



**Cynulliad Cenedlaethol Cymru
Pwyllgor yr Amgylchedd, Cynllunio a Thrafnidiaeth**

**The National Assembly for Wales
Environment, Planning and Transport Committee**

**Ymchwiliad i Safle Tirlenwi Nantygwyddon
Investigation into Nantygwyddon Landfill Site**

**Cwestiynau 1-44
Questions 1-44**

**Dydd Mercher 12 Rhagfyr 2001
Wednesday 12 December 2001**

Aelodau o'r Cynulliad yn bresennol: Richard Edwards (Cadeirydd), Eleanor Burnham, David Davies, Geraint Davies, Sue Essex (Gweinidog dros yr Amgylchedd), Brian Gibbons, Helen Mary Jones, Val Lloyd, Karen Sinclair, Rhodri Glyn Thomas.

Swyddogion yn bresennol: Keith Bush, Swyddfa'r Cwnsler Cyffredinol; Peter Wright, Cynorthwy-ydd Mr Purchon.

Tyst: David Purchon, Ymchwilydd Annibynnol.

Assembly Members present: Richard Edwards (Chair), Eleanor Burnham, David Davies, Geraint Davies, Sue Essex (Minister for Environment), Brian Gibbons, Helen Mary Jones, Val Lloyd, Karen Sinclair, Rhodri Glyn Thomas.

Officials present: Keith Bush, Office of the Counsel General; Peter Wright, Assistant to Mr Purchon.

Witness: David Purchon, Independent Investigator.

*Dechreuodd y cyfarfod am 2.05 p.m.
The meeting began at 2.05 p.m.*

Richard Edwards: I welcome everybody to the fourth meeting of the Environment, Planning and Transport Committee in the Rhondda, although this is the first meeting that we have held in Treorchy. I thank the Park and Dare Theatre for its kind hospitality this afternoon.

I will first of all go through one or two housekeeping items. First, apologies and substitutions. Tom Middlehurst sends his apologies this afternoon, and Brian Gibbons is attending in his place. I ask Members to make declarations of interest, in line with Standing Order No. 4.5. Can Members shout any declarations out from the front row please?

Geraint Davies: I am a member of Rhondda Cynon Taff County Borough Council and I am also a pharmacist.

Richard Edwards: Any more declarations of interest? I see that there are none. Thank you.

We are all here to listen to the independent investigator, David Purchon, give his presentation of his report. Of course, the report has already been heavily trailed in the media, even before the date of the official

Richard Edwards: Croesawaf bawb i bedwerydd cyfarfod Pwyllgor yr Amgylchedd, Cyllunio a Thrafnidiaeth yn y Rhondda, er mai dyma'r cyfarfod cyntaf inni ei gynnal yn Nhreorci. Diolch i Theatr Parc a Dâr am ei lletygarwch caredig y prynhawn yma.

I ddechrau, fe af drwy un neu ddwy o eitemau ymarferol. Yn gyntaf, ymddiheuriadau ac eilyddion. Mae Tom Middlehurst yn anfon ei ymddiheuriadau y prynhawn yma, ac mae Brian Gibbons yn mynchu yn ei le. Gofynnaf i Aelodau wneud datganiadau o fuddiant, yn unol â Rheol Sefydlog Rhif 4.5. A all Aelodau weiddi unrhyw ddatganiadau o'r rhes flaen os gwelwch yn dda?

Geraint Davies: Yr wyf fi'n aelod o Gyngor Bwrdeistref Sirol Rhondda Cynon Taf ac yr wyf hefyd yn fferyllydd.

Richard Edwards: A oes rhagor o ddatganiadau o fuddiant? Gwelaf nad oes. Diolch.

Yr ydym oll yma i wrando ar yr ymchwilydd annibynnol, David Purchon, yn cyflwyno'i adroddiad. Wrth gwrs, cafodd yr adroddiad sylw helaeth yn barod yn y cyfryngau, hyd yn oed cyn dyddiad y cyhoeddi swyddogol

publication on Friday. I understand, David, that you have received permission from HTV and the BBC to use footage from their programmes as part of your presentation today. I am pleased that you are not busting any embargo. That is my dig over.

I need to say a few things before I ask David to make his presentation. I remind members of the public to keep their mobile phones switched off. Also, there are spare copies of the investigator's report available, should anybody require one.

I need to make a few remarks before we start. I remind members of the Committee that Plenary entrusted this investigation to this Committee and instructed that it be conducted with the assistance of an independent investigator. The report that David Purchon has prepared is his report to the Committee. The Committee is not bound by his findings. The task entrusted to us by Plenary requires us to consider the report and to come to our own conclusions as to what recommendations we should make. When considering David's report, members should remember that it is based on material that is entirely in the public domain. That material is available for you to refer to, and you may also ask for further information on any particular issue. All the individuals and organisations who have taken part in the investigation have been invited to comment on the report. Anyone who feels that the report criticises them unfairly will have the opportunity to persuade you that that is so and you should give full and fair consideration to what they have to say.

I also have to make rulings under Standing Orders Nos. 7.13 and 8.18, which deal with the sub judice rule. My attention has been drawn to the fact that legal action has been instituted by a number of residents against 3C Waste Limited, a company that managed the site during part of the period to which the report relates. Inquiries have established that there is some common ground between the issues in that action and the matters considered in the report. If the Committee is to discuss those matters, I must be satisfied that certain criteria have been met: the matter

ddydd Gwener. Deallaf, David, eich bod wedi cael caniatâd gan HTV a'r BBC i ddefnyddio lluniau o'u rhagleni hwy fel rhan o'ch cyflwyniad heddiw. Yr wyf yn falch nad ydych yn torri unrhyw embargo. Dyna fy ergyd i wedi'i tharo.

Mae angen imi ddweud ychydig o bethau cyn imi ofyn i David roi ei gyflwyniad. Atgoffaf aelodau'r cyhoedd i sicrhau bod eu ffonau symudol wedi'u diffodd. Hefyd, mae copïau sbâr o adroddiad yr ymchwilydd ar gael, os oes unrhyw un angen un.

Mae angen imi wneud ychydig o sylwadau cyn inni ddechrau. Atgoffaf aelodau'r Pwyllgor fod y Cyfarfod Llawn wedi ymddiried yr ymchwiliad hwn i'r Pwyllgor hwn ac wedi gorchymyn iddo gael ei gynnal gyda chymorth ymchwilydd annibynnol. Yr adroddiad y mae David Purchon wedi'i baratoi yw ei adroddiad i'r Pwyllgor. Ni chaiff y Pwyllgor ei rwymo gan ei ganfyddiadau. Mae'r dasg a ymddiriedwyd i ni gan y Cynulliad Llawn yn gofyn ein bod yn ystyried yr adroddiad ac yn ffurffio'n casgliadau ein hunain ynghylch pa argymhellion y dylem eu gwneud. Wrth ystyried adroddiad David, dylai aelodau gofio ei fod yn seiliedig ar ddeunydd sydd yn gyfan gwbl yn y maes cyhoeddus. Mae'r deunydd hwnnw ar gael ichi gyfeirio ato, a chewch ofyn hefyd am wybodaeth bellach ar unrhyw fater arbennig. Cafodd yr holl unigolion a chyrff a gymerodd ran yn yr ymchwiliad eu gwahodd i roi sylwadau ar yr adroddiad. Bydd unrhyw un sydd yn teimlo fod yr adroddiad yn eu beirniadu'n annheg yn cael y cyfle i'ch darbwyllo chi mai felly y mae a dylech roi ystyriaeth lawn a theg i'r hyn sydd ganddynt i'w ddweud.

Rhaid imi hefyd wneud dyfarniadau dan Reolau Sefydlog Rhifau 7.13 ac 8.18, sydd yn ymdrin â'r rheol *sub judice*. Tynnwyd fy sylw at y ffaith fod achos cyfreithiol wedi'i ddwyn gan nifer o drigolion yn erbyn 3C Waste Limited, cwmni a reolai'r safle yn ystod rhan o'r cyfnod y mae a wnelo'r adroddiad ag ef. Mae ymholiadau wedi sefydlu fod rhywfaint o dir cyffredin rhwng y materion yn yr achos hwnnw a'r materion a ystyrir yn yr adroddiad. Os yw'r Pwyllgor am drafod y materion hynny, rhaid i mi fod yn fodlon fod rhai meinu prawf penodol wedi'u

must be one which is clearly related to a matter of general public importance; it must not relate to a criminal or family law case, or to a case to be tried by a jury; and proper notice of the proposal to discuss the matter must have been given. All these requirements have been satisfied. So, finally, comments must not create a real and substantial risk of prejudice to the legal proceedings. Views have been invited from the representatives of the parties to the proceedings and, having taken them into consideration and the circumstances generally, I am satisfied that there will be no real or substantial risk of prejudice to the legal proceedings arising from general discussion of the report. I would ask members to refrain, however, from referring directly to the residents' legal action.

David Purchon's report also refers to proceedings brought some years ago by Rhondda Waste Disposal Limited against a number of individuals, which resulted in injunctions being granted against them. The sub judice rule only applies up to the time when judgment has been given. Since a judgment has been given, and injunctions granted, I am satisfied that the existence of those proceedings, and the fact that there could, in theory, be further steps taken in relation to them, is not an obstacle to consideration of the report.

It is now my pleasure to invite the investigator, David Purchon, to present his report. I will join the rest of the members of the Committee down in the audience.

hateb: rhaid i'r mater fod yn un sydd yn amlwg yn berthnasol i fater o bwys cyhoeddus cyffredinol; rhaid iddo beidio ag ymwneud ag achos troseddol neu achos cyfraith teulu, nac ag achos sydd i fynd ger bron rheithgor; a rhaid bod wedi rhoi rhybudd priodol o'r bwriad i drafod y mater. Bodlonwyd y gofynion hyn i gyd. Felly, yn olaf, rhaid i sylwadau beidio â chreu perygl gwir a sylweddol o ragfarn i'r achos cyfreithiol. Gwahoddwyd sylwadau gan gynrychiolwyr y partion yn yr achos, ac, wedi eu hystyried hwy a'r amgylchiadau yn gyffredinol, yr wyf yn fodlon na fydd perygl gwir na sylweddol o ragfarn i'r achos cyfreithiol yn codi o drafodaeth gyffredinol ar yr adroddiad. Gofynnaf i aelodau ymatal, fodd bynnag, rhag cyfeirio'n uniongyrchol at achos cyfreithiol y trigolion.

Cyfeiria adroddiad David Purchon hefyd at achos a ddygwyd rai blynyddoedd yn ôl gan Rhondda Waste Disposal Limited yn erbyn nifer o unigolion, a arweiniodd at waharddebau yn eu herbry. Nid yw'r rheol *sub judice* ond yn weithredol hyd at yr adeg y rhoddwyd dyfarniad. Gan fod dyfarniad wedi'i roi, a chan fod gwaharddebau, yr wyf yn fodlon nad yw bodolaeth yr achos hwennw, a'r ffaith y gellid, mewn egwyddor, gymryd camau pellach ynglŷn ag ef, yn ein rhwystro rhag ystyried yr adroddiad.

Fy mhleser yn awr yw gwahodd yr ymchwilydd, David Purchon, i gyflwyno'i adroddiad. Ymunaf fi â gweddill aelodau'r Pwyllgor i lawr yn y gynulleidfa.

Cyflwyniad gan yr Ymchwilydd Annibynnol, Mr David Purchon Presentation by the Independent Investigator, Mr David Purchon

*Mae'r dystiolaeth sydd yn dilyn yn seiliedig ar gyflwyniad powerpoint.
Lle bo'r lluniau neu'r mapiau y cyfeirir atynt ar gael, naill ai yn adroddiad yr ymchwilydd annibynnol neu ar wefan y Cynulliad, nodir hynny yn y testun isod.*

*The evidence which follows is based on a powerpoint presentation.
Where the pictures or maps referred to are available, either in the investigator's report
or on the Assembly website, that is noted in the text below.*

Mr Purchon: Thank you very much, Chairman. Ladies and gentlemen, I would like to acknowledge, in making this presentation, that the BBC, HTV and Rhondda Cynon Taff County Borough

Mr Purchon: Diolch yn fawr, Gadeirydd. Foneddigion a boneddigesau, hoffwn gydnabod, wrth roi'r cyflwyniad hwn, fod y BBC, HTV a Chyngor Bwrdeistref Sirol Rhondda Cynon Taf wedi rhoi caniatâd imi

Council have given me permission to use some short videoclips. This is essentially an audiovisual presentation. You have the detail in the report that has been published. Therefore, this presentation will not concentrate on the detail.

I would like to acknowledge the assistance that I have had in conducting my investigation and name a few individuals before I go any further. First, Roger Chaffey, who was appointed as the project manager by the National Assembly. His assistance proved invaluable until he was transferred to other duties, given the time that the investigation took. Miss Eirian Dyer was responsible for the setting up of the website and resource centre, which I am sure that many people have found to be of great use. Morris Owens managed the resource centre for the independent investigation, and Juliette Selby has been of great assistance in producing both the report that you have read and the visual aids that you are about to see. Siwan Davies, and her deputy, Vaughan Watkin, who support this Committee, have also given me a great deal of support and I am grateful to them. My professional colleague, Peter Wright, who many of you have met, was a great deal of help in searching through the many files pertaining to this case. He was responsible for a great deal of file scrutiny and also for having some helpful chats with me from time to time.

I am very grateful for the legal advice that I have had from Mr Keith Bush of the Office of the Counsel General, and, of course, from Messrs Eversheds, who were appointed to give me independent legal advice. Finally, I would like to acknowledge all the help that I have been given by all those that have taken part in the independent investigation, including the Chair and Committee members, for their interest and courtesy during my work. Having made all those acknowledgements, I just want to stress that the responsibility for the report that you have and the presentation that you are about to see is entirely mine. I will be very pleased to answer questions after the presentation, not necessarily today, but at a later date. Mr Wright is here to assist me today in answering anything that arises.

ddefnyddio rhai clipiau fideo byr. Cyflwyniad clyweledol yw hwn yn y bôn. Mae'r manylion gennych yn yr adroddiad a gyhoeddwyd. Felly, ni fydd y cyflwyniad hwn yn canolbwytio ar y manylion.

Hoffwn gydnabod y cymorth a gefais wrth wneud fy ymchwiliad ac enwi ambell unigolyn cyn imi fynd dim pellach. Yn gyntaf, Roger Chaffey, a benodwyd yn rheolwr y prosiect gan y Cynulliad Cenedlaethol. Profodd ei gymorth ef yn amhrisiadwy hyd y cafodd ei drosglwyddo i ddyletswyddau eraill, o gofio'r amser a gymerodd yr ymchwiliad. Bu Miss Eirian Dyer yn gyfrifol am sefydlu'r wefan a'r ganolfan adnoddau, sydd wedi bod yn ddefnyddiol iawn i lawer o bobl, yr wyf yn siŵr. Rheolodd Morris Owens y ganolfan adnoddau i'r ymchwiliad annibynnol, a bu Juliette Selby o gymorth mawr wrth gynhyrchu'r adroddiad yr ydych wedi'i ddarllen a'r cymhorthion gweledol yr ydych ar fin eu gweld. Cefais lawer iawn o gefnogaeth hefyd gan Siwan Davies a'i dirprwy, Vaughan Watkin, sydd yn cefnogi'r Pwyllgor hwn, ac yr wyf yn ddiolchgar iddynt. Bu fy nghydweithiwr proffesiynol, Peter Wright, y mae llawer ohonoch wedi ei gyfarfod, yn gymorth mawr wrth chwilio drwy'r llu o ffeiliau perthnasol i'r achos hwn. Ef oedd yn gyfrifol am lawer iawn o'r archwilio ffeiliau a hefyd am gael ambell sgwrs fuddiol gyda mi o bryd i'w gilydd.

