

Maes Newydd,
Llandarcy,
Neath Port Talbot,
SA10 6JQ

Tom Boothroyd
Neath Port Talbot County Borough
Council,
The Quays,
Brunel Way, Baglan Energy Park,
Briton Ferry,
SA11 2GG

ebost/email:
swplanning@cyfoethnaturiolcymru.gov.uk

27/10/2022

Annwyl/ Dear Mr Boothroyd,

BWRIAD / PROPOSAL: Discharge of condition 24 (relating to the requirement of a restoration plan) attached to planning permission P/96/1186/03.

LLEOLIAD / LOCATION: Pentreclwydau Mine Complex, Cwmgwrach, Neath Port Talbot, SA11 5PT.

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 28 September 2022.

We have concerns with the application as submitted. We do not recommend your Authority discharges condition 24 for the following reasons:

We note from the Proposed Restoration plan, prepared by Blue Rock Ltd, June 2022, that the applicant is proposing to install an oil separator due to the oil spillages which occurred at the site from vandalism. We note from the restoration plan that the concrete lined lagoon, L3 is currently holding contaminated oil/water, therefore the emergency overflow from this lagoon into the adjacent unnamed tributary of the River Neath has been temporarily bunged at NRW's request.

As the surface water drainage system remains contaminated with oil the emergency overflow from Lagoon L3 cannot be allowed to discharge into the stream, we therefore, recommend that the outlet be permanent sealed, in order to protect the unnamed tributary and the River Neath from oil pollution.

We advise that both lagoons should be thoroughly remediated to greatly reduce the oil pollution risk presently posed by the site to controlled waters. We acknowledge that some work has already been undertaken, but further oil recovery work is needed as the oil has emulsified and become weathered.

If this work is not progressed and an oil separator is to be installed, due to the current levels of oil contamination within the lagoons, a full retention Class 1 oil separator (with alarm) should therefore, be installed. The current proposed bypass oil separator (manufacturer details from drainstorm) would not be sufficient for the level of contamination in this instance.

We note that this consultation only relates to a specific part of the site, however it is our understanding that the present surface water drainage system accepts water from all of the split level concrete pad where the former coal washery and coal stocks were. If the drainage arrangements are to remain the same, then the oil separator specified is also grossly undersized in respect of the surface area. The sediments in both surface water lagoon systems are likely to be contaminated with oils, if these lagoons are to be de-silted as part of a maintenance programme, the waste produced by this activity will need to be assessed and classified, please see the following guidance: [Waste classification technical guidance - GOV.UK \(www.gov.uk\)](http://www.gov.uk/guidance/waste-classification-technical-guidance)

The proposed restoration plan does not provide any details to treat and prevent suspended solids from entering local watercourses, this is particularly important in the parts of the site which do not drain in to the existing lagoon system.

We offer no comments with regard to ground contamination as the proposal appears to relate to the removal of all structures to ground level on site. There appears to be no below ground removal of structures like foundations and basements. However, should below ground structures be removed, or ground contamination is identified we would request that we be reconsulted so that we can advise from a controlled waters perspective.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Rhian Isaac

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales