

R I C H A R D S

M O O R E H E A D & L A I N G L T D

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3274/01 Letters Out/2026-05-29

If telephoning please ask for: Jon Stoddard

David Cross
Group Leader Development Control,
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Friday 29th May 2026

By e-mail to: david.cross@merthyr.gov.uk

Dear David,

RE: Ffos-y-Fran - Variation of conditions 4 (Duration and Restoration), 6 (Approved Plans) and 51 (Restoration Strategy) of planning permission APP/U6925/A/10/2129921 involving a revision to the restoration scheme.

We refer to the e-mail received from MTCBC on 23rd April 2026 sent to us as agents acting on behalf of the Applicant Merthyr (South Wales) Ltd (MSW). The e-mail refers to comments received from consultees to the planning application Ffos-y-Fran P/25/0037 and recent submissions. We have made the assumption that recent submissions referred to mean the following documents issued by RML to MTCBC by e-mail on 25th March 2026:

- Geotechnical Stability Report (March 2026) James Associates (JA-MSW-FF-GSR-001-01-Rev01)
- Catchment and Flow Analysis – Nant Morlais Catchment Area - February 2026 - Waterco (15840- Hydrology Assessment – Morlais-01)
- Catchment and Flow Analysis – March 2026 - Waterco (15840- Hydrology Assessment-02)

The e-mail contains attachments from Natural Resources Wales (NRW), MTCBC Internal Memorandum (17/04/2025 - addendum to Hugh Towns from Matt Davies-Ecologist), memo from Coal Action Network to MTCBC (06 April 2026).

The main body of the e-mail contains comments from MTCBC Engineers on two aspects of the proposed restoration strategy namely drainage and geotechnical matters. On behalf of MSW we respond to the matters relating to drainage only taking each point sequentially as follows.



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Comments raised by MTCBC are in italics followed by a response from MSW in non-italics:-

1. Generally

- 1a) *The documents provided are a desktop capacity assessments of the on/offsite drainage based on drawings provided by RML.*

Please be reminded that the documents referred to above by Waterco and issued to MTCBC on 25/03/2026, are additional documents to those previously submitted as part of the original planning application in February 2025 that was validated later in the same month (20/02/2026). The Application contained the following documents that should also be considered in relation to information on matters relating to drainage and were not solely desktop assessments provided by consultants Waterco: -

- Environmental Statement (ES) Volume 1 – Technical Report – January 2025
- ES Appendix 10A – Flood Consequences Assessment & Drainage Strategy – January 2025
- ES Appendix 10B – Baseline and Preliminary Water Framework Directive Compliance Assessment – January 2025
- ES Appendix 10C – Hydraulic Modelling Summary Note – December 2024
- Supplementary Environmental Information (SEI) Report– November 2025

In completing the assessments, up-to-date topographical plans were provided by MSW and Waterco hydrologists also carried out their own detailed site inspection on 11/09/2024 as reported in both the FCA (Appendix F – Photographic Record and Site Visit Plan) & WFD (Appendices G - GCN Survey). These site inspection surveys included watercourses on site such as lagoons, ponds, channels and culverts around the site boundary and including those that pass beneath the A4060.

The original Hydrological Analysis Report (2015) by Amec Foster Wheeler was also referred to when preparing the Environmental Statement and further hydrology assessments.

- 1b) *The assessment is unlikely to take in to account the current state of repair or capacity of surface water features across the site as well as any receptor drainage systems.*

As the landowner of the site subject to the planning application, MSW acknowledge their responsibilities under the Land Drainage Act 1991 for non-main rivers and ordinary watercourses. As stated above, these have been inspected and their condition and capacity recorded in the reports prepared as part of the Environmental Impact Assessment (EIA) and planning application. The receptor drainage systems are not the responsibility of MSW and have been in place throughout the operational period of Ffos-y-Fran.

The alternative restoration scheme retains the existing water treatment areas as part of the scheme, many of which contain evidence of Great Crested Newts (GCN) that are European Protected Species (EPS). Run off and flow rates will be conveyed to the attenuation ponds via existing systems such that discharge to off-site water courses and are controlled as they were under the NRW permits to discharge during the operational period of the mine. The retention and enhancement of the attenuation ponds has many environmental benefits over the original restoration strategy.



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Detailed proposals for enhancement of pond habitat for GCN will be prepared as part of the GCN Conservation Plan that NMRW have agreed to being a condition of any planning consent.