Yr wyf yn ddiolchgar iawn am y cyngor cyfreithiol a gefais gan Mr Keith Bush o Swyddfa'r Cwnsler Cyffredinol, ac, wrth gwrs, gan y Mri Eversheds, a benodwyd i roi cyngor cyfreithiol annibynnol imi. Yn olaf, hoffwn gydnabod pob cymorth a roddwyd imi gan bawb a gymerodd ran yn yr ymchwiliad annibynnol, gan gynnwys y Cadeirydd ac aelodau'r Pwyllgor, am eu diddordeb yn fy ngwaith a'u cwrteisi. Wedi gwneud yr holl ddiolchiadau hynny, hoffwn bwysleisio mai fy nghyfrifoldeb i yn gyfan gwbl yw'r adroddiad sydd gennych a'r cyflwyniad yr ydych ar fin ei weld. Byddaf yn falch iawn o ateb cwestiynau ar ôl y cyflwyniad, nid heddiw o reidrwydd, ond yn y dyfodol. Mae Mr Wright yma i'm cynorthwyo heddiw i ateb unrhyw beth fydd yn codi.

Essentially, the investigation was to be forward-looking and to identify lessons, and that is what I have sought to do. However, inevitably, there is an historic component to this sort of investigation. So, to turn to the Nantygwyddon landfill site, in case not everyone knows exactly where it is, I will give a few locational details. This slide is an Ordnance Survey map [see Appendix 1 of the report]. The site in question is lined in red and the tipped area—if and when it is all tipped—will be the area indicated in green. So, in the context of landfills, it is not especially large. Here are a few other pictures to locate the site. This is the Rhondda valley, and this—for those who are not familiar with the area—is a view of the valley. This is from the Penrhys housing estate, looking over toward the mountain. The landfill site is over to this side.

In terms of the conduct of the investigation, many people, who made themselves available, know that it was an entirely open process. The Chair has just stressed that. It was an open investigation. All the material made available to me is available to you in the resource centre. There probably is other information that pertains to the case and the history of it, and that, where it has been made known to me, is available for the Committee to use later.

First of all, I want to set the investigation in what I would call the heritage context of the Rhondda. This is a clip from the Rhondda Cynon Taff County Borough Council video, which is about Rhondda and its heritage. I commend it to you; I found it very useful. However, the heritage, of course, is of beautiful valleys transformed very dramatically by the exploitation of coal, the geological resource of this series of valleys, and the Rhondda valleys in particular.

Coal has made an indelible impression on these valleys for almost 200 years. What were beautiful remote hills and valleys with fast-running streams were transformed by the exploitation of those coal reserves and the efforts of the people who came to live in these very steep-sided valleys. That history of exploitation of coal and the exploitation, to

Yn ei hanfod, y bwriad oedd i'r ymchwiliad edrych ymlaen a nodi gwensi, a dyna yr wyf wedi ceisio'i wneud. Fodd bynnag, yn anochel, mae elfen hanesyddol i'r math hwn o ymchwiliad. Felly, i droi at safle tirlenwi Nantygwyddon, rhag ofn na âyr pawb yn union ym mhle y mae, rhoddaf ychydig o fanylion lleoliad. Map Arolwg Ordnans yw'r sleid hwn [gweler Atodiad 1 i'r adroddiad]. Mae'r safle dan sylw wedi'i amlinellu'n goch ac ardal y gwastraff—os a phan fydd gwastraff yn gorchuddio'r cyfan—fydd yr ardal a ddangosir yn wyrdd. Felly, yng nghyd-destun safleoedd tirlenwi, nid yw'n arbennig o fawr. Dyma ychydig o luniau eraill i leoli'r safle. Dyma gwm Rhondda, a dyma—i'r rheini nad ydynt yn gyfarwydd â'r ardal—olygfa o'r cwm. Tynnwyd hwn o stad dai Penrhys, yn edrych drosodd at y mynydd. Mae'r safle tirlenwi drosodd i'r ochr hon.

O ran y modd y cynhaliwyd yr ymchwiliad, gŵyr llawer o bobl, a gynigiodd gyfrannu, iddi fod yn broses gwbl agored. Mae'r Cadeirydd newydd bwysleisio hynny. Yr oedd yn ymchwiliad agored. Mae'r holl ddeunydd a oedd ar gael i mi ar gael i chithau yn y ganolfan adnoddau. Mae'n debyg fod rhagor o wybodaeth sydd yn berthnasol i'r achos a'i hanes, ac mae honno, lle cefais wybod amdani, ar gael i'r Pwyllgor ei defnyddio'n ddiweddarach.

Yn gyntaf oll, hoffwn leoli'r ymchwiliad yn yr hyn y byddwn i'n ei alw'n gyd-destun treftadaeth y Rhondda. Dyma glip o fideo Cyngor Bwrdeistref Sirol Rhondda Cynon Taf, sydd yn sôn am y Rhondda a'i threftadaeth. Yr wyf yn ei hargymhell ichi; yr oedd yn ddefnyddiol iawn i mi. Fodd bynnag, beth yw'r dreftadaeth, wrth gwrs, yw cymoedd hardd wedi'u trawsnewid yn ddramatig iawn gan y cloddio am lo, sef adnodd daearegol y gyfres hon o gymoedd, a chymoedd y Rhondda yn arbennig.

Mae glo wedi gwneud argraff annileadwy ar y cymoedd hyn ers bron 200 mlynedd. Trawsnewidiwyd bryniau a chymoedd pellenig prydferth gyda nentydd byrlymus gan y cloddio i'r cronfeydd glo hynny ac ymdrechion y bobl a ddaeth i fyw yn y cymoedd hynod serth hyn. Mae'r hanes hwnnw o elwa ar lo ac elwa, i ryw raddau—

some extent—I am sure you would agree—of the people who worked that coal, I do think is an important background to this investigation. It was exploitation of the environment, coupled with the exploitation of people, the people who came to the Rhondda for work, and who were left here without work, to a large extent, once the coal had disappeared. They now have to travel out of the immediate vicinity to work, by and large. Interestingly, the streams that were once fast flowing and clean—the attraction of the valleys—are returning to that state. The pollution of these valleys, one might think, had ended about the time that this landfill site was being developed. It was being developed at a time when people were becoming more empowered. This slide shows where it is, on the mountain top, above the communities that you know much better than I. It is a site very close to those communities and very prominent to them, as you can see from these ranging shots of the valley. It looks like quite a large site from some perspectives but, in landfill terms, it is relatively small, although extremely prominent. Also, it is surrounded in part by a considerable degree of vegetation.

The Rhondda is now in what is referred to as a post-industrial phase. It is getting cleaner. Coal spoil is disappearing under the flora and it is now greener and pleasanter than many of you will be able to remember since your youth. It is in this context that we have to acknowledge that everyone is producing increasing volumes of waste. The Welsh status is about half a tonne per individual per year. That waste must be managed, hence the need for waste disposal and the popularity of landfill, if only those responsible can find suitable sites or facilities. Usually, they opt for holes in the ground, which are in short supply in the valleys of south Wales. Whenever you dispose of waste, environmental pollution is a serious consideration however you choose to do it. Pollution leads to health fears from people who believe that they are affected. Any professional denial of those fears, without thorough and rational explanation, leads to a great deal of suspicion.

yr wyf yn siŵr y cytunwch—ar y bobl a weithia’r glo hwnnw, yn gefndir pwysig, fe gredaf, i’r ymchwiliad hwn. Ymelwa ar yr amgylchedd oedd hyn, ynghyd ag ymelwa ar bobl, y bobl a ddaeth i’r Rhondda am waith, ac a adawyd yma heb waith, i raddau helaeth, unwaith yr oedd y glo wedi diflannu. Bellach mae’n rhaid iddynt deithio allan o’r cyffiniau agos i weithio, yn amlach na pheidio. Yn ddiddorol, mae’r nentydd a fu unwaith yn fyrlymus a glân—sef atyniad y cymoedd—yn dychwelyd i’r cyflwr hwnnw. Daethai llygredd y cymoedd hyn, gellid meddwl, i ben tua’r amser yr oedd y safle tirlenwi hwn yn cael ei ddatblygu. Cái ei ddatblygu ar adeg pan oedd pobl yn ennill mwy o rym. Mae’r sleid hwn yn dangos ymhle y mae, ar ben y mynydd, uwchben y cymunedau yr ydych chi’n eu hadnabod yn llawer gwell na fi. Mae’n safle agos iawn at y cymunedau hynny ac yn amlwg iawn iddynt, fel y gwelwch o’r lluniau llydan hyn o’r cwm. Mae’n edrych fel safle eithaf mawr o rai safbwytiau ond, yn nhermau tirlenwi, mae’n gymharol fach, er ei fod yn amlwg iawn. Hefyd, mae wedi’i amgylchynu’n rhannol gan gryn dipyn o lystyfiant.

Mae’r Rhondda bellach yn yr hyn a elwir yn gyfnod ôl-ddiwydiannol. Mae’n dod yn lanach. Mae rwbel glo yn diflannu dan y blodau ac mae bellach yn wyrddach a brafiach nag y bydd llawer ohonoch yn gallu cofio ers eich ieuencnid. Yn y cyd-destun hwn y mae’n rhaid inni gydnabod fod pawb yn cynhyrchu mwy a mwy o wastraff. Oddeutu hanner tunnell yr unigolyn y flwyddyn yw’r sefyllfa yng Nghymru. Rhaid rheoli’r gwastraff hwnnw, a dyna esbonio’r angen am waredu gwastraff a phoblogrwydd tirlenwi, dim ond i’r rheini sydd yn gyfrifol allu dod o hyd i safleoedd neu gyfleusterau addas. Fel arfer, byddant yn dewis tyllau yn y ddaear, sydd yn brin yng nghymoedd y De. Lle bynnag y gwaredwch wastraff, mae llygredd amgylcheddol yn ystyriaeth ddifrifol sut bynnag y dewiswch fynd ati. Arweinia llygredd at ofnau iechyd gan bobl sydd yn credu ei fod yn effeithio arnynt. Bydd unrhyw lais proffesiynol sydd yn gwadu’r ofnau hynny, heb eglurhad trwyndl a rhesymol, yn destun llawer iawn o amheuaeth.

This slide shows the site from one of its most prominent perspectives [see photograph 1]. I want to set this in the context of what the Department of Health acknowledges are the fright factors around any health scare. Risk is seen as involuntary. You are not putting yourself in a position of risk when someone else is exposing you to a health risk in your environment. So, this Department of Health list [see figure 5a] contrasts the risk from pollution with those of sport—those risks that you choose to indulge in yourself. If the exposure is seen as inequitable—some are profiting, particularly while you are suffering—then that is a powerful fright factor. If there is no escape, that is a great fright factor. If you are unfamiliar with the risks, if they are novel to you, then you are also likely to be more worried. If it is a man-made risk that you feel need not have been put there rather than a natural risk, such as an earthquake or a volcano, you are rather less inclined to accept it and be more fearful of it. If the damage that that risk may be causing is hidden or irreversible, you feel very much more frightened than if you understand it better.

If any risk poses a danger to small children or future generations, you are much less inclined to accept it for your heirs than you are for yourself. Some forms of harm, such as cancer—this slide refers to that—cause a particular dread. There does not seem to be an escape from it. If you know the victims, then the fright factors are much more severe than if you do not know them at all. If the science does not seem to be really satisfactory, it is rather more frightening, and if you have to face contradictory statements from the people that you are relying on, you are much more likely to be frightened.

People, in 2001 and in our society, are much more empowered than they have ever been before. The media have a powerful influence on fright factors and health fears. They are the ones who raise questions of blame and who are very eager to find allegations of

Mae'r sleid hwn yn dangos y safle o un o'r mannau lle mae'n fwyaf amlwg [gweler ffotograff 1]. Mae arnaf eisai gosod hyn yng nghyd-destun yr hyn y mae'r Adran Iechyd yn cydnabod fel ffactorau braw mewn unrhyw ddychryn am iechyd. Gwelir risg fel rhywbeth anwirfoddol. Nid ydych yn eich rhoi eich hun mewn sefyllfa o berygl pan fo rhywun arall yn cyflwyno perygl i'ch iechyd yn eich amgylchedd. Felly, mae'r rhestr hon gan yr Adran Iechyd [gweler ffigur 5a] yn cyferbynnu'r perygl gan lygredd â pheryglon chwaraeon—y peryglon hynny y dewiswch eu wynebu. Os gwelir fod y perygl yn annheg—bod rhai'n elwa, yn enwedig tra'ch bod chi'n dioddef—yna mae hynny'n ffactor braw grymus. Os nad oes dianc, mae hynny'n ffactor braw mawr. Os ydych yn anghyfarwydd â'r peryglon, os ydynt yn newydd ichi, yna yr ydych yn fwy tebygol o boeni hefyd. Os yw'n berygl wedi'i greu gan ddyn nad oedd angen ei roi yno, yn eich tyb chi, yn hytrach na pherygl naturiol fel daeargrynn neu losgfynydd, yr ydych braidd yn llai tueddol i'w dderbyn ac yn dueddol i fod yn fwy ofnus ohono. Os yw'r niwed a all gael ei achosi gan y perygl hwnnw yn niwed cudd neu ddi-droi'n-ôl, yr ydych yn teimlo'n llawer mwy ofnus na phe baech yn ei ddeall yn well.

Os yw unrhyw risg yn creu perygl i blant bach neu genedlaethau'r dyfodol, yr ydych yn llawer llai tueddol i'w dderbyn i'ch etifeddion nag y byddech i chi'ch hun. Mae rhai ffurfiau ar niwed, megis canser—mae'r sleid hwn yn cyfeirio at hynny—yn achosi dychryn arbennig. Nid yw'n ymddangos bod modd dianc oddi wrtho. Os ydych yn adnabod y rhai sydd yn dioddef, yna mae'r ffactorau braw yn llawer gwaeth nag os nad ydych yn eu hadnabod o gwbl. Os nad yw'r wyddoniaeth yn ymddangos yn holol fodhaol, mae braidd yn fwy brawychus, ac os oes raid ichi wynebu datganiadau sydd yn gwrth-ddweud ei gilydd gan y bobl yr ydych yn dibynn arnynt, yr ydych yn llawer mwy tebygol o fod ag ofn.

Mae gan bobl, yn 2001 ac yn ein cymdeithas, lawer mwy o rym nag a fu ganddynt erioed o'r blaen. Mae gan y cyfryngau dylanwad grymus ar ffactorau braw ac ofnau iechyd. Hwy yw'r rhai sydd yn codi cwestiynau ynghylch bai ac sydd yn awyddus iawn i

secrets and cover-ups [see figure 5b]. If there is human interest, they can trigger much more interest than otherwise. They can list issues to personalities and if there is any conflict in society they are often happy to highlight that. They may use any particular case to ask, ‘is there a much more serious case concerned with industrial pollution?’, for example. If a great many people are exposed, the media are likely to take yet more interest. If they can show some of the risks visually—as I hope you will see from this presentation—the visual impact has a strong effect. I have not managed to find any links with sex and crime, which are listed in figure 5b, in Nantygwyddon. I think that we have come across almost everything else. However, other reportage, that is, health risks from the Love Canal in New York or from toxic waste in Germany, can also spill over to issues here.

