

## **Submission to the call for evidence by the Welsh Affairs Committee on “The environmental and economic legacy of Wales' industrial past”**

### **1. Summary**

- Communities in Wales, who helped create the wealth that powered the UK in the past, have benefited little from it, yet are still paying a hefty price.
- The UK government has an obligation to pay for the remediation of dangerous post-industrial sites in Wales that predate devolution – this includes toxic waste dumps as well as coal tips.
- There is a huge disparity between the amount of funding UK government has committed so far to remediate dangerous coal tips in Wales (£25m) and what is required to keep communities and wildlife safe (£600m).
- Companies must not be allowed to fill this gap and implement ‘solutions’ based on financial gain that could compromise safety and welfare.
- Without sufficient UK government funding, another dangerous coal mining industry could emerge in Wales, which would be disastrous for people and planet and the UK’s reputation.
- An independent inquiry is urgently needed to assess the scale and impact of contaminated land in Wales and the effectiveness of the current legislation.
- Recent research by Friends of the Earth Cymru shows significant inconsistencies and gaps in the current contaminated land legislation, which would benefit from the Committee’s attention.
- The remediation of ex-industrial sites could provide opportunities for employment to help our green and fair transition and enhance biodiversity.
- The UK government’s growth mission must have just transition at its centre.

### **2. Who we are**

Friends of the Earth Cymru is part of Friends of the Earth England, Wales and Northern Ireland, which in turn is part of Friends of the Earth Europe and Friends of the Earth International.

Our mission is to strive for a sustainable future for our nation. For the past four decades we have been working with our network of local groups and supporters to raise awareness of nature, climate and environmental issues and achieve positive change.

Communities doing the least to cause the climate to heat up suffer the most and are struggling the hardest to adapt. Those on low incomes, people of colour, and communities whose livelihoods depend on carbon intensive industries, are being hit the worst and will need the most support. With our local groups, we are fighting for climate and environmental justice and solutions to help people and the planet.

### **3. Why are we submitting this evidence?**

Friends of the Earth Cymru is campaigning for former opencast coal sites to be restored and made safe and accessible for local communities. We are calling for more UK government funding to remediate industrial legacy sites and an independent public enquiry into contaminated land sites and dangerous industrial legacies in Wales.

We are working closely with residents and local campaigners affected by these issues, including in the most economically disadvantaged communities of Wales, like the south Wales valleys. People living here are more likely to be negatively impacted by the environmental and economic legacy of Wales's industrial past. For instance, they are most likely to live near a coal tip in danger of collapsing, like in Cwmtillery in Blaenau Gwent or close to former industrial sites that are leaking toxic chemicals, like Ty Llwyd in Caerphilly.

We would like to share insights from our campaigning, both from our research and from discussions we have had with impacted groups and communities.

### **4. What progress has been made in addressing the environmental legacy of Wales' industrial past?**

In the past the wealth created from Wales' mining and steel industries powered the UK.

Local communities across Wales, the last to benefit from the gargantuan wealth generated by mining, ironworking, and other extractive industries, are still paying a hefty price.

Communities across Wales are living with a legacy of poorly restored old industrial sites, coal tips, toxic waste dumps, leaky landfill sites, all of which are a public health hazard and dangerous for wildlife.

A commitment at the UK/Westminster level for dangerous sites to be remediated would go some way to right the wrongs of Wales's historical legacy.

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## Ex-coal mines

Last year the Senedd's Climate Change, Environment and Infrastructure Committee's "[Report into the restoration of opencast mining sites](#)" concluded that the current system is failing people and planet. The strongly worded report condemns the long list of "broken promises" on restoration and shows a failed model of exploiting coal and communities, from policies to enforcement. In response the Welsh Government reiterated its commitment to Wales being a fossil free nation and stated that they did not believe it's likely that similar situations will arise again because of their current policies. However, Friends of the Earth Cymru has already seen proposals for further opencast mining and coal tip mining since this response, undermining this reassurance. Many disused opencast sites remain unrestored and in dangerous states for residents such as at East Pit and Margam/Parc Slip. At the enormous [Ffos y Fran](#) site in Merthyr Tydfil the restoration plan originally agreed to is not being delivered and concerned residents and local campaigners await a revised restoration plan to be submitted by the owner, Merthyr (South Wales) Ltd, while a dangerous deep void of water fills up on the site.

Communities living in the shadow of coal tips have painful memories of the tragic coal tip disaster in Aberfan in 1966. There are more than [2,573 disused coal tips in Wales](#). Storms and floods, which are becoming ever more frequent and severe in Wales due to climate change, are making coal tips more precarious.

## Coal tips

Some progress has been made to address the pressing issue of coal tips. Following unprecedented rainfall in 2020, a [landslip at Tylorstown](#) blocked the river valley and broke a foul sewer, triggering the Welsh Government to rank these tips into banded categories based on their threat to public safety. Last November, during Storm Bert, another coal tip slipped – this time in Cwmtillery, Blaenau Gwent - and residents had to be evacuated.

In December 2024 the Welsh Government published a bill proposing a [new authority](#) to prevent disused tips from threatening human welfare because of their instability.