- 1c) *As Alan has mentioned previously, a drainage strategy for the entire site is required to compliment the planning application.*

MSW are of the opinion that this has been substantially considered and provided by the reports submitted, and as already stated, complimented by the Flood Consequences Assessment (FCA), Water Framework Directive (WFD) and Hydraulic Modelling Report in Appendix 10 of the ES submitted as part of the planning application. These reports are also supplemented by information on the hydrogeology of the groundwater, including the drainage and recharge of the lake (ES Appendix 8) and the SEI report on the Dowlais Free Drainage System (DFDS). Geochemistry of groundwater is also evidenced in ES Appendix 9 (AMD Risk Assessment) based on extensive sampling of the surface and groundwater since open cast mining commenced in 2007.

- 1d) *The strategy should take in to account condition and capacity of what's been constructed on site and should also consider the apparent omissions from phase 1.*

MSW consider this has been taken account of in the recent report Catchment and Flow Analysis – Nant Morlais Catchment Area - February 2026 - Waterco (15840- Hydrology Assessment – Morlais-01-Figure 1) which has used existing contour grips to direct and redefine the catchments in Nant Morlais A & B to ensure that all run off can be safely discharged into existing off-site watercourses under the A4060 without the need to construct large attenuation ponds. This has been verified by using ReFH2 software and outputs included in Appendix D of the same report.

2. Morlais A culvert catchment

- 2a) *It is unclear what is currently draining to this system and contour grips and channels indicated on the drainage plan have been altered.*

The drainage systems that are currently entering the lagoons are clearly shown in Figure 1 of the Hydrology Assessment referred to above. The report has concluded that based on the analysis of peak flows, culvert capacities and capacities of receiving watercourses, the culverts which drain the on-site catchment areas to the Nant Morlais catchment, and the receiving watercourses (Goat Mill Brook and Bradley Gardens Stream) are of sufficient capacity to accommodate the 1 in 100 year plus 40% climate change event and the 1 in 1000 year event. As such, additional on-site attenuation storage is not required. The existing storage lagoons located within culvert catchment A will be retained.

- 2b) *Further information on which drainage systems are currently entering the lagoons will be required.*

The catchments are clearly defined in the Hydrology Assessment report which use the existing contour grips to direct and channel all run off from the area through WA culvert beneath the A4060. The lower contour grip in this catchment area was constructed around 9 years ago in 2017 and runs from an elevation of approx 342m AOD in the south to approx 332m AOD in the north where it enters MTCBC owned land into the development area.



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Whilst the plan shown in the 'Catchment & Flow Analysis Report' at Appendix C generally illustrates the catchments and contour grips. This is based on an up-to-date detailed topographical plan that was provided by MSW and which includes restoration carried out in 2025 and 2026 and precise details of all the contour grips and drainage features on the site. This detailed plan was used in the calculations of the catchments and flow rates carried out by Waterco and included in the production of the report. Therefore, the provision of further information is not considered to be necessary.

- 2c) *The current condition/capacity of the lagoons to the west of the catchment are unknown. Are any clearance and landscaping works required to ensure adequacy?*

MSW have assumed this comment refers to water treatment area WB which consists of an attenuation pond connected to a pair of final settlement ponds by a hydro break delivering a maximum of 100 litres/second. Storage in the attenuation pond below the hydrobreak is 1,419m³ and above the hydro break to the overflow level is 10,0385m³. The two settlement ponds each have a volume of around 576m³. Pictures of this system and all other water features on site are included in the WFD (Appendix H) together with a description of their ecological status (Appendix G). These lagoons are dug into a combination of original ground and old backfill material and are lined with a upvc liner and tested negative for the presence of GCN. However, as part of the restoration works, a scheme will be submitted for approval to undertake some aesthetic and other engineering/ecological works to deal with the liner and enhance their ecological value and biodiversity. This could be included as part of any planning approval by a suitably worded condition which would consider all retained water features as agreed with the NRW. Long term stability of all retained features are also considered as part of James Associates Geotechnical Stability Report.

- 2d) *Survey information has been provided on the receiving watercourse at Goatmill Road although it is unclear if this is historic data or based on current conditions.*

The survey information used was based on the original detailed survey carried out by AFW and checked by a walkover survey which showed some fly tipping in the wider parts of the watercourse around the culvert/bridge near Goat Mill Road roundabout. MSW are not aware of any significant developments or reasons why this original survey would not be valid and are also not riparian owners of the watercourse. Based on a 1 in 100 event plus 40% climate change there was headroom capacity in the watercourse of around 13% at the narrowest part around CH200 (i.e. peak run off = 1,636.8l/s v watercourse capacity = 1,848.3l/s).