I must press on now, having taken some time to set the context. In reviewing the history, I have to ask where this landfill came from. In 1978, Rhondda Borough Council set itself—and this slide consists of a few brief words to show the criteria it set itself in trying to find a waste disposal site to replace its troublesome incinerator. Officers of the council provided what, to my mind, were some very sensible criteria. Sadly, the council did not take them into account in choosing Nantygwyddon, which emerged somewhat out of the blue after these criteria had been adopted, although the criteria were certainly in the minds of officers. This next slide is a view of the road leading to or from the landfill site. The last time I stood on top of a slope like this, other than on this one, was actually the Olympic ski jump above the city of Oslo. It is an extremely steep hillside and when I first saw the site I found it really quite inconceivable that it could have been developed for landfill.

This slide is the view from the access road and shows the proximity of communities and the severe gradient between the waste and the people. This next slide shows a vehicle toiling up the access road; it is very steep—

ganfod honiadau am gyfrinachau a chuddio pethau [gweler ffigur 5b]. Os oes diddordeb dynol, gallant ysgogi llawer mwy o ddiddordeb nag fel arall. Gallant restru materion sydd yn effeithio ar bersonoliaethau ac os oes unrhyw wrthdaro mewn cymdeithas maent yn aml yn fodlon amlygud hynny. Gallant ddefnyddio unrhyw achos penodol i ofyn, ‘a oes achos llawer mwy difrifol yn ymwneud â llygred diwydiannol?’, er enghraifft. Os oes perygl i lawer iawn o bobl, mae'r cyfryngau'n debygol o ddangos mwy fyth o ddiddordeb. Os gallant ddangos rhai o'r peryglon yn weledol—fel y gobeithiaf y gwelwch o'r cyflwyniad hwn—caiff yr argraff weledol effaith gryf. Nid wyf wedi llwyddo i ddarganfod unrhyw gysylltiadau â rhyw a throseddu, a restrir yn ffigur 5b, yn Nantygwyddon. Yr wyf yn meddwl ein bod wedi dod ar draws popeth arall bron. Fodd bynnag, gall storïau newyddion eraill, hynny yw, peryglon iechyd o'r Love Canal yn Efrog Newydd neu o wastraff gwenwynig yn yr Almaen, orlifo i faterion yn y fan yma hefyd.

Rhaid imi fwrw ymlaen yn awr, wedi cymryd peth amser i osod y cyd-destun. Wrth adolygu'r hanes, mae'n rhaid imi ofyn o ble y daeth y tirlenwad hwn. Yn 1978, gosododd Cyngor Bwrdeistref y Rhondda—ac mae'r sleid hwn yn cynnwys ychydig o eiriau byr i ddangos y meini prawf y gosododd iddo'i hun wrth geisio darganfod safle gwaredu gwastraff i gymryd lle ei losgydd trafferthus. Darparodd swyddogion y cyngor feini prawf a oedd, i'm tyb i, yn rhai synhwyrol iawn. Yn anffodus, ni chymerodd y cyngor sylw o'r rhain wrth ddewis Nantygwyddon, a ymddangosodd yn ddisymwth braidd wedi i'r meini prawf hyn gael eu mabwysiadu, er bod y meini prawf yn sicr ym meddyliau'r swyddogion. Mae'r sleid nesaf hwn yn dangos y ffordd yn arwain i'r safle tirlenwi neu oddi yno. Y tro diwethaf i mi seyll ar ben llethr fel hyn, ac eithrio hwn, oedd y naid sgôl Olympaidd uwchben dinas Oslo. Mae'n llethr eithriadol o serth a phan welais y safle am y tro cyntaf yr oeddwn yn methu dirnad y gallesid ei ddatblygu ar gyfer safle tirlenwi.

Dengys y sleid hwn yr olygfa o'r ffordd fynediad a gwelir mor agos yw cymunedau, a'r graddiant serth rhwng y gwastraff a'r bobl. Mae'r sleid nesaf hwn yn dangos cerbyd yn ymlafnio i fyny'r ffordd fynediad;

1:12; 1:15 in parts—and, of course, that road and the site was very expensively developed with the benefit of a European grant. I am sure that many of you will have noticed my opinion on that in the written report. I am assured that people were told that the site was never going to be visually prominent. Well, it is there for all to see, as is shown in this slide, taken from a back yard below the tip. It is even visible, although it is not particularly easy to see it on this next slide, from the very offices of the council that approved it and whose members allegedly said that it would not be visible. There it is, last year, visible. You cannot really see this on this slide, but on the two slides I have shown you earlier, and on this one, are masses of birds around the landfill tipping face. These are visible from the streets, and the distance that I have shown you, in the bottom of the valley. So, it is certainly not remote in any sense of the word.

It is placed in an extremely attractive area. The Glyncornel lake, nature reserve and outdoor activity centre was reported to me as being the most attractive bit, certainly one of the most attractive bits, of the old Rhondda council area. What a site for a council to select for depositing light density household waste, for failing to adequately protect the water courses and the supply of water from this site, and being unable to provide cover on that site for tipping the waste in an exemplary fashion and protecting it from the leachate that would, inevitably, fall through the terrain and through the community below the hillside. This site was chosen without the usual widespread prior public consultation on planning applications. It was given deemed planning consent, with conditions never even considered, in a meeting by elected members. The conditions were drawn up by Mr Cunnane, the planning officer. Few of those conditions were ever observed and they could not be enforced by the council—the council cannot enforce any action against itself.

The engineering staff of the borough set about designing and constructing the best containment landfill site they could on a wet and windy hilltop—and I have included meteorological data as an appendix to the

mae'n serth iawn—1:12; 1:15 mewn mannau—ac, wrth gwrs, cafodd y ffordd honno a'r safle eu datblygu ar gost ddrudfawr gyda chymorth grant Ewropeidd. Mae'n siŵr y bydd llawer ohonoch wedi sylwi ar fy marn ar hynny yn yr adroddiad ysgrifenedig. Sicrhawyd fi y dywedwyd wrth bobl na fyddai'r safle byth yn weledol amlwg. Wel, mae yno i bawb ei weld, fel y dangosir ar y sleid hwn, a dynnwyd o iard gefn islaw'r domen. Mae hyd yn oed yn weladwy, er nad yw'n arbennig o hawdd ei weld ar y sleid nesaf hwn, o swyddfeydd y cyngor a'i cymeradwyodd ac yr honnir y dywedodd ei aelodau na fyddai'n weladwy. Dyna fe, y llynedd, yn weladwy. Ni allwch weld hyn yn iawn ar y sleid hwn, ond ar y dduau sleid a ddangosais ichi yn gynharach, ac ar hwn, mae heidiau o adar o gwmpas wyneb y domen dirlenwi. Mae'r rhain yn weladwy o'r strydoedd, ac o'r pellter a ddangosais ichi, yng ngwaelod y cwm. Felly, yn sicr nid yw'n anghysbell mewn unrhyw ystyr i'r gair.

Mae wedi'i osod mewn ardal hynod o ddeniadol. Dywedwyd wrthyf mai llyn, gwarchodfa natur a chanolfan weithgareddau awyr agored Glyncornel oedd y llecyn harddaf, yn sicr un o'r llecynnau harddaf, yn ardal hen gyngor y Rhondda. Dyna ichi safle i gyngor ei ddewis ar gyfer tomennu gwastraff tý dwysedd ysgafn, ar gyfer methu gwarchod y cyrsiau dŵr a chyflenwad dŵr o'r safle hwn yn ddigonol, a pheidio â gallu darparu gorchudd ar y safle hwnnw ar gyfer tomennu'r gwastraff mewn modd rhagorol a'i warchod rhag y trwytholchiad a fyddai, yn anochel, yn cwympo drwy'r tir a thrwy'r gymuned islaw y bryn. Dewiswyd y safle hwn heb yr ymgynggori cyhoeddus eang arferol ymlaen llaw ar geisiadau cynllunio. Rhoddyd caniatâd cynllunio bwriedig iddo, gydag amodau na chafodd fyth hyd yn oed eu hystyried, mewn cyfarfod gan aelodau etholedig. Fe luniwyd yr amodau gan Mr Cunnane, y swyddog cynllunio. Ychydig o'r amodau hynny a gadwyd fyth ac ni allai'r cyngor eu gorfodi—ni all y cyngor orfodi unrhyw weithred yn ei erbyn ei hun.

Aeth staff peirianyddol y fwrdeistref ati i ddylunio ac adeiladu'r safle tirlenwi cynhwysol gorau a allent ar ben mynydd gwlyb a gwyntog—ac yr wyf wedi cynnwys data tywydd fel atodiad i'r adroddiad.

report. External advice was taken to see if landfill could suitably be undertaken on the windy hilltop, and it was decided, yes, it could, if the best possible engineering solutions were chosen. The access road to the tip was designed and the construction supervised by external engineers to the council. However, the landfill itself was designed internally, and construction was supervised internally, as were the operations for the first few years—and I go into some detail in the report about how that was done.

However, essentially, the site was prepared. It was lined with the type of material shown in this slide and it is worth reflecting upon how that material is used. You can see in the foreground of the next slide [see photograph 2] that the liner has been punctured—not that it matters in this particular location—but the material, although tough and durable, is not capable of resisting any significant mechanical damage. It has to be laid in this environment of 2.5 metres of rain per year—getting on for 9 feet, or 86 inches of rain per year—in very strong winds, in large sheets, and it has to be laid on a prepared bed in order to protect it from any penetration from beneath. Drainage is installed first, and then it has to be protected by material being laid over it—ideally, screened and rolled material. We have some details of how that was done in phase 2, but the necessary detail is not there to confirm how it was done in phase 1. Not only is the environment in which this work is being undertaken very harsh, but it is very important that you do not get any holes or leakage. Laying this liner is difficult enough in great sheets such as those shown in this next slide, but when you are trying to make seals around various manholes and projections, and things such as wells and sampling points in the site itself, it gets very much more complicated. So that you can see the environment in which people were working—this slide is just a picture of the environment [see photograph 4]. It emphasises the wetness and the bleakness, I think, of the site.

The liner is essentially to deal with water

Cymerwyd cyngor allanol i weld a ellid tirlenwi yn addas ar ben y bryn gwyntog, a phenderfynwyd y gellid, os dewisid yr atebion peirianyddol gorau posibl. Dyluniwyd y ffordd fynediad at y domen a goruchwylwyd y gwaith adeiladu gan beirianwyr allanol i'r cyngor. Fodd bynnag, dyluniwyd y safle tirlenwi ei hun yn fewnol, a goruchwylwyd y gwaith adeiladu'n fewnol, fel y gwnaethpwyd gyda'r gwaith am yr ychydig flynyddoedd cyntaf—ac af i gryn fanylder yn yr adroddiad ynghylch sut y gwnaethpwyd hynny.

Fodd bynnag, yn y bôn, paratowyd y safle. Cafodd ei leinio â'r math o ddefnydd a ddangosir yn y sleid hwn, ac mae'n werth ystyried sut y defnyddir y defnydd hwnnw. Gallwch weld ym mlaen y sleid nesaf [gweler ffotograff 2] fod y leinin wedi'i dyllu—nid bod ots am hynny yn y lleoliad arbennig hwn—ond nid yw'r defnydd, er yn wydn a chryf, yn gallu gwrthsefyll unrhyw ddifrod mecanyddol arwyddocaol. Mae'n rhaid ei osod yn yr amgylchedd hwn lle ceir 2.5 metr o law bob blwyddyn—bron 9 troedfedd, neu 86 modfedd, o law y flwyddyn—mewn gwyntoedd cryf iawn, yn lenni mawr, ac mae'n rhaid ei osod ar wely sydd wedi'i baratoi er mwyn ei warchod rhag i unrhyw beth dreiddio iddo oddi tanodd. Gosodir draeniau yn gyntaf, ac wedyn mae'n rhaid ei warchod drwy osod defnydd drosto—yn ddelfrydol, defnydd wedi'i sgrinio a'i rolio. Mae gennym rai manylion ynghylch sut y gwnaethpwyd hynny yng ngham 2, ond nid yw'r manylion angenrheidiol yno i gadarnhau sut y'i gwnaethpwyd yng ngham 1. Nid yn unig y mae'r amgylchedd y gwneir y gwaith hwn ynddo yn erwin iawn, ond mae'n bwysig iawn na cheir unrhyw dyllau na gollwng. Mae gosod y leinin hwn yn ddigon anodd mewn lenni mawr fel y rheini a ddangosir yn y sleid nesaf hwn, ond pan ydych yn ceisio selio o amgylch amryfal dyllau archwilio ac ymthiadau, a phethau fel ffynhonnau a phwyntiau sampl yn y safle ei hun, mae'n mynd yn llawer iawn mwy cymhleth. Er mwyn ichi gael gweld yr amgylchedd yr oedd pobl yn gweithio ynddo—dim ond llun o'r amgylchedd yw'r sleid hwn [gweler ffotograff 4]. Mae'n pwysleisio gwlybni a llymder y safle, fe dybiaf.

Amcan y leinin yn ei hanfod yw delio â

problems, but landfill gas is also an issue in landfill sites. Although it was not perhaps fully appreciated when this site was developed, landfill gas has featured very prominently in the history of the site, and has involved post-construction engineering of a gas collection and flaring system—this slide shows the flare. Flaring is one way of dealing with landfill gas—probably the simplest is to simply vent it passively. Flaring it seeks to deal with things such as odour problems, which featured here, and there is also a system of capturing the gas and either feeding it into the grid, which is now being done in Sheffield, my hometown, but also for generating electricity by powering diesel or gas turbine engines.

The liner, as I said, was essentially to deal with leachate. The leachate is the water that is polluted by running through the decomposing waste and, in this case, the leachate was carried through a drainage system to a drain which carried it ultimately to the river at the base of the valley. I think that it is quite clear that the drain shown in this slide has repeatedly leaked. It has not been able to contain the volume of leachate that it was required to carry. There have been efforts to seal the drain—this slide shows a bolt-down cover seeking to stop the foaming, that is, the leakage that you saw on the previous slide. This slide shows the gradient that the drain follows down to the sewer and the river, and it is a precipitous gradient, to go back to the ski jump analogy. At any stage where that gradient alters, the drain is under great pressure and is prone to leak. It can either leak by fracturing or by bursting a manhole, as it has done on occasions here. The drain has been relaid and now there are extra lagoons on site to try to contain the flow of the leachate. The investigation had the benefit of work by the British Geological Survey and that forms a very important appendix to the report, which, if you are interested in water pollution, is well worth your concentrating on. The best solution for leachate, in my view, is to treat it on site and never try to take it off site in a polluted state. That is something that I refer to later in the report. I will not go into the leachate now in any greater detail. It is covered in the report.

Problemau dŵr, ond mae nwy tirlenwad yn broblem hefyd mewn safleoedd tirlenwi. Er na sylweddolwyd hynny'n llawn efallai pan ddatblygwyd y safle hwn, mae nwy tirlenwad wedi chwarae rhan flaenllaw yn hanes y safle, ac wedi golygu ar ôl adeiladu'r safle y bu'n rhaid creu system gasglu a llosgi nwy—mae'r sleid hwn yn dangos y fflam. Mae llosgi'n un ffordd o ddelio â nwy tirlenwad—mae'n debyg mai'r symlaf yw ei adael allan drwy fentiau. Mae llosgi'n ymgais i ddelio â phethau fel problemau aroglau, a gafwyd yma, ac mae hefyd system i ddal y nwy ac un ai ei fwydo i mewn i'r grid, sef yr hyn a wneir bellach yn Sheffield, tref fy mebyd, ond hefyd ar gyfer cynhyrchu trydan neu yrru peiriannau disel neu beiriannau tyrbain nwy.