The scale of the problem and the impact on communities and wildlife, requires public funding from the UK government to make dangerous tips safe (please see our response to the Disused Mine and Quarry Tips (Wales) Bill consultation [here](#)).

Individual local authorities have neither the capacity, expertise nor funding necessary to do this on their own. If there are insufficient public funds available, the risk is that private companies will step in to fill this gap and propose 'solutions' based on financial gain from removing and selling the coal, rather than an approach which puts safety and welfare first and prioritises dangerous tips that pose a risk to communities.

We are already seeing this situation arise with two of the tips at Bedwas in Caerphilly Council area. For example, there are no plans to tackle the tip closest to people's homes,

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which is of greatest concern to the Bedwas residents. That tip has spoil from a coking works, and not from a coal mine, so it doesn't contain any coal, and therefore has no profit potential. If the approach advocated by ERI Reclamation Ltd to remediate the Bedwas tips is seen as a solution to managing disused coal tips across the south Wales coalfields, it could escalate into a dangerous new coaling industry – as we have seen with opencast coal mining and its repercussions and legacy on communities and landscapes in recent decades.

Another coal mining industry in Wales would lead to the extraction of millions of tonnes of coal, climate-wrecking emissions, and the loss of nature sites across the country, with devastating consequences for our climate, wildlife, and local communities. It would also be counterproductive. Extreme weather, caused by climate change, is making existing coal tips less stable, so adding further greenhouse gas emissions to the atmosphere would only make them more precarious.

The UK government has confirmed that it will cut UK emissions by 81% by 2035 (based on 1990 levels) as part of international efforts to tackle the climate emergency. The 2035 target is an important show of global climate leadership. Allowing another coal mining industry to thrive in Wales undermines this policy commitment.

The UK government has announced £25 million to make Welsh coal tips safe. However, the cost of remediating coal tips over the next decade has been estimated to be £600m.

***To further support the remediation of former industrial sites, and stop another coal mining industry in Wales, we call on the Welsh Affairs Committee to urge UK government to meet the full cost of remediating dangerous coal tips.***

## Contaminated land

People are becoming more aware of the health impacts of chemicals in our soil and water, as is evidenced by the increasing number of stories [in the media](#), but there has been little action.

Some councils in England are backing [Zane's Law](#), which proposes measures to address the crisis of contaminated land in the UK. The proposed law is named after an eleven-year-old boy called [Zane Gbangbola](#), whose parents maintain their son was killed by gas washed out of a former landfill site in Chertsey.

Forever chemicals like PCBs and PFAS are especially problematic as they are extremely persistent in the environment and can lead to health problems such as [liver damage](#), [thyroid disease](#), [obesity](#), [fertility issues](#) and [cancer](#).

A survey by the Environmental Advisory Unit of the University of Liverpool for the Welsh Office in 1988 identified 749 contaminated sites in Wales. The dataset has been digitized and can be found [here](#).

We don't know if the sites on the 1988 list have been properly remediated because councils are using the [planning system](#) rather than dealing with the issue through [Part 2A of the Environmental Protection Act 1990](#). As we have seen with Ffos y Fran, this is a

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recipe for disaster if developers are not sufficiently held to account – and [Wales is currently lacking a permanent environmental watchdog](#).

Even though this pollution dates back thirty or more years, the situation has not gone away. In a survey for Natural Resources Wales in 2013, local authorities identified [more than 10,300 contaminated land sites in Wales](#). The increase in the number of sites is perhaps due to councils keeping a record after 1990 when the contaminated land legislation was introduced. The most common contaminants were benzo(a)pyrene, lead, and arsenic, all of which were identified at over 60% of determined contaminated land sites.

In 2021 [data from Natural Resources Wales analysed by Greenpeace](#) found that there dangerous chemicals such as mustard gas and cyanide buried underneath over 1500 disused landfill sites across Wales. Paul Johnson from Greenpeace has called them a ‘ticking time bomb.’

[Recent research by](#) Professor Macklin, Professor at the University of Lincoln, who gave evidence to the Welsh Affairs Committee last year, discovered that 6% of the population in Wales live near land contaminated by historic metal mining.

PCBs, a group of ‘forever chemicals’ that have been [proven carcinogenic](#), can be found [various sites in Wales](#), including Brofiscin and Maendy quarries, Penrhos and Ty Llwyd in Caerphilly, the chemicals factory in Newport and Ruabon in Wrexham. American chemical corporation, Monsanto, dumped toxic waste in many locations in the 1960s and 70s. Only two have been designated by the local authority as contaminated land and remediated – Brofiscin quarry in Rhondda Cynon Taf and Penrhos in Caerphilly. [In Caerphilly the waste was moved to Trecatti landfill site in Merthyr Tydfil](#).

Our research

Every council is required to maintain public register of contaminated land sites and the remediation undertaken. Friends of the Earth Cymru is carrying out research into how local authorities are fulfilling the duty on contaminated land under the [Environmental Protection Act 2A](#).