3. Morlais B culvert catchment

- 3a) *The catchment appears inaccurate and doesn't reflect as constructed contour grips and channels. A further review of the catchment based on actual construction is required.*

The catchment has been defined using detailed topographical information that recorded levels and ground features including contour grips. It is understood that the topographical surveys were undertaken by MSW during 2025/2026 following progressive restoration agreed with MTCBC. Therefore, we do not consider further review of the catchment is required. Copies of the topographical survey can be made available for inspection/verification if required.



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- 3b) *Survey information has been provided on the receiving watercourse at Goatmill Road although it is unclear if this is historic data or based on current conditions.*

The survey information used was based on the original detailed survey carried out by AFW and checked by a walkover survey (October 2025) which showed some vegetation in the channel however, there were signs that maintenance of vegetation has been carried out by a third party, assumed to be MTCBC). MSW are not aware of any significant developments or reasons why this original survey would not be valid and are also not riparian owners of the watercourse. Based on a 1 in 100 event plus 40% climate change there was headroom capacity in the watercourse of around 18% at the narrowest part around CH200 (i.e. peak run off = 2,120.5l/s v watercourse capacity = 2,510.2l/s).

- 3c) *Six soakaways are still indicated on the drainage plan with no evidence of suitability for managing runoff. It is unclear if the soakaways have been considered in the Hydrology report.*

There are eleven soakaways indicated on the drainage plan in the Hydrology Report (Appendix C) Site Watercourse/Drainage Plan). MSW met with MTCBC engineers on site as requested. The assumption has been made in the calculations that if still functioning the soakaways will be filled in which may also require some localised connection of existing contour grips to channel run off. Any details regarding further works to the soakaways can be agreed on site between MSW and MTCBC.

4. Morlais C culvert catchment

- 4a) *Very little is known about this system, its suitability and whether or not it's fit for purpose. Further survey information will be required to support the application.*

Morlais C culvert catchment covers approximately 3.03 hectares and is at the western edge of the site and feeds into a culvert adjacent to Mountain Hare Roundabout. MSW have made requests to MTCBC in the past for the details of the drainage in this area and under the A4060, particularly as this must have been considered as part of the new A4060 road layout. However, MSW were informed by MTCBC that no records are available. MSW are not the riparian owners of this system off-site. Installed culverts are 250mm in size and assuming they were correctly designed and installed appear large enough to deal with the calculated run off of a 1 in 100 + 40%. AFW made the assumption that the additional run off over and above the original calculated figure (i.e. before work commenced) would be attenuated in pools and swales of capacity $C = 384\text{m}^3$ and $D = 115\text{m}^3$. Run off volumes to date in these areas, which are relatively low flow, have been dealt with by way of soakaways. If MTCBC are not prepared to approve the limited use of soakaways, then a similar assumption as AFW may have to be adopted here in the absence of any definitive information provided by MTCBC regarding the off-site drainage network in this area. It should also be noted that the proposed restoration strategy would not affect the drainage regime in this area from the existing conditions.

5. Morlais D catchment

- 5a) *Very little is known about this system, its suitability and whether or not it's fit for purpose. Further survey information will be required to support the application.*

This is a small catchment area of 1.6 hectares and would not be affected by the alternative restoration proposals.

Nevertheless, and as for Morlais C catchment, details of the receiving drainage system have been requested from MTCBC but no information has been received to date. It would be useful to clearly state what further information is actually required by MTCBC.

6. Quarry Void Catchment

- 6a) *A waterfall to the north east of the void is indicated but there is no evidence to suggest the ground material is suitable to support this type of feature.*

The waterfall referred to above is a cascade of water that descends to the lake the from an issue roughly halfway up the highwall draining the underground strata. The rock appears competent in the wall above this source and an appropriate location place to divert run off into the void to assist drainage and create a feature. It will be difficult to drain all run off away from the base of OB1 and some of it will have to drain over the wall and into the void. It seemed more appropriate to collect this run off in a single place rather than allow it to find its own way over the highwall forming multiple riverlets.

- 6b) *There still remains uncertainty over the destination of water within the void. Further investigations in to potential receptors should conducted.*

The destination of the water within the void is effectively the final destination as natural ground water level. This has been the subject of extensive investigation., modelling and monitoring of the groundwater by Groundwater Science in ES Chapter 8 Hydrogeology and Appendix 8A Hydrogeology Technical Report (24/01/2025).