Amcan y leinin, fel y dywedais, yn ei hanfod oedd delio â trwytholchiad. Y trwytholchiad yw'r dŵr sydd wedi'i lygru wrth lifo drwy'r gwastraff pydrol ac, yn yr achos hwn, cariwyd y trwytholchiad drwy system ddraenio i ddraen â'i cludai yn y pen draw i'r afon yng ngwaelod y cwm. Yr wyf yn meddwl ei bod yn eithaf clir fod y draen a ddangosir yn y sleid hwn wedi gollwng dro ar ôl tro. Nid yw wedi gallu dal y cyfaint o drwytholchiad yr oedd gofyn iddo ei gario. Bu ymdrechion i selio'r draen—mae'r sleid hwn yn dangos caead bolltio-i-lawr i geisio atal yr ewyn, hynny yw, y gollyngiad a welsoch ar y sleid blaenorol. Mae'r sleid yn dangos y graddiant a ddilynai'r draen i lawr i'r garthffos a'r afon, ac mae'n raddiant serth, ac yn mynd â ni'n ôl at y gymhariaeth â'r llethr sgôl. Mewn unrhyw fan lle newidia'r graddiant hwnnw, mae'r draen dan bwysau mawr ac yn dueddol o ollwng. Gall ollwng naill ai drwy dorri neu drwy fyrstio twll archwilio, fel y gwnaeth ambell waith yma. Mae'r draen wedi'i ailosod a bellach mae lagwnau ychwanegol ar y safle i geisio dal llif y trwytholchiad. Cafodd yr ymchwiliad fanteisio ar waith gan Arolwg Daearegol Prydain ac mae hwnnw'n ffurfio atodiad pwysig iawn i'r adroddiad, sydd, os oes gennych ddiddordeb mewn llygredd dŵr, yn werth canolbwytio arno. Yr ateb gorau i'r trwytholchiad, yn fy marn i, yw ei drin ar y safle a pheidio byth â cheisio mynd ag ef oddi ar y safle mewn cyflwr llygredig. Dyna rywbed y cyfeiriaf ato'n ddiweddarach yn yr adroddiad. Nid af i fanylu ar y trwytholchiad yn awr. Mae wedi'i drafod yn yr adroddiad.

The next thing I want to cover is the wind-blown litter. In this video clip, we have a view of the hillside and, if you watch carefully, you will see an example of wind-blown litter hitting the trees. The trees are very effective at stopping the wind-blown litter. This next clip is another example of what the site can look like. It is a very windy hilltop and you are tipping straight out of the back of a collection vehicle onto a tipping face. Of course, the wind whips litter away and whatever the site management seeks to do with on-site screens, it is unable to control that particular problem and the litter ends up all over the place.

However, why has Nantygwyddon posed special, unforeseen problems, not connected merely with the disposal of household waste? In 1990, the Government of the day passed the Environmental Protection Act, requiring local authorities to dispose of their waste disposal operations—to privatise them, essentially. Rhondda Borough Council proceeded to take advice on how best to do that. I have gone into this in the report. It eventually formed an arm's length, wholly-owned company. The company needed a viable business plan. The approved business plan needed to shorten the 35-year life of the tip, which, at the time that they chose this option, still had about 30 years to run. By the time that the site was vested in the company and ownership transferred to the company, there was a 12-year predicted business life.

Where had all the years of predicted life gone? They had gone into accepting waste from outside the area. That waste was acceptable on the site in the opinion of the people operating it and the people licensing it. The people licensing it were Rhondda Borough Council, which owned the operating company. They decided that they would broaden the terms of the licence and take industrial waste. A type of industrial waste that they took was from water pollution control and this clip shows the site where Purolite International Limited is now operating. It is a chemical works. It makes

Y peth nesaf yr hoffwn ei drafod yw'r sbwriel a chwythir gan y gwynt. Yn y clip fideo hwn, gwelwn ochr y bryn ac, os edrychwr yn ofalus, gwelwch enghraift o sbwriel wedi'i chwythu gan y gwynt yn taro'r coed. Mae'r coed yn effeithiol iawn o ran atal y sbwriel ar y gwynt. Mae'r clip nesaf hwn yn enghraift arall o sut olwg all fod ar y safle. Mae'n ben mynydd gwyntog iawn ac yr ydych yn arllwys o gefn lori i wyneb y domen. Wrth gwrs, mae'r gwynt yn chwipio sbwriel i ffwrdd a beth bynnag y ceisia rheolwyr y safle ei wneud gyda sgriniau ar y safle, ni allant reoli'r broblem arbennig honno, ac yn y diwedd mae'r sbwriel dros bob man.

Fodd bynnag, pam y mae Nantygwyddon wedi peri problemau arbennig, annisgwyl, nad ydynt yn gysylltiedig â gwastraff tŷ yn unig? Yn 1990, pasiodd Llywodraeth y dydd Ddeddf Gwarchod yr Amgylchedd, yn mynnu bod awdurdodau lleol yn cael gwared ar eu gwaith gwaredu gwastraff—ei breifateiddio, yn y bôn. Aeth Cyngor Bwrdeistref y Rhondda ati i gael cyngor yngylch sut orau i wneud hynny. Yr wyf wedi delio â hyn yn yr adroddiad. Yn y diwedd ffurfiodd gwmni hyd braich, yn ei feddiant yn gyfan gwbl. Yr oedd angen cynllun busnes ymarferol ar y cwmni. Yr oedd angen i'r cynllun busnes a gymeradwywyd gwtogi oes 35 mlynedd y domen, a oedd, ar adeg dewis yr opsiwn hwn, yn dal i fod â rhyw 30 mlynedd i fynd. Erbyn yr amser y breiniwyd y safle yn y cwmni a throsglwyddo perchenogaeth i'r cwmni, yr oedd oes fusnes o 12 mlynedd wedi'i rhagweld iddo.

I ble'r oedd yr holl flynyddoedd o oes ddisgwylledig wedi mynd? Fe'u rhoddwyd i dderbyn gwastraff o'r tu allan i'r ardal. Yr oedd y gwastraff hwnnw'n dderbyniol ar y safle ym marn y bobl a'i gweithredai a'r bobl a'i trwyddedai. Y bobl oedd yn ei drwyddedu oedd Cyngor Bwrdeistref y Rhondda, a oedd yn berchen ar y cwmni gweithredu. Penderfynasant y byddent yn ehangu termau'r drwydded ac yn derbyn gwastraff diwydiannol. Un math o wastraff diwydiannol a gymerasant oedd gwastraff o waith rheoli llygredd dŵr ac mae'r clip hwn yn dangos y safle lle mae Purolite

base exchange units, which are very important for purifying industrial effluents. The company itself has to purify its industrial effluent before it is discharged to the sewer or a watercourse. This shows the factory, and coming up is a shot of the water pollution control works. The sludge coming from the water pollution control system was taken to Nantygwyddon for some years. It was essentially described as a calcium sulphate sludge—and that is the aforesaid works. This sludge was accepted on the site and it was not too long after it was accepted before it was realised that mixing this particular industrial waste with the household waste and the commercial waste that was going there was leading to particular problems of gas generation.

This slide, showing a diagram from the report [see figure 2], indicates why we have an intermittent smell problem. H₂S, as most of you will know, stands for hydrogen sulphide. It is one of the smelliest gasses you can get. That, together with the other landfill gas being generated in this site with other trace elements, in certain weather conditions, comes rolling down the steep-sided hillside and causes undoubtedly smell nuisance, particularly in periods of temperature inversion. Temperature inversion is where you get a layer of warm air trapped below colder air above. It is a particular problem in this shape of valley. This hydrogen sulphide has remained a problem, and the current operator, Amgen Rhondda Limited, has installed monitoring stations on the site and in the communities. This map is reproduced in this slide with its kind permission. It has recognised the problem and is trying its best to manage it with constant reviews of the gas monitoring system, the gas handling system, and the gas flaring system. So there has certainly been no lack of effort in trying to control the problem once it has arisen.

However, back to the days of Rhondda Waste Disposal Limited. What we had in those days was not only the smell nuisance, but other nuisance.

Videoclip: *Fire crews were alerted late last night and battled for two hours to contain the blaze. Earth moving equipment was*

International Limited yn gweithredu'n awr. Gwaith cemegol ydyw. Mae'n gwneud unedau cyfnewid sylfaen, sydd yn bwysig iawn ar gyfer puro elifiannau diwydiannol. Mae'n rhaid i'r cwmni ei hun buro'i elifiant diwydiannol cyn ei ollwng i'r garthffos neu i gwrs dŵr. Dyma'r ffatri, a nesaf ceir llun o'r gwaith rheoli llygred dŵr. Eid â'r slwj sydd yn dod o'r system reoli llygred dŵr i Nantygwyddon am rai blynnyddoedd. Fe'i disgrifid yn ei hanfod fel slwj calsiwm sylffad—a dyna'r gwaith y soniais amdano. Derbyniwyd y slwj hwn ar y safle ac ni fu'n hir ar ôl ei dderbyn cyn y sylweddolwyd fod cymysgu'r gwastraff diwydiannol arbennig hwn gyda'r gwastraff tŷ a'r gwastraff masnachol a ai yno yn arwain at broblemau arbennig o ran cynhyrchu nwyr.

Mae'r sleid hwn, yn dangos diagram o'r adroddiad [gweler ffigur 2], yn dangos pam y mae gennym broblem aroglau ysbeidiol. Saif H₂S, fel y gŵyr y rhan fwyaf ohonoch, am hydrogen sylffid. Mae'n un o'r nwyon mwyaf drewllyd sydd yn bod. Daw hnwnw, ynghyd â'r nwy tirlenwad arall a gynhyrchir yn y safle hwn gydag elfennau hybrin eraill, mewn amodau tywydd arbennig, i lawr llethrâu serth y bryn gan achosi niwsans aroglau yn ddi-os, yn enwedig mewn cyfnodau o wrthdroad tymheredd. Gwrthdroad tymheredd yw lle ceir haen o aer cynnes wedi'i ddal dan aer oerach uwch ei ben. Mae'n broblem arbennig mewn cwm o'r siâp hwn. Mae'r hydrogen sylffid hwn wedi parhau'n broblem, ac mae'r gweithredydd presennol, Amgen Rhondda Cyf, wedi gosod gorsafoedd monitro ar y safle ac yn y cymunedau. Atgynhyrchir y map yn y sleid hwn gyda'i ganiatâd caredig. Mae wedi cydnabod y broblem ac yn ceisio'i orau i'w rheoli gydag adolygiadau cyson o'r system fonitro nwy, y system drin nwy, a'r system losgi nwy. Felly yn sicr ni fu diffyg ymdrech i geisio rheoli'r broblem wedi iddi ymddangos.

Fodd bynnag, awn yn ôl i ddyddiau Rhondda Waste Disposal Limited. Yr hyn oedd gennym y dyddiau hynny oedd nid yn unig y niwsans aroglau, ond niwsans arall.

Clip fideo: *Galwyd timau Tân Allan yn hwyr neithiwr a gwnaethant frwydro am ddwy awr i atal y Tân rhag lledu. Yn y diwedd,*

eventually used to bring it under control. But the fire has ignited fresh fears in people living nearby, who have long blamed the tip for health problems in the area. In recent years they have blockaded the site, demanding it be shut while their claims are investigated. A study found that babies born near the tip were more likely to suffer from birth defects. But the local health authority insists that its survey shows no links between the site and any incidence of chronic disease. Last night, environmental health officers were called to the scene. They will continue to monitor the situation throughout the day. Experts insist that the fire posed no risk to the public.

So, we have nuisance, undoubtedly, in the communities around the tip. We had problems for the company in that its business plan was threatened by the type of waste that it was taking—what it found it could take—and the spectre of health problems was abroad in the community.

Videoclip: *I can't find any other explanation for it. Why should my throat be like this all the time? You clear it up, you go to the doctor, you clear your throat up, then it is back again. We've got it all the time. I've got the smell in the house. You know, it shouldn't be.*

That is very typical of what has been said about this site in the community. Once the spectre of health problems is abroad in this sort of environment, the fears that I mentioned earlier—the fear factors and the media triggers—start to operate, as you have seen in this short presentation.

One of the employees on the tip, one of those who had been transferred from the council to Rhondda Waste Disposal Limited, was Mr Andrew Tree. He had been involved as an employee at the chemical works that featured earlier in this presentation. He protested, as an employee on the site, when the waste from Purolite was to be received. He involved the Health and Safety Executive, because he was concerned about health risks on the site, and he was concerned about wider health risks. In involving the Health and Safety Executive,

defnyddiwyd offer symud-daear i'w reoli. Ond mae'r tân wedi codi ofnau o'r newydd ymhlieth pobl sy'n byw yn agos, sydd wedi beio'r domen ers tro am broblemau iechyd yn yr ardal. Yn y blynnyddoedd diweddar maent wedi gwarchae ar y safle gan alw am iddo gael ei gau i ymchwiliad gael ei wneud i'w honiadau. Yn ôl astudiaeth, mae babanod a enir yn agos i'r domen yn fwy tebyg o gael eu geni â nam corfforol. Ond mae'r awdurdod iechyd lleol yn taeru bod ei arolwg yntau yn dangos nad oes cysylltiad rhwng y safle a salwch parhaol. Galwyd swyddogion iechyd amgylcheddol i'r safle neithiwr. Byddant yn parhau i fonitro'r sefyllfa'r drwy'r dydd. Mae arbenigwyr yn taeru nad oedd y tân yn peryglu'r cyhoedd.

Felly, mae gennym niwsans, heb amheuaeth, yn y cymunedau o gwmpas y domen. Cafwyd problemau i'r cwmni gan fod bygythiad i'w gynllun busnes gan y math o wastraff yr oedd yn ei gymryd—yr hyn y canfu y gallai ei gymryd—ac yr oedd drychiolaeth problemau iechyd ar droed yn y gymuned.

Clip fideo: *Allaf i ddim dod o hyd i'r un rheswm arall drosto. Pam y dylai fy llwnc fod fel hyn drwy'r amser? Mae'n gwella, yna rydw i'n mynd at y meddyg, mae'n gwella, ac yna mae'n gwaethygw eto. Mae'n ein poeni drwy'r amser. Mae ei aroglau yn ein tŷ ni. Ddylai e ddim bod, wyddoch chi.*

Mae hynny'n nodwediadol o'r hyn a ddywedwyd am y safle hwn yn y gymuned. Unwaith y mae drychiolaeth problemau iechyd ar led yn y math hwn o amgylchedd, mae'r ofnau a grybwylais yn gynharach—y ffactorau ofn ac ysgogiadau'r cyfryngau—yn dechrau gweithio, fel y gwelsoch yn y cyflwyniad byr hwn.

Un o'r gweithwyr ar y domen, un o'r rheini a drosglwyddwyd o'r cyngor i Rhondda Waste Disposal Limited, oedd Mr Andrew Tree. Yr oedd wedi bod yn gweithio yn y gwaith cemegol a gafodd sylw yn gynharach yn y cyflwyniad hwn. Protestiodd, fel gweithiwr ar y safle, pan oedd y gwastraff o Purolite am gael ei dderbyn. Daeth â'r Awdurdod Gweithredol Iechyd a Diogelwch i mewn, am ei fod yn pryderu am beryglon i iechyd ar y safle, ac yn pryderu am beryglon iechyd ehangach. Drwy ddod â'r Awdurdod

and the media when he was being unsuccessful, he managed to lose his job at Nantygwyddon as a consequence of his fears, which no-one in authority, including his trade union, would take seriously.

Now, in looking at the management of the site at this time, I think that I should stress that Rhondda Waste Disposal Limited had only one director with operational waste management experience. It had three directors eventually—Mr Vic Collier was a finance man, who had actually been involved in the formation of the local authority waste disposal company and in the council's choice of the route to take in complying with the Environmental Protection Act 1990. Mr Mike Evans, who joined the board later as the third director, was actually an administrator, formerly in the Welsh Office. Mr Hoather was the waste management man, and his company, 3C Waste Limited, was responsible for the operation of the site and for business development and, really, everything to do with the waste management business. It was contracted to manage the site, develop the business and it was, essentially, vital to the operations on that site.

How was the site managed? In establishing what constitutes best practice for the management of landfill, I have referred to the guidance that was enshrined in waste management papers and is now enshrined in Environment Agency guidance. When benchmarked against such standards, the management cannot be seen to have been satisfactory. Even in discontinuing the receipt of some waste, the company was unable to satisfy the standards for the proper management of a landfill site.

So that causes us to reflect on the regulation of the site. Until April 1996, the site had been regulated by Rhondda Borough Council and, after April 1996, it fell to the new Environment Agency to regulate it. Perhaps, given the conflict of interest between Rhondda Borough Council as sole shareholder, waste collection authority, site operator and waste disposal regulator, it could have been foreseen that there would be

Gweithredol Iechyd a Diogelwch i mewn, a'r cyfryngau pan nad oedd hynny'n tycio, llwyddodd i golli'i swydd yn Nantygwyddon o ganlyniad i'w ofnau, ofnau na wnâi neb mewn awdurdod, gan gynnwys ei undeb llafur, eu cymryd o ddifrif.

Yn awr, wrth edrych ar reolaeth y safle ar yr adeg hon, credaf y dylwn bwysleisio mai dim ond un cyfarwyddwr gyda phrofiad gweithredol o reoli gwastraff oedd gan Rhondda Waste Disposal Limited. Yr oedd ganddynt dri chyfarwyddwr maes o law—yr oedd Mr Vic Collier yn ddyn cyllid, a oedd wedi ymwned â ffurfio cwmni gwaredu gwastraff yr awdurdod lleol ac â dewis y cyngor o'r ffordd i fynd ati i gydymffurfio â Deddf Gwarchod yr Amgylchedd 1990. Gweinyddwr, yn y bôn, oedd Mr Mike Evans, a ymunodd â'r bwrdd yn ddiweddarach fel y trydydd cyfarwyddwr, wedi gweithio yn y Swyddfa Gymreig gynt. Mr Hoather oedd y dyn rheoli gwastraff, a'i gwmni ef, 3C Waste Limited, oedd yn gyfrifol am weithredu'r safle ac am ddatblygu busnes ac, mewn gwirionedd, am bopeth i'w wneud â'r busnes rheoli gwastraff. Yr oedd wedi'i gontractio i reoli'r safle, datblygu'r busnes, ac yr oedd, yn y bôn, yn hanfodol i'r gweithrediadau ar y safle hwnnw.

Sut y rheolwyd y safle? Wrth sefydlu beth yw'r ymarfer gorau ar gyfer rheoli tirlenwi, yr wyf wedi cyfeirio at y canllawiau a roddwyd mewn papurau rheoli gwastraff ac a geir bellach yng nghanllawiau Asiantaeth yr Amgylchedd. O osod y safonau hynny fel meincnod, ni ellir barnu fod y rheolaeth wedi bod yn fodhaol. Hyd yn oed wrth roi'r gorau i dderbyn peth gwastraff, ni allai'r cwmni fodloni'r safonau ar gyfer rheoli safle tirlenwi yn briodol.

Felly mae hynny'n peri inni fyfyrion ar reoleiddiad y safle. Hyd at fis Ebrill 1996, cai'r safle ei reoleiddio gan Gyngor Bwrdeistref y Rhondda ac, ar ôl Ebrill 1996, cyfrifoldeb Asiantaeth yr Amgylchedd oedd ei reoleiddio. Efallai, yn wyneb y gwrthdaro buddiannau rhwng Cyngor Bwrdeistref y Rhondda fel unig gyfranddaliwr, awdurdod casglu gwastraff, gweithredwr safle a rheoleiddiwr gwaredu gwastraff, y gallesid

some problems in regulation. However, turning to a national environment agency, things, I think, should have improved and this videoclip indicates the steps that the Environment Agency Wales was going to take.

Videoclip: *If we are satisfied that the site is proven to be giving rise to pollution of the environment, or harm to human health, we have powers to cease part or all of the operations at that facility.*

Many officers, of course, were engaged in waste regulation and moved to the Environment Agency. So some might say, ‘old officers, new management’. Enforcement against oneself has always been impossible—going back to the days of Rhondda Borough Council—but I think that things were, certainly, set to, and expected to, get better.

However, what do the residents of Rhondda think? Well, unfortunately, in the experience of this investigator and the hearings, where the community’s response to the new regulators has been developed, there has not been the satisfaction that was hoped for. The Environment Agency Wales has recorded a litany of legislative breaches and problems on the site and with the site. However, the crucial issue is that it has remained operational throughout, with all the problems, despite the operating company going into administration. Even when it was emerging from administration into a new arm’s length local authority company, with the investment of yet more public money, it has still been the experience of the investigation that the public has been most dissatisfied with the performance of the new regulators.

In terms of identifying lessons for the future, some of them are specific to Nantygwyddon, and others—especially in terms of taking a forward look—are of very general application. Under European Union law, the days of crude landfill are numbered anyway. However, the lessons that I have identified cover a great many things, particularly things such as transparency in the conduct of public affairs. This site has never moved outside the public sector. For all the talk of an arm’s

rhagweld y byddai rhai problemau gyda’r rheoleiddio. Fodd bynnag, wrth droi at asiantaeth amgylchedd genedlaethol, dylai pethau, dybiwn i, fod wedi gwella, ac mae’r clip fideo hwn yn dangos y camau yr oedd Asiantaeth yr Amgylchedd Cymru am eu cymryd.

Clip fideo: *Os ydym yn fodlon y profir bod y safle yn achosi llygredd i'r amgylchedd, neu'n niweidio iechyd pobl, mae gennym bwerau i roi terfyn ar ran neu'r cyfan o'r gweithrediadau yn y cyfleouster hwnnw.*

Yr oedd llawer o swyddogion, wrth gwrs, yn ymwneud â rheoleiddio gwastraff ac wedi symud i Asiantaeth yr Amgylchedd. Felly gallai rhai pobl ddweud ‘hen swyddogion, rheolwyr newydd’. Bu hunan-orfodi yn amhosibl erioed—â mynd yn ôl i ddyddiau Cyngor Bwrdeistref y Rhondda—ond yr wyl yn meddwl yn sicr y bwriedid, ac y disgwylid, i bethau wella.

Fodd bynnag, beth am farn trigolion y Rhondda? Wel, yn anffodus, ym mhrofiad yr ymchwilydd hwn a’r gwrandoiadau, lle mae ymateb y gymuned i’r rheoleiddwyr newydd wedi’i ddatblygu, ni welwyd y boddhad y gobeithid amdano. Mae Asiantaeth yr Amgylchedd Cymru wedi cofnodi rhestr o achosion o dorri deddfwriaeth a phroblemau ar y safle a chyda’r safle. Fodd bynnag, y mater allweddol yw ei fod wedi parhau i weithio’n ddi-dor, gyda’r holl broblemau, er i’r cwmni gweithredu fynd i weinyddiad. Hyd yn oed pan oedd yn codi eto o weinyddiad i gwmni newydd hyd braich dan yr awdurdod lleol, gyda buddsoddiad mwy eto o arian cyhoeddus, profiad yr ymchwiliad o hyd yw fod y cyhoedd wedi bod yn anfodlon dros ben gyda pherfformiad y rheoleiddwyr newydd.

O ran nodi gwensi ar gyfer y dyfodol, mae rhai ohonynt yn benodol i Nantygwyddon, ac eraill—yn enwedig yn nhermau edrych ymlaen—yn wersi cyffredinol iawn. Dan gyfraith yr Undeb Ewropeaidd, mae dyddiau tirlenwi â gwastraff crai wedi’u rhifo beth bynnag. Fodd bynnag, mae’r gwensi yr wyl wedi’u nodi yn ymwneud â llawer o bethau, yn enwedig bethau fel tryloywder mewn materion cyhoeddus. Nid yw’r safle hwn erioed wedi symud allan o’r sector

length waste disposal company, it is wholly owned by the council of the Rhondda Cynon Taff authority. The Environment Agency is there as a public service. ‘Why was there not the necessary transparency?’ I ask myself. Why the uncertainty in the community—and, indeed, in my mind—about what liabilities and risks the site faces and poses? Why were no operational plans approved, on the record and available for inspection? Why was there no openness in the management of gas, in the protection of water, about air-quality impacts from the site on the community? Why the absence of baseline health data in the Valleys? Why so little enforcement and justification for so little enforcement? Why no urgent move towards alternatives to landfill when landfill, in its present form, has to be phased out within four years now? Why no absorption of best practice from around the world, not just in this community, but in the communities of Wales generally?

On page 31 of your report, if you cannot read the table on this slide, there is a list that I have produced from your own, Welsh, developing waste strategy, of how other cities manage the problem. You will see that, in terms of household waste produced per capita—and I have chosen to take three capital cities, the names of which all start with ‘C’—Cardiff creates 473 kg per capita, as against 439 in Copenhagen and 610 in Canberra. Those cities are not too different in size. Look at the difference in percentage for what is recycled, at the bottom, for what energy is recovered, and for what composting is undertaken. Not only is the UK spectacularly backward in this way of managing waste, but Wales is even more spectacularly backward than the rest of the UK. So, in tackling the future, we have to turn to such principles as producer responsibility for ensuring that waste can be managed. We have to keep emphasising the need for open government, about the problems, about the investment necessary. We have to secure, as I see it, public audit of the public pound. I can see absolutely no justification for the history of this site being clouded in secrecy. If the same attitude is

cyhoeddus. Er gwaethaf yr holl siarad am gwmni gwaredu gwastraff hyd braich, mae’n gyfan gwbl ym meddiant cyngor awdurdod Rhondda Cynon Taf. Mae Asiantaeth yr Amgylchedd yno fel gwasanaeth cyhoeddus. ‘Pam nad oedd yno’r tryloywder angenrheidiol?’ gofynnaf imi fy hun. Pam yr ansicrwydd yn y gymuned—ac, yn wir, yn fy meddwl i—yngylch pa ddyletswyddau a pheryglon a wynebir ac a achosir gan y safle? Pam nad oedd cynlluniau gweithredu wedi’u cymeradwyo, ar glawr ac ar gael i’w harchwilio? Pam nad oedd dim yn agored wrth reoli nwy, wrth warchod dŵr, yngylch effeithiau’r safle ar ansawdd aer y gymuned? Pam nad oedd data iechyd gwaelodlin i’w gael yn y Cymoedd? Pam cyn lleied o orfodi a chyflawnhau cyn lleied o orfodi? Pam na symudwyd ar fyrder tuag at ddewisiadau eraill yn lle tirlenwi, pan fo’n rhaid rhoi’r gorau yn raddol i dirlenwi, yn ei ffurf bresennol, o fewn pedair blynedd bellach? Pam na chymerwyd yr ymarfer gorau o wledydd eraill o gwmpas y byd, nid dim ond i’r gymuned hon, ond i gymunedau Cymru’n gyffredinol?

Ar dudalen 31 yn eich adroddiad, os na allwch ddarllen y tabl ar y sleid hwn, mae rhestr a luniais gan ddyfynnu o’ch strategaeth gwastraff ddatblygol chi, yng Nghymru, o’r modd y mae dinasoedd eraill yn rheoli’r broblem. Fe welwch, yn nhermau gwastraff tŷ a gynhyrchir y pen—ac yr wyf wedi dewis edrych ar dair prifddinas, ac enwau pob un yn dechrau ag ‘C’—fod Caerdydd yn creu 473 kg y pen, o gymharu â 439 yn Copenhagen a 610 yn Canberra. Nid yw’r dinasoedd hynny’n rhy wahanol o ran maint. Edrychwch ar y gwahaniaeth yn y ganran ar gyfer deunydd a ailgylchir, ar y gwaelod, ar gyfer yr ynni a adenillir, ac ar gyfer y compostio a wneir. Nid yn unig y mae’r DU ar ei hôl hi’n aruthrol yn y ffordd hon o reoli gwastraff, ond mae Cymru ar ei hôl hi hyd yn oed yn fwy aruthrol na gweddill y DU. Felly, wrth fynd i’r afael â’r dyfodol, rhaid inni droi at egwyddorion fel cyfrifoldeb cynhyrchwyr dros sicrhau y gellir rheoli gwastraff. Rhaid inni ddal ati i bwysleisio’r angen am lywodraeth agored, a phwysleisio’r problemau, a’r angen i fuddsoddi. Rhaid inni sicrhau, yn ôl a welaf, archwiliad cyhoeddus o’r bunt gyhoeddus. Ni allaf weld dim cyflawnhad o gwbl dros gadw hanes y safle

carried forward to new waste disposal facilities, then Wales and the UK will not make the necessary progress. I think that, in examining new facilities, we have to look at the health, the environmental, and the financial impact assessment of those proposals.

I was asked to consider the suitability of the location in the light of planning guidance available now and at the time that planning permission was given. I really do not think that you can be in any doubt as to my view, but here, once more, is the videotape showing the effect of putting a household waste tip on top of one of the draughtiest hilltops in the British Isles: really unmanageable, would be my summary of it.

In considering the design of the landfill site and the role played by the promoting and regulatory bodies, I think that I need say no more than it was not a glorious chapter in anyone's history.

Turning to health effects, I had very helpful assistance from the Medical Research Council's Institute of Environment and Health at Leicester. Included as an appendix to my report is a great deal of detail about the toxicology and its possible effect on health. However, the health studies undertaken, in summary, although they have been undertaken, are generally not very helpful because they are not getting at the necessary data about pollution in the environment here or its impact on individual health status. Neither on the pollution side of events, or on the health status of events, is there satisfactory information. I can see no quick solution to this difficult area but, in the report, I suggest what could and should be done. It needs long-term studies, detailed studies and considerable interest from the authorities and resources to enable the necessary research to be done. In the UK at present, research is only done if it is funded. Researchers do what is funded. If they are not asked to particularly find solutions, they will just look at what information is available and report on it from published and peer reviewed research that has been undertaken. So, we have not been able to make any significant progress in this investigation in looking at

hwn yn gyfrinachol. Os caiff yr un agwedd ei chario ymlaen at y cyfleusterau gwaredu gwastraff newydd, yna ni fydd Cymru a'r DU yn symud ymlaen fel y dylid. Credaf, wrth edrych ar gyfleusterau newydd, fod yn rhaid inni asesu'r cynigion hynny o safbwyt iechyd, yr amgylchedd, ac effaith ariannol.

Gofynnwyd imi ystyried addasrwydd y lleoliad yng ngoleuni canllawiau cynllunio sydd ar gael yn awr ac ar yr adeg y rhoddwyd caniatâd cynllunio. Nid wyf yn meddwl yn wir y gallwch fod mewn unrhyw amheuaeth ynglŷn â'm barn, ond dyma, unwaith eto, y clip fideo'n dangos effaith rhoi tomen wastraff tŷ ar ben un o'r bryniau mwyaf gwyntog yn ynysoedd Prydain: gwirioneddol amhosibl ei rheoli, dyna fyddai fy nghrynodeb i.

Wrth ystyried rôl y safle tirlenwi a'r rôl a chwaraewyd gan y cyrff hyrwyddo a rheoleiddio, ni chredaf fod angen imi wneud mwy na dweud nad oedd yn bennod o didog yn hanes neb.

A thro'i at effeithiau iechyd, cefais gymorth buddiol iawn gan Sefydliad Amgylchedd ac Iechyd y Cyngor Ymchwil Meddygol yng Nghaerlŷr. Mewn atodiad i fy adroddiad rhoddir llawer iawn o fanylion am y ffigurau gwenwyn a'u heffaith bosibl ar iechyd. Fodd bynnag, er bod yr astudiaethau iechyd wedi'u cwblhau, nid ydynt yn gyffredinol o lawer o gymorth oherwydd nid ydynt yn cyrraedd y data angenrheidiol ynghylch llygredd yn yr amgylchedd hwn nac effaith hynny ar gyflwr iechyd unigolion. Nid oes gwybodaeth fodhaol o ran llygredd nac o ran cyflwr iechyd. Ni allaf weld ateb cyflym i'r maes anodd hwn ond, yn yr adroddiad, awgrymaf beth y gellid ac y dylid ei wneud. Mae angen astudiaethau tymor hir, astudiaethau manwl a diddordeb sylweddol gan yr awdurdodau ac adnoddau i alluogi i'r ymchwil angenrheidiol gael ei wneud. Yn y DU ar hyn o bryd, dim ond os oes cyllid ar ei gyfer y gwneir ymchwil. Gwna ymchwilwyr yr hyn y mae cyllid ar ei gyfer. Os na ofynnir iddynt yn benodol ganfod atebion, ni wnânt ond edrych ar ba wybodaeth sydd ar gael a llunio adroddiad arni ar sail gwaith ymchwil sydd wedi'i gyhoeddi ac wedi'i adolygu gan gyfoedion. Felly, nid ydym wedi gallu cymryd unrhyw gamau arwyddocaol yn yr

what are the detailed health effects. All we have are suspicions. Those are detailed in the Medical Research Council's appendix to my report. I may well be able to answer some questions on that because I have taken a great deal of interest in that report and, indeed, helped to develop it to its present state. However, I would stress that some of the empirical evidence emerging from the community is at least as important as anything that has been done by the professionals. Rhondda Cynon Taff County Borough Council has sought to take advice and to have studies undertaken and it has been reliant on the other authorities and publicly funded researchers here and elsewhere to assist it. The Institute of Environment and Health has very helpfully summarised what is known about landfill and health impacts at the moment. It has also looked at dust and water pollution and ambient air quality in this area. All that is covered in the appendix.

In terms of empirical observation, this next slide [see appendix 11] is taken from a map produced by Garrod Owen, the Chairman of Rhondda Against Nantygwyddon Tip action group, and is based on information collected, not only by him, but also by June Bacon, the medical representative of RANT. They have sought, from what they can find, to list on this diagram some of the alleged clusters of health effects. These are known health effects such as gastroschisis, where the intestines are outside the abdomen of the newborn child; sarcoidosis, a skin and lymphatic condition; congenital abnormalities; and, in this case, therapeutic abortions. However, a map such as this is, of course, of limited value. It needs a temporal dimension and it needs much more information overlaid on it. I go on to suggest what could be done in this area to improve information such as this and to try to establish what, if anything, is the health status of the population in these valleys and the possible effect of the tip or any other environmental component.

This slide and the next are probably unreadable to those of you who have sought to cluster at the back. However, I have given

ymchwiliad hwn i edrych ar yr effeithiau iechyd manwl. Y cwbl sydd gennym yw amheuon. Rhoddir manylion y rheini yn atodiad y Cyngor Ymchwil Meddygol i fy adroddiad. Efallai y gallaf ateb cwestiynau ar hynny oherwydd yr wyf wedi cymryd cryn ddiddordeb yn yr adroddiad hwnnw ac, yn wir, wedi helpu i'w ddatblygu i'w gyflwr presennol. Fodd bynnag, dylwn bwysleisio fod peth o'r dystiolaeth empirig sydd yn dod o'r gymuned o leiaf gyn bwysiced ag unrhyw beth a wnaethwyd gan y bobl broffesiynol. Mae Cyngor Bwrdeistref Sirol Rhondda Cynon Taf wedi ceisio cael cyngor a sicrhau y gwneir astudiaethau ac mae wedi dibynnu ar yr awdurdodau eraill ac ar ymchwilwyr a noddir gan arian cyhoeddus yma ac mewn mannau eraill i'w gynorthwyo. Mae'r Sefydliaid Amgylchedd ac Iechyd yn ddefnyddiol iawn wedi crynhoi'r hyn sydd yn hysbys ar hyn o bryd am dirlenwi a'i effeithiau ar iechyd. Mae wedi edrych hefyd ar lygredd dŵr a llwch ac ansawdd yr aer amgylchol yn yr ardal hon. Mae hynny i gyd yn yr atodiad.

Yn nhermau arsylwi empraid, mae'r sleid nesaf hwn [gweler atodiad 11] wedi'i gymryd o fap a luniwyd gan Garrod Owen, Cadeirydd grŵp gweithredu Rhondda Against Nantygwyddon Tip, ac mae'n seiliedig ar wybodaeth a gasglwyd, nid yn unig ganddo ef, ond hefyd gan June Bacon, cynrychiolydd meddygol RANT. Maent wedi ceisio, ar sail yr hyn y gallant ei ddarganfod, rhestru ar y diagram hwn rai o'r clystyrau honedig o effeithiau iechyd. Effeithiau sydd yn hysbys yw'r rhain fel gastrosgisis, lle mae'r coluddion y tu allan i abdomen y plentyn newydd ei eni; sarcoidosis, cyflwr lymffatig ac ar y croen; annormaleddau o'r geni; ac, yn yr achos hwn, erythliadau therapiwtig. Fodd bynnag, cyfyng yw gwerth map fel hwn, wrth gwrs. Mae angen dimensiwn amserol ac mae angen cynnwys llawer mwy o wybodaeth arno. Af ymlaen i awgrymu beth y gellid ei wneud yn y maes hwn i wella gwybodaeth fel hyn ac i geisio sefydlu beth, os unrhyw beth, yw statws iechyd y boblogaeth yn y cymoedd hyn ac effaith bosibl y domen neu unrhyw gydran amgylcheddol arall.

Mae'r sleid hwn a'r nesaf, mae'n debyg, yn annarllenadwy i'r rheini ohonoch sydd wedi heidio yn y cefn. Fodd bynnag, yr wyf wedi

the page numbers [see diagrams on p39 and p40 of the report] so you can turn to them in your full report. You can see that they just summarise, in a very brief way, the way in which research can be undertaken in terms of managing risk, the risk assessment approach, and the management of those risks. Insofar as exposure to toxic substances is concerned, this is also a useful diagram. These diagrams have been around for a very long time. They are taken from what is now quite an old publication of the British Medical Association. I have used that one because it is widely available to the medical profession which, inevitably, has to be charged with getting to the bottom of these issues insofar as that is possible. I also mention in the report the work being done in great detail in the United States by the Agency for Toxic Substances Disease Registry and the Communicable Disease Centre environmental health section of the US Government, based in Atlanta, Georgia. I fear that the UK is lagging behind the USA in trying to establish the influence of toxic substances on the health of the population.

What systems have been in place in the health authority, local authority, Welsh Office, National Assembly and so on? I have not reported on this in any great detail, because the more controversial that this site and this issue have become, needless to say, the better the liaison has been. Whether that liaison can actually be described as a system, I would doubt. However, clearly, people are liaising with one another, trying to decide what to do and what to do better. However, one of the problems, I think, that has undoubtedly arisen from this investigation is the way in which public servants have responded to the people whom they are there to serve. So, in investigating the research, the investigations and the communication, we have to ask ourselves why the words that I have listed on page 45 of the report are used by the public to characterise the officials with whom they have had to deal.

One of the things I point out is that, to my mind, for some years now, and certainly for the future, professionals in the public service

rholi rhifau'r tudalennau [gweler y diagramau ar dud. 39 a thud. 40 yr adroddiad] fel y gallwch droi atynt yn eich adroddiad llawn. Gallwch weld eu bod yn crynhoi, yn fyr iawn, y modd y gellir gwneud ymchwil ym maes rheoli risg, y dull asesu risg, a rheoli'r risgau hynny. O ran amlygiad i sylweddau gwenwynig, mae hwn yn ddiagram defnyddiol hefyd. Bu'r diagramau hyn ar gael ers cryn amser. Maent wedi'u cymryd o gyhoeddiad sydd erbyn hyn yn eithaf hen, gan y Gymdeithas Feddygol Brydeinig. Defnyddiai hwnnw gan ei fod ar gael yn rhwydd i'r proffesiwn meddygol, sydd, yn anochel, yn mynd i orfod mynd i waelod y materion hyn cyn belled ag y bo hynny'n bosibl. Soniaf hefyd yn yr adroddiad am y gwaith sydd yn cael ei wneud mewn cryn fanylder yn yr Unol Daleithiau gan Gofrestrfa'r Asiantaeth dros Afiechydon Sylweddau Gwenwynig ac adran iechyd amgylcheddol Canolfan Clefydau Trosglwyddadwy Llywodraeth yr Unol Daleithiau, sydd yn Atlanta, Georgia. Ofnaf fod y DU yn llusgo tu ôl i UDA yn y gwaith o geisio sefydlu beth yw dylanwad sylweddau gwenwynig ar iechyd y boblogaeth.

Pa systemau a fu ar waith yn yr awdurdod iechyd, yr awdurdod lleol, y Swyddfa Gymreig, y Cynulliad Cenedlaethol ac ati? Nid wyf wedi adrodd ar hyn mewn unrhyw fanylder mawr, oherwydd y mwyaf dadleul y daeth y safle hwn a'r mater hwn, afraid dweud, gorau fu'r cydweithio. A ellir disgrifio'r cydweithio hwnnw fel system, byddwn yn amau. Fodd bynnag, yn amlwg, mae pobl yn cydweithio gyda'i gilydd, yn ceisio penderfynu beth i'w wneud a beth i'w wneud yn well. Fodd bynnag, un o'r problemau, dybiwn i, sydd yn ddi-os wedi codi o'r ymchwiliad hwn yw'r ffordd yr ymatebodd gweision cyhoeddus i'r bobl y maent yno i'w gwasanaethu. Felly, wrth ymchwilio i'r ymchwil, yr ymchwiliadau a'r cyfathrebu, rhaid inni holi'n hunain pam mae'r cyhoedd yn defnyddio'r geiriau a restrais ar dudalen 45 yr adroddiad i ddisgrifio'r swyddogion y maent wedi gorfod ymwneud â hwy.

Un o'r pethau yr wyf yn eu nodi yw fy mod i o'r farn fod pobl broffesiynol mewn gwasanaeth cyhoeddus ers rhai blynnyddoedd

are inevitably going to have to move from the position that they have enjoyed for a very long time of being on top of communities, preaching at people, to being on tap for communities, responding to fears and seeking to help them. This is a cultural shift which people with my sort of background have to ensure that they can make, if they have not already made it.

I turn again to the fright factors that I mentioned at the beginning of the presentation, and I ask you to reflect—particularly members of the Committee and the National Assembly—on how these have featured in the history of this landfill, and how those understandable fright factors have been amplified and, undoubtedly, sometimes distorted by the media triggers. The conclusion is that the public service must do better in the service of communities that are frightened.

My recommendations are no more than I have said to you already this afternoon. They are there in the report, you can read them and you can question me on the conclusions and recommendations. However, I would say that it is important that anxiety and uncertainty are brought to an end as far as is possible. This slide shows one face, one section of the Nantygwyddon tip that has been capped [see photograph 6], and it will, in due course, be landscaped and vegetated and so on. I have used this slide because it shows the effect of the enormous and, occasionally, torrential rainfall on this site. The finished landform on this site, I think is very important in terms of stability and in terms of ensuring that we can landscape and cap effectively what has already been disposed of on the mountain.

We have an adjacent pair of spoil heaps that can perhaps help in the engineering to a closure of the site which I have recommended be done. Of course, the site has to be engineered to a closure, because it will continue producing leachate and landfill gas until most people in this room are no longer able to take a personal interest.

We do not, I think, need to see this sort of sight, of people—and I hope they will forgive me for saying this—coming to the end of

bellach, ac yn sicr yn y dyfodol, yn mynd i orfod symud o'r safle y maent wedi'i fwynhau ers amser maith iawn o fod ar ben cymunedau, yn pregethu ar bobl, i fod ar gael i gymunedau, gan ymateb i'w hofnau a cheisio'u helpu. Dyma newid diwylliannol y mae'n rhaid i bobl gyda chefndir fel fy un i sicrhau y gallant ei wneud, os nad ydynt eisoes wedi'i wneud.

Trof eto at y ffactorau braw a grybwylais ar ddechrau'r cyflwyniad, a gofynnaf ichi feddwl—yn enwedig aelodau'r Pwyllgor a'r Cynulliad Cenedlaethol—yngylch y ffordd y mae'r rhain wedi bod yn amlwg yn hanes y tirlenwad hwn, a'r modd y cafodd y ffactorau braw dealladwy hynny eu chwyddo ac, heb os, eu llurgunio weithiau gan ysgogiadau'r cyfryngau. Y casgliad yw fod yn rhaid i'r gwasanaeth cyhoeddus wneud yn well i wasanaethu cymunedau sydd mewn ofn.

Nid yw fy argymhellion yn ddim mwy nag a ddywedais wrthych yn barod y prynhawn yma. Maent yno yn yr adroddiad, gallwch eu darllen a chewch fy holi ar y casgliadau a'r argymhellion. Fodd bynnag, fe ddywedwn ei bod yn bwysig rhoi terfyn ar bryder ac ansicrwydd cyn belled ag y bo modd. Mae'r sleid hwn yn dangos un wyneb, un rhan o domen Nantygwyddon sydd wedi'i chapio [gweler ffotograff 6], a maes o law caiff ei thirwedd a phleniar llystyfiant ac ati yno. Yr wyf wedi defnyddio'r sleid hwn oherwydd ei fod yn dangos effaith y glaw mawr, y cenllifau ar adegau, ar y safle hwn. Mae'r tirffurf gorffenedig ar y safle hwn, dybiaf fi, yn bwysig iawn yn nhermau sefydlogrwydd ac yn nhermau sicrhau y gallwn dirwedd a chapio'n effeithiol y deunydd sydd eisoes wedi'i waredu ar y mynydd.

Mae gennym bâr o domenni nesaf at ei gilydd a all efallai helpu yn y gwaith i gau'r safle yn unol â fy argymhelliad. Wrth gwrs, rhaid gweithio i gau'r safle hwn, oherwydd bydd yn parhau i gynhyrchu trwytholchiad a nwy tirlenwad hyd nes na fydd y rhan fwyaf o'r bobl yn yr ystafell hon yn abl mwyach i gymryd diddordeb personol.

Nid oes arnom, yn fy marn i, angen gweld y fath beth, pobl—a gobeithiaf y maddeuant imi am ddweud hyn—yn cyrraedd diwedd eu

their lives being so disturbed, upset, made unquiet, anxious and fearful at the end of their lives by what is going on above their heads. I would say to Members of the Assembly that, certainly from my point of view, the environment of south Wales deserves better care and attention than it has been getting. It needs to be more than a remote area where nations win energy sources and dispose of unwanted materials in a cavalier fashion.

