minister about the Ynys Ddu site (which I think is the Ty Llwyd quarry site?). There's some concern around effluent from the site crossing woodland which the public have access to.

Any chance you could provide a really brief update on it? Assuming anything has changed since your email below?

Thanks in advance!

Andy

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**From:** Godfrey, Maria**Sent:** 04 October 2022 10:53**To:** Williams, Andrew (CCRA - ERA - Environmental Protection)**Subject:** RE: PCB Briefing - Caerphilly Sites - Current Position

You are very welcome and p.s. if there is spare money available (she says laughing with everything going on the world) that could help fund some of the works at Ty Llwyd – I would really appreciate a quick chat with you.

Many thanks

Maria Godfrey

Arweinydd Tîm | Team Leader

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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**From:** Andrew.Williams37@gov.wales <Andrew.Williams37@gov.wales>**Sent:** 04 October 2022 09:03**To:** Godfrey, Maria

Subject: RE: PCB Briefing - Caerphilly Sites - Current Position

Hi Maria, yes it has been a while. I'm good thanks. Hope things are good with you too.

Really appreciate you coming back so quickly, this is really helpful.

Best wishes  
Andy

From: Godfrey, Maria (Caerphilly Council)  
Sent: Mon 03/10/2022 18:19  
To: Williams, Andrew (CCRA - ERA - Environmental Protection)  
CC: Davis, Ceri J (Caerphilly Council)

Hi Andrew,

I hope you are well – it has been a long time since we last spoke!

(Redacted)

Ty Llwyd quarry which is a site now owned by us. Ty Llwyd was formerly privately owned and was tipped in the 70s, however the Council bought the site with knowledge to control and future mitigate the site and surrounding land.

(Redacted)

Ty Llwyd – former quarry which was tipped in years ago – we are unsure what it contains altogether but it is believed that Monsanto (among other companies) dumped here years ago. We have invested circa £240k in this site recently to manage water at the site. During periods of heavy prolonged wet weather, ground water rises within the site and we used to have occasional break outs of leachate both on the site and on land below the site (which we also own). In order to manage these break outs and ensure that the contaminated water does not mix with the surface water, we invested in the site and had our consultants Arcadis to design a leachate capture system which aerates the leachate and then sends it back to ground. It does not clean the leachate completely, but the aeration system does remove some of the volatiles out of the leachate. This site has become very contentious and political recently with the Lower Sirhowy Valley Residents Partnership Group taking an active interest. We are actively engaged with NRW on this site and are constantly looking for ways to improve the site. Our consultants are looking at some further infrastructure works for us on the site to prevent as much clean water as we can from entering the leachate system which will enable the system to cope better. We have to undertake further works to extend the soakaway because the amount of water that the storms brought at the beginning of this year completely overwhelmed it. However, the leachate does not leave our land even if the system gets overwhelmed.

We own a huge area of land below the site too which is private and should not be trespassed by members of the public. We have undertaken an insurance risk audit

on this site recently and we are in the process of obtaining quotes to improve the security of the site. Never been designated under part 2A and our opinion is that is still does not fall within the definition. We have engaged with NRW on this site over the years and again recently on the improvement works and are working with them on proposed sampling for the winter period etc.

I hope this helps Andy, should you require anything further, please do not hesitate to contact me.

Kind Regards

**Maria Godfrey**

Arweinydd Tîm | Team Leader

Cyngor Bwrdeistref Sirol Caerffili | Caerphilly County Borough Council

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Hi Maria, hope you're good? Wonder if you could help in Ceri's absence?

Thanks  
Andy

From: Williams, Andrew (CCRA - ERA - Environmental Protection)  
Sent: 03 October 2022 17:22  
To: davisj@caerphilly.gov.uk  
Subject: PCB Briefing - Caerphilly Sites - Current Position

Hi Ceri

I know you mentioned this subject in the meeting last week and I apologise in advance for adding to your correspondence on this!!

As you're probably aware we're also getting a steady stream of enquiries on various PCB related sites across Wales and I've been asked to summarise the current status of these sites in order to brief the Minister.

I was wondering if you could provide a brief summary of Caerphilly CBC current position on the sites which have been linked to PCB related waste?

I'm not really looking for a huge amount of detail – probably a few lines on what's been done by the Council in the past, any current issues / incidents, any plans for future work and what the current regulatory / Part 2A status is? I think that would probably cover it.

I'm working to a deadline of the 5th October so I'd be really grateful if you were able to provide a brief position on where things are from Caerphilly's perspective by then. Apologies for the short turnaround!



Many thanks in advance  
Andy

Andy Williams  
Environment Quality and Regulation Branch / Y Gangen Ansawdd Amgylchedd a  
Rheoleiddio  
Environmental Protection Division / Diogeli'r Amgylchedd  
Welsh Government / Llywodraeth Cymru  
Cathays Park / Parc Cathays  
Cardiff CF10 3NQ / Caerdydd

### **Next steps**

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,  
Welsh Government,  
Cathays Park,  
Cardiff,  
CF10 3NQ

or Email: [Freedom.ofinformation@gov.wales](mailto:Freedom.ofinformation@gov.wales)

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