During the course of preparing the ES, several discussions with the NRW and following the consultation period, further information on the role that the Dowlais Free Drainage System plays in the drainage was submitted in the SEI Report (Section 3 and Appendix B) in December 2025. Potential receptors have been discussed in these reports, and a draft surface and groundwater monitoring scheme has been submitted to MTCBC and NRW for consideration as part of a proposed planning condition (SEI Report Appendix C). As far as we are aware the NRW do not have any outstanding issues regarding this matter and are satisfied to agree the details of a monitoring scheme as part of a planning condition. The levels of the lake and it's reaction to weather conditions has now been monitored extensively since the pumps were removed in the summer of 2023 and it is worth noting that whatever final restoration strategy is adopted, the conclusions will always be the same as the lake is effectively the groundwater table and would just be incorporated into the groundwater levels if backfilled. Because the primary drainage network lies beneath the basal seam the rebound of the water table has been to similar levels as existed prior to mining operations and will generally continue to discharge as it has always done so.

- 6c) *The rate of infiltration with the void floor/walls and the water quality within receptors from the void water remains uncertain and the destination of infiltrating water from the void remains uncertain.*

“The potential connection of the groundwater to the former DFDS and surface water outfalls is difficult to prove or evaluate with any certainty, as is the case with many other underground systems throughout the South Wales coalfield.

While a number of scenarios can be explored and hypothesised, the assumptions made will always be open to interpretation given the absence of firm background evidence and lack of definitive survey records due to their age. " (Paragraph 3.9 SEI Report extracted).

MSW have monitored lake levels and its reactivity to weather conditions/events for almost 3 years and the lake is behaving as expected, with seasonal rises and falls in water level within forecasted parameters which are not too dissimilar to the groundwater levels that existed pre-mining as discussed in detail with NRW and contained in the information contained in Groundwater Science's report and SEI. Similarly, the water from receptors surrounding the site has been tested against a large number of determinants throughout the duration of the scheme, as agreed with the NRW, in accordance with Condition 44 of the planning permission. In addition, water in the void has also been actively sampled since 2021 against these determinants plus additional parameters, which were agreed with the NRW to detect any potential issues due to Biffa. MEM have considered all of these results and reported their findings in the ES Chapter 9 and Appendix 9A AMD Risk Assessment which in general shows there are no significant issues arising. Further monitoring has been proposed in the SEI report and proposed Water Quality Monitoring Plan (WQMP) for the aftercare period.

7. OB1 Northern Catchment

7a *No construction details have been provided for the blockstone channel to the North East and North West of the catchment.*

Blockstone channels in watercourses will be constructed in a similar manner to those constructed as part of Phase 2B using on site and/or imported blockstone depending on availability and suitability. Blockstone would be placed using an excavator and grouted using a 'dry mix'. Drop channels, cascades, pools and random changes of gradient would be incorporated along the line of the watercourse to slow down and attenuate flows. On the overburden mounds blockstone cascades would be used in a staircase design to collect and convey water down the side slopes which would be typically be a minimum 0.5m deep x 1 metre wide (vertical sides) using a 'dry mix' grout. As undertaken for Phase 2B, a schedule of watercourses showing locations, dimensions and proposed construction materials can be provided for consideration.

7b) *Further detail required for the channel marked existing channel that catchment drains to. Further information on construction condition required.*

This watercourse is a naturally formed channel and has always drained this part of the site before operations commenced. A photographic record of condition can be provided but it is not anticipated undertaking any additional work in this area as the channel is considered 'fit for purpose'. Other naturally formed watercourses are also present on site close to the site boundary, these are included in the FCA and WFD which contains a photographic record and plans following the site visit by Waterco hydrologists on 26/11/2024. It is not proposed to undertake any further work to these naturally formed watercourses as part of the restoration proposals unless it is essential to link into the wider drainage network from the site.

7c) *The catchment drains to a 600mm culvert near the A4060 which appears to be outside the site boundary. Further information is required on the condition of the culvert and the destination of surface water from the culvert.*



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This watercourse forms part of the Cae Harris catchment which generally lies to the north of Ffos-y-Fran and drains under the A4060 via the Cae Harris culvert and west in the direction of the Antelope Hotel to join into the Dowlais culvert network. The majority of run off in this catchment originates from the slopes of the Trecatty/Biffa site area. Details of the culverts in this area are included in the FCA and WFD (photographs 12 and 13 north of Ffos-y-Fran and photographs 14 and 15 adjacent to Ffos-y-Fran site boundary).

8. Bargoed Taf NE catchment

- 8a) *No construction details have been provided for the blockstone channel situated in the central portion of the catchment.*

The blockstone channel proposed for this catchment will typically be similar to that constructed in Phase 2B and as described in the response to 7a Above. As for Phase 2B, a schedule of watercourses showing locations, dimensions and proposed construction materials can be provided for consideration.

- 8b) *The current condition/capacity of the lagoons to the south of the catchment are unknown. Is any clearance work required to ensure efficiency.*

We have assumed this refers to water treatment area WC1 which consists of 2 No. attenuation ponds connected to a pair of final settlement ponds by a hydro break delivering a maximum of 100 litres/second. Maximum silt storage in the attenuation ponds below the hydrobreak are 5,215m³ (2nd pond) and 4,443m³ (1st pond) and water storage above the hydro break to the overflow level is 6,343m³ (2nd pond) and 7,863m³ (1st pond). The two settlement ponds each have a volume of around 875m³. Pictures of this system and all other water features on site are included in the WFD together with a description of their ecological status. These lagoons are dug into existing ground and whilst the two attenuation ponds tested negative for GCN the two settlement ponds tested positive. As part of restoration works a scheme will be submitted to NRW for approval as part of the EPS licence application to undertake some aesthetic and other ecological works to enhance their ecological value and biodiversity. It is hoped that this can be included as part of any planning approval by a suitably worded condition which would consider all retained water features, as agreed with the NRW. Long term stability of all retained features are also considered as part of James Associates Geotechnical Stability Report.

- 8c) *Detail of any landscaping proposals for the lagoons has not been provided.*

Details of landscape proposals for the lagoons have been prepared in draft as part of the GCN Conservation Plan that will be submitted as part of the EPS licence application. It is our understanding that this can only be considered formerly by NRW once a planning Application has been approved. Photographs and ecological descriptions of all ponds on site are included in the FCA and WFD and it is proposed to retain as much suitable habitat as possible and build any aesthetic and biodiversity enhancements around these naturally colonised habitats. It may be necessary to undertake some desilting works and soften the margins before sensitively improving the biodiversity with targeted planting and other ecological work. Typical details of the general approach to the ponds would be provided in the EPS licence application.



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- 8d) *The condition and suitability of culverts along Bogey Road upstream and downstream of the lagoons is unknown and further survey information is required.*

Details of these culverts are included in the FCA and WFD, however MSW have re-visited all the culverts in the site and will collate pictures and details on condition for your information in due course. As run off from the site will primarily be through existing attenuating facilities and ponds the culverts on the Bogey Road are 'fit for purpose' and are generally free flowing and in a serviceable condition, with no evidence of collapse of the culvert or headwalls and as such, it is not proposed to replace any of these culverts. It is worth noting that the original restoration strategy required removal of the site attenuation ponds which would put more pressure on the discharge flow rates beneath the Bogey Road and downstream watercourses.

- 8e) *Proposals for construction of drainage channels north of the lagoons is unknown.*

As shown by the watercourse plan, the drainage channels north of WC1 will be a combination of blockstone (from OB1) and concrete canvas, with large sections of 'naturally' formed watercourse, particularly as this system has operated this way for the last 20 years and will continue to do so feeding into WC1 attenuation ponds. As previously stated, MSW will draw up a schedule with proposed locations, construction materials and dimensions for your consideration, similar to the format used for the Phase 2B submission.

9. OB2 Nant Gyrawd catchment

- 9a) *Destination of the watercourse along the eastern flank of the catchment is unknown. Further details required.*

This is an existing 'natural' watercourse which runs north - south to the east of OB2 outside the site boundary. It enters the site around the traffic lights and is culverted under the cattle grid and Bogey Road to discharge into a settlement pond within the confines of Cwmbargoed D.P. (see photo P16 in Appx G of WFD and Photo No.1 Appx H of WFD).

From here it is discharged south through two culverts under the railway and flows into the valley and headwaters of the Nant Gyrawd as shown by the identified waterbodies on the Site Visit Record plan in the WFD (Appendix H). This watercourse would remain unchanged as a result of the alternative restoration proposals should they be approved.

- 9b) *Condition of 550mm culvert beneath Bogey Road unknown. Further survey information required for this part of the drainage system.*

MSW have re-visited all the culverts in the site and will collate pictures and details on condition for your information in due course and present the information as part of an Asset Schedule of watercourses and water treatment areas.

10. OB3 Nant Gyrawd catchment

- 10a) *The current condition/capacity of the lagoons to the south east of the catchment are unknown. Is any clearance work required to ensure efficiency.*



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It is assumed this refers to water treatment area WG which consists of an attenuation pond connected to a pair of final settlement ponds by a hydro break delivering a maximum of 100 litres/second. Storage in the attenuation pond below the hydrobreak is 8,554m³ and above the hydro break to the overflow level is 16,408m³. The two settlement ponds each have a volume of around 2,288m³. Pictures of this system and all other water features on site are included in the WFD together with a description of their ecological status. These lagoons are dug into natural ground and have tested positive for the presence of GCN. Therefore, an EPS licence will be required from the NRW before any works can be carried out. As with the other water treatment areas, a scheme will be submitted for approval to undertake some aesthetic and other engineering/ecological works to enhance their ecological value and biodiversity. It is anticipated this can be included as part of any planning approval by a suitably worded condition which would consider all retained water features as agreed with the NRW as part of the licence application. Draft proposals as part of the GCN Conservation Plan have been prepared for discussion and agreement subject to permit, economics, achievability and aftercare. Long term stability of all retained features are also considered as part of James Associates Geotechnical Stability Report.