Ladies and gentlemen, I want to thank Members of the Assembly for giving me the opportunity to conduct this investigation on your behalf. I have had a lot of help, as I mentioned at the beginning, but the findings are independent and they are entirely mine. This, ladies and gentlemen, is what you asked for; it is what I undertook to deliver. I wish you every success in completing your investigation in the service of this audience. Thank you. [Applause.]

Richard Edwards: I thank David Purchon for that presentation. We will now adjourn for 15 minutes and then we will come back for Members to ask questions.

[*Cynhalwyd egwyl rhwng 3.20 p.m. a 3.35 p.m.*
[A break was held between 3.20 p.m. and 3.35 p.m.]

Cwestiynau i'r Ymchwilydd Annibynnol Questions to the Independent Investigator

[1] **Richard Edwards:** I welcome everybody back to the meeting. In this second half, questions will be put by members of the Committee to the investigator, David Purchon. I am afraid that only members of the Committee will be able to ask questions and not members of the general public. I am sorry about that. I also remind members that they need to switch their microphones on and off as they would in a Regional Committee meeting.

I thank David for his presentation. I also thank him for the manner in which he has conducted the investigation, which inspired confidence in the local community. Thank you, David, very much. I remind members that questions should focus on matters of clarification and on the actual evidence supporting the conclusions and

hoes yn cael eu haflonyddu a'u tramgwyddo gymaint, yn dioddef poen, pryer ac ofn ar ddiweddu eu bywydau oherwydd yr hyn sydd yn digwydd uwch eu pennau. Dywedaf wrth Aelodau'r Cynulliad, yn sicr o'm safbwyt i, fod amgylchedd y de yn haeddu gwell gofal a sylw nag y mae wedi'i gael. Mae angen iddo fod yn fwy nag ardal anghysbell lle bydd cenhedoedd yn ennill adnoddau ynni ac yn gwaredu defnyddiau dieisiau mewn ffordd fwrdd-â-hi.

Foneddigion a boneddigesau, hoffwn ddiolch i Aelodau'r Cynulliad am roi'r cyfle imi wneud yr ymchwiliad hwn ar eich rhan. Cefais lawer o gymorth, fel y soniais ar y dechrau, ond mae'r casgliadau'n annibynnol ac yn perthyn yn gyfan gwbl i mi. Dyma, foneddigion a boneddigesau, beth y gofynasoch amdano; dyma yr addewais ei roi ichi. Dymunaf bob llwyddiant ichi wrth gwblhau'ch ymchwiliad er gwasanaeth y gynulleidfa hon. Diolch. [Cymeradwyaeth.]

Richard Edwards: Diolch i David Purchon am y cyflwyniad hwnnw. Cymerwn egwyl yn awr am chwarter awr ac wedyn deuwn yn ôl er mwyn i'r Aelodau gael gofyn cwestiynau.

[1] **Richard Edwards:** Croeso i bawb yn ôl i'r cyfarfod. Yn yr ail hanner hwn, bydd aelodau'r Bwyllgor yn holi'r ymchwilydd, David Purchon. Mae arnaf ofn mai dim ond aelodau'r Bwyllgor fydd yn cael gofyn cwestiynau, ac nid aelodau'r cyhoedd yn gyffredinol. Mae'n ddrwg gennyf am hynny. A gaf atgoffa aelodau hefyd fod angen iddynt droi eu meicroffonau ymlaen ac i ffwrdd fel y gwnaent mewn cyfarfod o Bwyllgor Rhanbarthol.

Diolch i David am ei gyflwyniad. Diolch iddo hefyd am y modd y cynhaliodd yr ymchwiliad, gan ennyn hyder yn y gymuned leol. Diolch ichi, David, yn fawr iawn. Atgoffaf aelodau y dylai'r holi ganolbwyntio ar faterion o eglurhad ac ar y dystiolaeth wirioneddol sydd yn cefnogi'r casgliadau a'r argymhellion yn adroddiad David Purchon.

recommendations in David Purchon's report. We should not be straying into any discussion of the actual merits of those recommendations and our views on those recommendations, because to do so would be to prejudice consideration of responses to David's report. After the question session, I will say more about the next stages in the investigation.

I will first ask the party spokespeople to make comments and ask questions. First, I call on the Minister for Environment, Sue Essex.

[2] **Sue Essex:** Thank you, Chair. Good afternoon, everyone. Before I ask questions of David, I just wanted to make a short statement. I have had the Chair's permission to do this, because I think that this is a very important day, with the presentation of the report. It is very important, obviously, to people in the Rhondda. I wanted to make some general points about the process of the investigation. I am sure that everyone in the audience will know that they have been guinea pigs here: this is the first time that this process has happened. When I first met representatives of RANT some time ago, they told me of their concerns about Nantygwyddon and the issues that were very dear to their hearts. I did feel then that an investigation such as this could give them—and indeed you in the audience—the answers; that it could provide some important lessons for the future; and, I think, very importantly, give people who live close to the tip an opportunity to have a real voice. That means not just being heard, but being listened to. I sincerely hope that the residents feel that the investigation has done that. By setting the investigation within the remit of the Environment, Planning and Transport Committee, it has been firmly sat within the democratic structures of the Assembly. I believe that that is crucial also. This has meant that an investigation could be carried out in the Rhondda, with hearings and the resource centre here. It also meant that the investigation was completed within an acceptable timescale, which I think is a very important factor. Significantly, I am pleased to say that this kind of investigation could only have been carried out post-devolution. If you can imagine it, before we had the

Ni ddylem grwydro i drafod rhinweddau'r argymhellion hynny a'n barn ni am yr argymhellion hynny o gwbl, canys byddai gwneud hynny yn rhagfarnu'r ystyriaeth ar yr ymatebion i adroddiad David. Ar ôl y sesiwn holi, byddaf yn dweud rhagor am y camau nesaf yn yr ymchwiliad.

Gofynnaf yn gyntaf i lefarwyr y pleidiau wneud sylwadau a gofn cwestiynau. Yn gyntaf, galwaf ar y Gweinidog dros yr Amgylchedd, Sue Essex.

[2] **Sue Essex:** Diolch, Gadeirydd. Prynhaenda, bawb. Cyn holi David, hoffwn wneud datganiad byr. Yr wyf wedi cael caniatâd y Cadeirydd i wneud hyn, oherwydd yr wyf yn meddwl fod heddiw'n ddiwrnod pwysig iawn, gyda chyflwyniad yr adroddiad. Mae'n bwysig iawn, wrth reswm, i bobl yn y Rhondda. Hoffwn wneud rhai pwyntiau cyffredinol am broses yr ymchwiliad. Yr wyf yn siŵr y gŵyr pawb yn y gynulleidfa eu bod wedi bod yn destun arbrawf yma: dyma'r tro cyntaf i'r broses hon ddigwydd. Pan gyfarfum gyntaf â chynrychiolwyr RANT dro yn ôl, soniasant wrthyf am eu pryderon ynglŷn â Nantygwyddon a'r materion a oedd yn agos iawn at eu calonnau. Teimlais bryd hynny y gallai ymchwiliad fel hyn roi'r atebion iddynt—ac, yn wir, i chi yn y gynulleidfa; y gallai roi gwensi pwysig ar gyfer y dyfodol; ac, yn bwysig iawn yn fy marn i, y gallai roi cyfreith i bobl sydd yn byw'n agos at y domen gael llais go iawn. Mae hynny'n golygu nid yn unig gael eich clywed, ond cael gwrandawiad. Gobeithiaf o waelod calon y teimla'r trigolion fod yr ymchwiliad wedi gwneud hynny. Drwy osod yr ymchwiliad o fewn cylch gorchwyl Pwyllgor yr Amgylchedd, Cynllunio a Thrafnidiaeth, fe'i lleolwyd yn gadarn o fewn strwythurau democrataidd y Cynulliad. Credaf fod hynny'n allweddol hefyd. Mae hyn wedi golygu y gellid cynnal ymchwiliad yn y Rhondda, gan gynnal gwrandawiadau a'r ganolfan adnoddau yma. Golygodd hefyd y cwbllhawyd yr ymchwiliad o fewn amser derbyniol, ffactor pwysig iawn yn fy marn i. Yn arwyddocaol, mae'n dda gennyl ddweud na allesid cynnal y math hwn o ymchwiliad oni bai am ddatganoli. Os gallwch ddychmygu'r peth, cyn dyfodiad y Cynulliad

Assembly, we could not have run something like this. I do think that having the Committee involved in this way has been very important. In David Purchon's report, in 1.8, he says that,

'The National Assembly for Wales has sought to conduct an entirely open investigation and I feel honoured to be part of that approach in the earliest days of the Assembly's history.'

So I also think that it is important to put on record my personal thanks—and I am sure that I am speaking on behalf of every member of the Committee in this—to the residents, who I know had some worries in the early days about whether this investigation would work. I hope that they do feel that it has had a real status and has been truly independent. So I hope they feel reassured. I would also like to thank David Purchon and his team, who have worked very hard at this. There was no role model for this exercise and I know that David would recognise that. It is a one-off. I thank him and his staff. I thank officials in the Environment Division and the legal department of the National Assembly, who have given support. I give my thanks to other people who have co-operated in giving evidence and support, including the Environment Agency and the local authority, and other agencies. A particular thank you—again, on behalf of us all—to Siwan Davies, Vaughan Watkin and Juliette Selby, who have done all this in addition and who have supported the Committee in its work. Finally, most of all, I would like to thank the Chair, Richard Edwards, who has been completely committed to seeing that this investigation has been both fair and independent. His integrity has underpinned this investigation from day one. So, *diolch yn fawr*, Richard, and *diolch yn fawr* to everyone who has been involved.

I would now like to go on to one particular point, which revolves around the regulation of the tip, David. You mentioned that in your presentation. You had concerns about the enforcement there. Were there, in your view, some problems with enforcement in terms of meeting the guidance notes that were set by the Environment Agency? Or do you feel that

ni allasem fod wedi rhedeg rhywbed fel hyn. Yr wyf yn meddwl fod sicrhau fod y Pwyllgor yn ymwneud â'r mater fel hyn wedi bod yn bwysig iawn. Yn adroddiad David Purchon, yn 1.8, dywed,

'Mae Cynulliad Cenedlaethol Cymru wedi ceisio cynnal ymchwiliad cwbl agored a theimlaf hi'n faint i fod yn rhan o'r ymgymrierad hwnnw yn nyddiau cynharaf hanes y Cynulliad.'

Felly credaf ei bod yn bwysig iawn cofnodi fy niolch personol—ac yr wyf yn siŵr fy mod yn siarad ar ran pob aelod o'r Pwyllgor yn hyn o beth—i'r trigolion, a fu'n pryderu braidd, mi wn, yn y dyddiau cynnar, ynghylch a oedd yr ymchwiliad hwn yn mynd i weithio. Gobeithio y teimlant yn wir fod iddo wir statws ac iddo fod yn wirioneddol annibynnol. Felly gobeithio y teimlant yn dawel eu meddwl ar hyn. Hoffwn ddiolch hefyd i David Purchon a'i dîm, sydd wedi gweithio'n galed iawn ar hyn. Nid oedd model engrifftiol ar gyfer yr ymarfer hwn, a gwn y byddai David yn cydnabod hynny. Achos unigryw yw. Diolch iddo yntau a'i staff. Diolchaf i swyddogion yn Is-adran yr Amgylchedd ac adran gyfreithiol y Cynulliad Cenedlaethol, a roddodd gefnogaeth. Diolchaf i bobl eraill a gydwethredodd drwy roi tystiolaeth a chefnogaeth, gan gynnwys Asiantaeth yr Amgylchedd a'r awdurdod lleol, ac asiantaethau eraill. Diolch yn arbennig—eto, ar ein rhan ni i gyd—i Siwan Davies, Vaughan Watkin a Juliette Selby, a wnaeth hyn i gyd yn ychwanegol ac a gefnogodd y Pwyllgor yn ei waith. Yn olaf, ac yn bennaf oll, hoffwn ddiolch i'r Cadeirydd, Richard Edwards, a fu'n gwbl ymroddgar i sicrhau fod yr ymchwiliad hwn yn deg ac yn annibynnol. Bu ei onestrwydd yn sylfaen i'r ymchwiliad hwn o'r diwrnod cyntaf un. Felly, diolch yn fawr, Richard, a diolch yn fawr i bawb a fu'n ymwneud â'r achos.

Hoffwn fynd ymlaen yn awr at un pwynt arbennig, sydd yn ymwneud â rheoleiddiad y domen, David. Crybwylasoch hynny yn eich cyflwyniad. Yr oedd gennych bryderon ynglŷn â'r drefn orfodi yno. Oedd yna, yn eich barn chi, broblemau gyda gorfodi yn nhermau dilyn y nodiadau arweiniol a bennwyd gan Asiantaeth yr Amgylchedd?

there is something more fundamentally problematic with the regulations that underpin enforcement and monitoring for tips such as Nantygwyddon that we need to look at following your consideration of this site?

Mr Purchon: I think that the regulation of pollution generally has not been particularly rigorous in the UK. This is partly because of the difficulties with the law, as always, and a certain amount of caution by the people who take the decisions on evidence and on, perhaps, what the legislators had in mind when legislating. There is also a serious resource question, because it is very resource intensive to take enforcement action. It is rather our tradition in the UK to adopt rather grand laws and then fail to resource the enforcers in a manner that would enable them to enforce rigorously. In the exchanges that I had with the Environment Agency officers, it was clear that they felt that they were doing all that they could within the law as they were interpreting it and as it was being interpreted for them. I would tend to think that matters ought to have been put before the courts at an early stage and that enforcement action, if taken vigorously and quickly, would have had a beneficial effect. It is my experience as an enforcement officer that the attitude of the enforcer is certainly as important to the operators as the way that the law is drafted, and ultimately, interpreted by the courts. The enforcing authorities generally go to the courts very little. This means that the courts have very little experience in dealing with pollution control matters. Hence, there is relatively little history and experience of vigorous enforcement.

[3] **Helen Mary Jones:** As others have already done, I would like to thank Mr Purchon for his report. I thank everybody who took the time and trouble to give evidence, particularly the people in the local community, and all the other agencies that have been involved in supporting the inquiry, including the current Rhondda Cynon Taff County Borough Council, which put a lot of resources, I think, into making evidence available.

I would like to ask some questions about the process and how satisfied Mr Purchon was

Neu a deimlwch fod rhywbeth mwy sylfaenol broblemataidd gyda'r rheoliadau sydd yn sylfaen i waith gorfodi a monitro ar gyfer tomeni fel Nantygwyddon y mae angen inni edrych arno wedi ichi ystyried y safle hwn?