We’re awaiting responses from Bridgend, Torfaen and Rhondda Cynon Taf councils. Responses from other councils in Wales suggests a lack of consistency in the information recorded and the total number of contaminated sites across those counties seems suspiciously low – only 57.

Macklin’s research, which focused on west Wales, provides plenty of evidence of harmful pollutants such as lead. Yet there are no contaminated sites at all on the registers for Ceredigion, Carmarthenshire or Swansea. It is hard to believe there is no land in these Welsh counties that meets the definition of contaminated land.

In Neath Port Talbot two contaminated land sites are on the local authority register, and there was only one site on Cardiff’s register. In Caerphilly five sites were on the register but records show remediation for only some of these, while Ty Llwyd quarry was not on

the list. Again, in view of the industrialised nature of these counties, it is unlikely that there are only 8 sites that would meet the definition of contaminated land.

Some local authorities, such as Swansea and Pembrokeshire, kept registers of "potentially contaminated land", but they were not risk assessed so they could still be a risk people's health and that of local wildlife.

According to the 1990 contaminated land legislation, these registers should be available to the public, yet the information was not readily available from most councils. Friends of the Earth Cymru had to send FOI requests to obtain this information, which means the data is not accessible for most residents and members of the public. One of the councils even wanted to charge for the service. People have a right to know if they are living near to a contaminated site that could impact their health.

The UK is a party to the Aarhus Convention, which states that the public has a right to receive environmental information held by public authorities.

### Problems with the current system

Our research and discussions with local campaigners have led us to conclude that the current system is not working properly, and people and nature are not being protected as a result.

To meet the current definition of contaminated land a source, pathway and receptor must all be present, as per Part 2A of the 1990 legislation and evidence of '[significant harm](#)'. The Welsh Government's [supplementary guidance](#), published in 2012, however, sets the bar higher, specifying that for a site to be designated as contaminated there must be evidence of 'significant harm to human health' or 'possibility of significant harm to human health.' This guidance deprioritises nature and fails to take account of the effect of pollution passing through – and [potentially being magnified up - the food chain, which could impact on human health](#).

[Ty Llwyd in Caerphilly](#), recently the subject of "[Buried: The Last Witness](#)", a BBC podcast featuring Michael Sheen, serves to highlight another problem -the lack of funding available to councils to deal with legacy sites. Testing by multiple highly regarded institutions has shown high levels of PCBs in this toxic waste site. Yet testing by the council yielded different results, leading the council to conclude that the site does not meet the definition of contaminated land. Local councillors are questioning the reliability of the council testing data.

Councils like Caerphilly are in a difficult situation. As with many sites, the company responsible for the pollution, in this case Monsanto, no longer exists, and the council cannot afford to meet the costs of remediation themselves.

When pollution predates devolution, it is the responsibility of the UK government to work with the Welsh Government to provide the financial support to local authorities to keep people and nature safe. Councils must have access to sufficient funding to remediate dangerous legacy sites.

***We recommend the Welsh Affairs Committee encourages UK government to support an independent inquiry into contaminated land in Wales to assess the scale and impact of this issue and the effectiveness of the current legislation.***

***We believe the UK government should fund the remediation of other legacy sites as well as coal tips.***

## **5. Is deindustrialisation an ongoing process, and how might it affect Wales' role in the UK Government's growth mission?**

The remediation of ex-industrial sites provides opportunities for employment to help our green and fair transition and enhance biodiversity.

Colliery spoil sites, for example, support habitats and wildlife of considerable local, regional, and national importance. There are currently [99 coal tips in Wales that are within designated Sites of Special Scientific Interest \(SSSI\), and a further 32 that are Special Areas of Conservation \(SAC\)](#). Coal tips provide a refuge for diverse communities of birds, mammals, amphibians, reptiles, plants, fungi, lichens, and invertebrates such as bees, beetles and spiders.

Ex-coal mines and tips are rich in wildlife, and could become country parks, benefiting people and nature and attracting tourists. [Parc Penallta](#) in Caerphilly is a success story. Green Spaces Caerphilly write: "Carved from a former coal tip, Parc Penallta is well known as the 'place with the horse'. As one of the largest figurative earth sculptures in the country, 'Sultan the Pit Pony' attracts visitors from far afield who come to see and admire him."

These sites also have the potential to become solar or wind farms and contribute to our green transition, though local communities must be properly consulted and be able to benefit from the developments. Some ex-coal mines are heating people's homes via geothermal heat. In the [West of England](#) ex-coal mines are being mapped for their renewable energy potential.

Providing funding to remediate these sites could boost Wales' sustainable tourism. [Here](#) are some more examples from other countries.

Growth and environmentalism are '[compatible](#)', but a "growth trumps all" approach is dangerously short-sighted and bad for people and planet. The UK government's growth mission must have just transition at its centre.

The communities that are paying the price for Wales' industrial legacy, are those communities where we see the highest inequalities. Deindustrialisation, if done badly, could exacerbate these inequalities, as we have seen in Port Talbot where the closing of blast furnaces has cost thousands of people their jobs and their income.

UK government must ensure that investment in heavy industries is done in a way that is sustainable for both people and planet, and in consultation with local communities and workers.