10b) *Detail of any landscaping proposals for the lagoons has not been provided.*

Typical details of the pond treatments have been prepared in the draft GCN Conservation Plan as referred to above. NRW have indicated that they would be happy for this to be a suitably worded condition of any planning consent. NRW state in their letter to MTCBC dated 7th October 2025 (Ref. CAS-286263-P6X2).

“Consequently, for the purposes of demonstrating no detriment to the maintenance of the favourable conservation status of the local population of the species planning conditions and obligations will be required.”

NRW outline four conditions including one (No.2) that requires *“further detail of on site habitat retention, enhancement and creation proposals associated with terrestrial and aquatic habitats.”* This will be provided as part of the GCN Conservation Plan following approval of the planning application.

11. Cwm Blacs Catchment

11a) *Hydrology report “15840- Hydrology Assessment – 02” makes an assumption the catchment drains to culvert K which is incorrect.*

Accepted. As part of the drainage strategy, there was a need to reduce the Cwm Blacs catchment area and flows due to off-site issues in the Cwm Blacs downstream, where it meets the A4060. Some of the revised catchment in the area local to culvert K now drains this way directly, but a lot of the run off is now channelled into a depression, forming a pond 'P04' in Appx G of WFD, which was also constructed to attenuate and mitigate run off volumes down through Culvert K, and the adjoining culvert running south west below the field next to Incline Side. A small area below the lower contour grip drains directly onto the Bogey Road.

- 11b) *The source of water at the inlet of culvert K is unknown and further investigation/surveys are required.*

Culvert K is significantly over designed for the volume of run off it now drains from a localised area above it. However, a relatively small additional volume will now also be drained this way once the soakaways have been filled in and removed in accordance with MTCBC requirements. Minor changes to the grips may be required to redirect water once the soakaways are removed.

- 11c) *The majority of the catchment appears to drain to the lagoon and wetland area to the east of the catchment.*

Agreed. This wetland and pond area is again identified in the FCA and WFD. The majority of the run-off from the reduced Cwm Blacs catchment area flows into this wetland area which attenuates the flow and discharges under the Bogey Road into the watercourse running east - west down past Incline Side from Sarn Howell Pond. However, the source of this run-off is predominantly from the catchment around Sarn Howell Pond (south-east of Bogey Road) and the old railway cutting below the aqueduct (east of Bogey Road) which are isolated areas which have not been affected by site operations. This will continue to operate and drain as previously done so. A small part of the flow to the wetland area meanders west through the old tips and finds its way into pond P03 (WFD Appx G GCN Survey) which is a small, lined pond that has tested positive for the presence of GCN and will require a EPS permit from the NRW before improvement works are carried out.

- 11d) *It is unclear if the existing culverts beneath Bogey Road are of suitable capacity.*

The majority of run off into the wetland east of the catchment is from land which has been unaltered by mining operations, so the volumes of water are as they have always been or substantially less than before mining commenced as the Cwm Blacs catchment area was significantly much larger than it is now.

- 11e) *Five soakaways are still indicated on the drainage plan with no evidence of suitability for managing runoff. It is unclear if the soakaways have been considered in the Hydrology report.*

The hydrology report has not considered the potential effect of soakaways as these are now likely to be defunct and have a localised influence on the overall hydrology of the site.

- 11f) *A recent site visit confirmed that a number of grips within the catchment have failed and need to be addressed to prevent flooding on Bogey Road.*

MSW are not aware of any incidents of flooding on the Bogey Road as a result of grips failing and this has been mitigated by the soakaways which have effectively prevented run off. However, it is accepted that once the soakaways are removed, some minor works may be required to repair, extend or link grips to control run off but suggest this should be achieved by agreement on site with MTCBC engineers.

- 11g) *A recent site visit confirmed that a the lagoon liner is exposed and requires attention. Details of any landscaping proposals for the lagoon are required.*

Details of the remedial and enhancement works proposed for the pond (Pond 03) will be provided in the GCN Conservation Plan and submitted to discharge any planning condition once approved.

- 11h) *A steel pipe on the western side of the lagoon appears requires surveying to confirm its purpose.*

Pond P03 which we believe was lined with upvc around 20 years ago, receives small amounts of run off from the wetland area to the east. On occasions the pond level rises causing overtopping of small quantities of water through the pipe in the west which simply soaks away into the backfill. It is not known whether this situation can be improved without undertaking major engineering works which MSW feel would be disproportionate in both extent and costs. Improvement works to deal with the liner and surrounding vegetation are proposed as part of the GCN Conservation Plan due to the presence of GCN in the pond and would be subject to an EPS Licence being approved by NRW.

12. OB3 Bargood Taf Trib 1 Catchment

- 12a) *The current condition/capacity of the lagoons to the south of the catchment are unknown. Is any clearance work required to ensure efficiency.*

It is assumed this refers to water treatment area WF which originally consisted of an attenuation pond connected to four final settlement ponds by a hydro break delivering a maximum of 100 litres/second. However, this attenuation pond was filled in as part of the works to construct and extend OB3 in the south. Therefore, only the four settlement ponds remain, each of which has a volume of around 917m³. Pictures of this system and all other water features on site are included in the WFD together with a description of their ecological status. These settlement ponds are dug into natural ground and have tested positive for the presence of GCN. Therefore, as with the proposed works on all ponds on site, an EPS licence will be required from NRW before any works can be carried out. Long term stability of all retained water features are also considered as part of James Associates Geotechnical Stability Report.

- 12b) *Drainage systems feeding in to the lagoons is unclear and further survey work will be required.*

WF lagoons were only utilised during the initial site establishment works in the southern part of OB3 such as soil stripping, excavation to the Hafod seam and tipping to form OB3. Since tipping on OB3 was completed in 2015 the requirement for these lagoons has diminished. It now only receives water from a very localised area immediately around the ponds, with the main source of water feeding the ponds originating directly from the underdrainage of OB3. This discharge initially collects in a pond, which has ecological value, immediately above the four settlement ponds which in turn feeds 'clean' water through the penstock valve into the settlement ponds at relatively low flow rates.



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There is evidence of ochre staining in these ponds which has been regularly monitored and does not cause issues downstream of the discharge point as discussed by MEM in their AMD Report (ES Appendix 9A) and SEI Report (Appendix E – Water Quality Monitoring Plan (WQMP) which also considers mitigation and monitoring during aftercare.

13. OB3 Bargoed Taf Trib 2 Catchment

- 13a) Blockstone channels in watercourses will be constructed in a similar manner to those constructed as part of Phase 2B using on site and/or imported blockstone depending on availability & suitability. A blockstone cascade is proposed to channel water down from OB3 in the form of a 'staircase' design which will collect and convey water down the side slopes. This would typically be a minimum 0.5m deep x 1 metre wide (vertical sides) using a 'dry mix' grout. As for Phase 2B, a schedule of watercourses showing locations, dimensions and proposed construction materials can be provided for further consideration and approval. The watercourse from this cascade will eventually flow into the wetland area to the west of WF settlement ponds (photo 36 of WFD Appendix H).

- 13b) *Details of drainage grips serving the crest of OB3 are required.*

Watercourses on top of OB3 are generally proposed to be a bed width of 0.3m, depth of 0.5m and top width of 2.3m (1 in 2 sides) and would be lined with hessian type liner. At a fall of only 1 in 100 this would give these drainage channels a discharge capacity of 0.75m³/sec³. The contributing run off from the whole of OB3 top plateau has been calculated at 2.08m³/sec (1 in 100 + 40% for CC). Therefore, the southern third will be drained via the cascade (described above) with the eastern & western thirds channelled to the concrete canvas watercourse in the north down the existing access ramp. This concrete canvas watercourse will have a bed width of 0.3m, depth of 0.5m and top width of 2.3m (1 in 2 sides) and at a fall of around 1 in 10 it will have ample capacity to convey the calculated flows.

As the eastern and western watercourses approach the concrete canvas watercourse, the channel width at the base will be increased to 0.5m to ensure there is no overtopping of channels during extreme events. As previously stated, MSW will draw up a schedule with proposed locations, construction materials and dimensions for your consideration, similar to the format used for the Phase 2B submission.

- 13c) *Details of culverts beneath any access tracks within the catchment are required.*

MSW is unsure what is being referred to here and would like further clarification. The only culverts known of are in the vicinity of the Monster Valley motocross track. Details of some culverts are included in the FCA and WFD following the walkover survey of Waterco hydrologists. However, for completion, MSW have re-visited all the culverts in the site and will collate pictures and details on condition for your information in due course as an Asset Schedule. All discharge in this area of the site flows south and under the unclassified road before entering the Bargoed Taf.

14. OB3 Bargoed Taf Catchment

- 14a) *Condition of all culverts within the catchment are unknown. Further survey information is required for condition capacity assessments.*

MSW have re-visited all the culverts on the Ffos-y-Fran site and are currently preparing Asset Schedule of watercourses and water treatment areas that will include photographs and notes of condition. This will be shared with MTCBC in due course.

- 14b) *A culvert to the west of OB3 appears to have been omitted.*

Please could you provide more details on the location and description of this culvert and MSW will make sure it is included in the Asset Schedule.

- 14c) *Construction details for drainage grips serving the crest of OB3 required.*

Please refer to point 13b above.

- 14d) *Construction details for watercourse routed along the north western edge of OB3 required.*

This proposed watercourse will be constructed using concrete canvas and have a bed width of approximately 0.3m, depth of 0.5m and top width of 2.3m (1 in 2 sides). At a fall of around 1 in 10 it will have ample capacity to convey the calculated flows. A schedule with proposed locations, construction materials and dimensions will be prepared for your consideration.

- 14e) *There appears to be a drainage system the south western area of OB3 serving ground water meaning from the toe of the tip. Further information on the purpose of this drainage system is required.*

Please could you provide more details on the location and description of this drainage system as we are unsure what is being referenced here?

South-west of the toe of OB3 is a water treatment area WF which discharges into the Bargoed Taf. Further downstream is a low-lying wetland area which collects underdrainage from OB3 before discharging into twin 600mm diameter concrete culverts beneath the unclassified road as it sweeps round to the right before rising back up to the cattle grid. This area is a regular fly tipping area which occasionally causes the culverts to block. MSW are unsure who owns the land both under and south of the unclassified road but believe that MSW are not the riparian owner of these culverts or downstream watercourse which is the subject of fly tipping. The headwall at the discharge end appears in reasonable condition, however repairs may be needed to the inlet end headwall.

- 14f) *A number of lagoons are located within the catchment. The current condition/capacity of the lagoons within the catchment are unknown. Are any clearance and landscaping works required to ensure efficiency?*

To the south of OB3 is water treatment area WI which consists of an attenuation pond connected to a pair of final settlement ponds by a hydro break delivering a maximum of 100 litres/second. Storage in the attenuation pond below the hydrobreak is 2,490m³ and above the hydro break to the overflow level is 4,775m³. The two settlement ponds each have a volume of around 925m³. Pictures of this system and all other water features on site are included in the WFD together with a description of their ecological status. These lagoons are dug into natural ground and the two settlement ponds have tested positive for the presence of GCN. Therefore, an EPS licence will be required from the NRW before any improvement works can be carried out.

To the west this catchment, and either side of the Bogey Road, is water treatment area WC which consists of an attenuation pond (north of Bogey Road) connected to a pair of final settlement ponds (south of Bogey Road) by a hydro break delivering a maximum of 100 litres/second. Storage in the attenuation pond below the hydrobreak is 8,098m³ and above the hydro break to the overflow level is 11,394m³. The two settlement ponds each have a volume of around 922m³. Pictures of this system and all other water features on site are included in the WFD together with a description of their ecological status.



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These lagoons are dug into natural ground, and the two settlement ponds have tested positive for the presence of GCN. Therefore, an EPS licence will be required from NRW before any improvement works can be carried out.

As with the other water treatment areas, a scheme will be submitted for approval to undertake some aesthetic and other engineering/ecological works to enhance their ecological value and biodiversity. It is hoped that this can be included as part of any planning approval by a suitably worded condition which would consider all retained water features as agreed with the NRW as part of the licence application. Draft proposals as part of the GCN Conservation Plan have been prepared for discussion and agreement subject to licensing, economics, achievability and aftercare. Long term stability of all retained features are also considered as part of James Associates Geotechnical Stability Report.

We hope that you find responses to your queries useful and assists your understanding of the final restoration proposals. We believe that the preparation of the Assets Schedule will help clarify the location and condition of all the watercourses and water treatment areas on the Ffos-y-Fran site. We would hope that the requirement for an EPS Conservation Plan can be provided for by means of a suitably worded condition as suggested by NRW and as previously conditioned (57).

Should your engineers wish to discuss or clarify any of the matters raised, or require any further information, please do not hesitate to contact the undersigned or the MSW Restoration Manager Mr Chris Barber.

Yours sincerely,

Jon Stoddard

Jon Stoddard
Principal Landscape Architect and Environmental Coordinator
RICHARDS, MOOREHEAD AND LAING



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