Mr Purchon: Yn fy marn i ni fu rheoleiddio llygredd yn gyffredinol yn arbennig o drwyndl yn y DU. Mae hyn yn rhannol oherwydd anawsterau gyda'r gyfraith, fel bob amser, a rhyw gymaint o ochelgarwch gan y bobl sydd yn gwneud y penderfyniadau ar dystiolaeth ac ar, efallai, yr hyn yr oedd gan y deddfwyr mewn golwg wrth ddeddfu. Mae yma gwestiwn difrifol ynghylch adnoddau hefyd, oherwydd mae gweithredu gorfodaeth yn defnyddio llawer iawn o adnoddau. Ein traddodiad yn y DU braidd yw mabwysiadu cyfreithiau eithaf crand ac wedyn methu rhoi adnoddau digonol i'r gorfodwyr i'w galluogi i orfodi'n drwyndl. Yn y sgyrsiau a gefais gyda swyddogion Asiantaeth yr Amgylchedd, yr oedd yn glir eu bod yn teimlo'u bod yn gwneud y cwbl a allent o fewn y gyfraith fel yr oeddent hwy'n ei dehongli ac fel yr oedd yn cael ei dehongli drostynt. Tueddaf i feddwl y dylasai materion fod wedi'u rhoi ger bron y llysoedd yn gynnar ac y buasai gorfodi, o'i wneud yn egniol a chyflym, wedi cael effaith fuddiol. Yn fy mhrofiad i fel swyddog gorfodi, mae agwedd y gorfodwr yn sicr cyn bwysiced i'r gweithredwyr a'r ffordd y drafftwyd y gyfraith, ac yn y pen draw, y ffordd y'i dehonglir gan y llysoedd. Yn gyffredinol, anaml iawn yr â'r awdurdodau gorfodi i'r llysoedd. Golyga hyn mai ychydig iawn o brofiad sydd gan y llysoedd mewn delio gyda materion rheoli llygredd. Felly, cymharol ychydig o hanes a phrofiad o orfodi trwyndl sydd.

[3] **Helen Mary Jones:** Fel y mae eraill wedi gwneud eisoes, hoffwn ddiolch i Mr Purchon am ei adroddiad. Diolch i bawb a gymerodd amser ac a aeth i drafferth i roi dystiolaeth, yn enwedig y bobl yn y gymuned leol, a'r holl asiantaethau eraill a fu'n ymwneud â chefnogi'r ymchwiliad, gan gynnwys Cyngor Bwrdeistref Sirol Rhondda Cynon Taf, a roddodd lawer o adnoddau, mi gredaf, i sicrhau fod dystiolaeth ar gael.

Hoffwn ofyn rhai cwestiynau am y broses a pha mor fodlon yr oedd Mr Purchon â hynny,

with that, because one of the things that we want to do is to see whether this is a useful model of inquiry to use to deal with other similar issues. You mention in paragraph 1.3 that not everybody who was invited to give evidence responded positively to do so. I wonder whether you can give us some indication of how significant you felt that was in terms of enabling you to come to your conclusions? This is in the context of the fact that what residents originally wanted, of course, was a situation whereby an inquiry was held which could subpoena people. I would like to know how important was it that there were some people who did not come forward. Did you manage to get to that information anyway? Particularly in terms of the decision-making responsibility and the process about making decisions about the tip, do you feel that you had enough information there or would you advise the Committee, perhaps, to pursue that? Is it worth us asking some individuals, perhaps, to be given the opportunity to come and talk directly to us if they did not feel that they should talk to you? I am thinking here, Chair, about giving people the opportunity perhaps to answer some points that Mr Purchon is making.

On the discussions you refer to in paragraph 3.3—to come to a slightly different point—that you had with the administrator and some of the former directors, can you just clarify, in terms of the process, whether they were public discussions or pre-discussion discussions in which you were trying to ascertain whether they would actually give formal evidence? It was not quite clear to me from the report what the status of those discussions was.

In terms of the administration process, you acknowledge in the report that there may be more information available when this is over. Did you get any idea of a timescale on that because, in terms of dealing with the history of such things, that may be an important issue?

Finally, at this stage, Chair, I would like to come back, if I may, when we talk about the way ahead in terms of some things that I would like to suggest that the Committee might do as the next step in this process. Mr

oherwydd un o'r pethau y mae arnom eisiau ei wneud yw gweld a yw hyn yn fodel ymchwiliad defnyddiol i'w ddefnyddio i ddelio â materion eraill tebyg. Soniwch ym mharagraff 1.3 nad pawb a wahoddwyd i roi tystiolaeth a roddodd ymateb cadarnhaol i wneud hynny. Tybed a allwch roi rhyw arwydd inni o ba mor arwyddocaol yr oedd hynny, yn eich tyb chi, o ran eich galluogi chi i lunio'ch casgliadau? Mae hyn yng nghydestun y ffaith mai'r hyn yr oedd ar y trigolion ei eisiau yn wreiddiol, wrth gwrs, oedd sefyllfa lle cynhelid ymchwiliad cyhoeddus a allai wysio pobl. Hoffwn wybod pa mor bwysig ydoedd fod rhai pobl heb ddod ymlaen. A lwyddasoch i gael mynediad at y wybodaeth honno beth bynnag? Yn enwedig yn nhermau'r cyfrifoldeb am wneud penderfyniadau a'r broses ynghylch gwneud penderfyniadau am y domen, a ydych yn teimlo ichi gael digon o wybodaeth ynteu a fyddch yn cynghori'r Pwyllgor, efallai, i fynd ar ôl hynny? A yw'n werth inni ofyn i rai unigolion, efallai, gael y cyfreith i ddod i siarad yn uniongyrchol â ni os nad oeddent yn teimlo y dylent siarad â chi? Yr wyf yn meddwl yma, Gadeirydd, am roi'r cyfreith i bobl efallai ateb rhai pwytiau y mae Mr Purchon yn eu gwneud.

Ar y trafodaethau y cyfeiriwch atynt ym mharagraff 3.3—â dod at bwynt ychydig yn wahanol—trafodaethau a gawsoch gyda'r gweinyddwr a rhai o'r cyn-gyfarwyddwyr, a allech egluro, o ran y broses, ai trafodaethau cyhoeddus oeddent ynteu trafodaethau cyn-trafodaeth lle'r oeddech yn ceisio sicrhau a wnaent roi tystiolaeth ffurfiol? Nid oedd yn hollol glir i mi o'r adroddiad beth oedd statws y trafodaethau hynny.

O ran y broses weinyddu, yr ydych yn cydnabod yn yr adroddiad efallai y bydd mwy o wybodaeth ar gael pan fydd hon ar ben. A gawsoch unrhyw syniad o amserlen ar hynny, oherwydd, yn nhermau delio â hanes pethau o'r fath, gallai hynny fod yn fater pwysig?

Yn olaf, yn y fan yma, Gadeirydd, hoffwn ddod yn ôl, os caf, pan soniwn am y ffordd ymlaen o ran rhai pethau yr hoffwn awgrymu i'r Pwyllgor eu gwneud fel y cam nesaf yn y broses hon. Mr Purchon, soniwch yn

Purchon, you particularly mention the problem of people not giving evidence because they refer to the information as being commercial and in confidence. Do you think that there is anything more that perhaps we as a Committee could have done in the context of this investigation, or that the Assembly could do in future investigations, to overcome concerns about people not being prepared to give that evidence? It may or may not have been crucial—we are not in a position to judge. That is what I would like to ask, Chair. Obviously, we will all have an opportunity to say what we think about the report itself and the contents thereof when we meet again in the new year, but I would again like to thank Mr Purchon for what I think is a very thorough piece of work and for his presentation today.

Mr Purchon: Regarding the influence exercised by those who were invited and did not come forward, it is always difficult to know what they might have said, and I think that something that I regret not saying earlier—but will take the opportunity to say now—is that those people who did come forward, and particularly those who were nominated to come forward by the Environment Agency, Rhondda Cynon Taff County Borough Council, the former Welsh Office and so on, I am sure were determined to be helpful. I was very dependent upon the files which were found, organised, indexed and trawled by the officers of the local authority now, Rhondda Cynon Taff County Borough Council. I mentioned that they were ably led by Mark Adams. Without those files I think that the investigation would have been floored right from the beginning.

Occasionally, of course, there were frustrations, in that things that I would have liked to have known were not ascertainable from the files, and individuals who may have known what was in the files were not prepared to come forward. Partly, I think, they were not prepared to come forward in public, and therefore I think that there are certain key individuals who, provided that their recollections are good, would certainly be able to add something to the investigation conducted by the Committee. Of course, if it is public they may still not be prepared to come forward. It is always very difficult,

arbennig am y broblem fod pobl heb roi tystiolaeth am eu bod yn dweud fod y wybodaeth yn fasnachol ac i'w thrin yn gyfrinachol. A ydych yn meddwl fod yna unrhyw beth arall y gallasem ni fel Pwyllgor efallai ei wneud yng nghyd-destun yr ymchwiliad hwn, neu y gallai'r Cynulliad ei wneud mewn ymchwiliadau yn y dyfodol, i ddileu pryderon yngylch pobl sydd yn amharod i roi'r dystiolaeth honno? Efallai ei bod yn allweddol neu efallai ddim—nid ydym mewn sefyllfa i farnu. Dyna beth yr hoffwn ei ofyn, Gadeirydd. Yn amlwg, caiff pob un ohonom gyfle i ddweud ein barn am yr adroddiad ei hun a'i gynnwys pan gyfarfyddwn eto yn y flwyddyn newydd, ond hoffwn eto ddiolch i Mr Purchon am ddarn o waith trwyndl iawn yn fy marn i, ac am ei gyflwyniad heddiw.

Mr Purchon: O ran dylanwad y rheini a wahoddwyd ac na ddaeth ymlaen, mae bob amser yn anodd gwybod beth y gallasant fod wedi'i ddweud, ac yr wyf yn meddwl mai un peth yr wyf yn edifar na ddywedais ynghynt—ond fe gymeraf y cyfle i'w ddweud yn awr—yw fod y bobl hynny a ddaeth ymlaen, ac yn enwedig y rheini a enwebwyd i ddod ymlaen gan Asiantaeth yr Amgylchedd, Cyngor Bwrdeistref Sirol Rhondda Cynon Taf, yr hen Swyddfa Gymreig ac ati, yr wyf yn siŵr, yn benderfynol o fod o gymorth. Yr oeddwn yn ddibynnol iawn ar y ffeiliau a gafodd eu darganfod, eu trefnu, eu mynegeio a'u chwilio gan swyddogion yr awdurdod lleol presennol, Cyngor Bwrdeistref Sirol Rhondda Cynon Taf. Soniais iddynt gael eu harwain yn fedrus gan Mark Adams. Heb y ffeiliau hynny yr wyf yn meddwl y buasai'r ymchwiliad wedi'i lorio o'r cychwyn cyntaf.

Yn achlysuol, wrth gwrs, yr oedd rhwystredigaethau, o ran nad oedd modd canfod pethau y buaswn wedi hoffi eu gwybod o'r ffeiliau, ac nad oedd unigolion a allasai wybod beth oedd yn y ffeiliau yn fodlon dod ymlaen. Yn rhannol, yn fy marn i, nid oeddent yn fodlon dod ymlaen yn gyhoeddus, ac felly yr wyf yn meddwl fod rhai unigolion allweddol a fyddai'n sicr, os yw eu cof yn dda, yn gallu ychwanegu rhywbeth at yr ymchwiliad a gynhelir gan y Pwyllgor. Wrth gwrs, os yw'n gyhoeddus, efallai na fyddant yn fodlon dod ymlaen o hyd. Mae'n anodd iawn bob amser, oherwydd

because however much I have tried to avoid falling into the well-known trait of using 20:20 hindsight, you do tend to use what you know now when trying to judge something that was happening 20 or more years ago. It is very difficult to avoid doing that. It is quite possible that people are now shocked that they were really quite proud of what they did many years ago, and perhaps do not feel quite so proud of it now. Perhaps they feel that their efforts many years ago were frustrated by others, and that they are now being judged not on their own performance but by the performance of others. They perhaps feel that, for them, this type of public examination is not fair and is likely to damage them. I can understand their point of view.

You went on to ask about the period of administration which, of course, continues, even though the company is not trading. It is, of course, possibly subject to legal action, and that may delay the winding up of the company for some considerable time. The administrator did say that he was finding matters complex and time-consuming. I only met the administrator, having corresponded with him a number of times, when I had a meeting with two of the directors of Rhondda Waste Disposal Limited—Mr Collier and Mr Mike Evans. They were sent a copy of a draft of my report because it referred to them and the way in which the company had operated. They sought a meeting to discuss what had been said about them, they offered me a great deal of material, and, after discussion, they offered it on the record, which therefore made it useable, insofar as I was concerned. I have only had the one meeting with them and, interestingly, at that meeting, Mr Paul Clark, the administrator, and an assistant, turned up. They arrived; I was not expecting them, but it was very helpful. Mr Clark has said nothing to me as administrator. I have had nothing from him in writing that I could use. He took very little part in the discussion, and the directors made it quite clear that, although the information they had sent to me, which sought to elucidate matters I had referred to in the report, was to be placed in the public domain, they made it quite clear that they were not prepared to be placed in the public domain.

ni waeth faint imi geisio osgoi syrthio i'r fagl adnabyddus o ddefnyddio ôl-welediad 20:20, fe dueddri i ddefnyddio'r hyn a wyddys yn awr wrth geisio barnu rhywbeth a oedd yn digwydd 20 neu fwy o flynyddoedd yn ôl. Mae'n anodd iawn osgoi gwneud hynny. Mae'n eithaf posibl bod pobl yn awr wedi cael ysgytwad, oherwydd yr oeddent yn eithaf balch o'r hyn a wnaethant flynyddoedd lawer yn ôl ac efallai nad ydynt yn teimlo mor falch ohono erbyn hyn. Efallai iddynt deimlo i'w hymdrehchion flynyddoedd lawer yn ôl gael eu llesteirio gan eraill, a'u bod bellach yn cael eu barnu nid ar eu perfformiad eu hunain ond yn ôl perfformiad pobl eraill. Efallai eu bod yn teimlo nad yw'r math hwn o archwiliad cyhoeddus, iddynt hwy, yn deg, a'i fod yn debyg o achosi niwed iddynt. Gallaf ddeall eu safbwyt.

Aethoch ymlaen i holi am y cyfnod gweinyddu sydd, wrth gwrs, yn parhau, er nad yw'r cwmni'n masnachu. Y mae, wrth gwrs, o bosibl yn destun achos cyfreithiol, a gallai hynny achosi cryn oedi wrth ddirwyn y cwmni i ben. Fe ddywedodd y gweinyddwr fod materion yn gymhleth iddo a'u bod yn cymryd amser. Yr unig dro imi gwrrdd â'r gweinyddwr, wedi gohebu ag ef sawl gwaith, oedd pan gefais gyfarfod gyda dau o gyfarwyddwyr Rhondda Waste Disposal Limited—Mr Collier a Mr Mike Evans. Anfonwyd copi drafst o fy adroddiad atynt am ei fod yn cyfeirio atynt hwy a'r ffordd y gweithredodd y cwmni. Gofynasant am gyfarfod i draffod yr hyn a ddywedasid amdanynt, a chynigiasant lawer iawn o ddeunydd imi, ac, wedi trafodaeth, fe'i cynigiasant ar y record, a olygai felly y gellid ei ddefnyddio, o'm rhan i. Dim ond yr un cyfarfod hwnnw a gefais gyda hwy ac, yn ddiddorol, yn y cyfarfod hwnnw, yr oedd Mr Paul Clark, y gweinyddwr, a chynorthwydd, yn bresennol. Cyraeddasant; nid oeddwn yn eu disgwyl, ond yr oedd o gymorth mawr. Nid yw Mr Clark wedi dweud dim wrthyf fel gweinyddwr. Ni chefais ddim ganddo ar bapur y gallwn ei ddefnyddio. Ychydig iawn o ran a gymerodd yn y drafodaeth, ac eglurodd y cyfarwyddwyr yn gwbl glir, er bod y wybodaeth a anfonasant ataf, a geisiai fwrw goleuni ar faterion yr oeddwn wedi cyfeirio atynt yn yr adroddiad, i'w wneud yn gyhoeddus, dywedasant yn gwbl glir nad oeddent hwy yn barod i fynd yn gyhoeddus.

I am afraid that I have no idea whether they would be prepared to meet the Committee. I have no idea whether the Committee would intend to meet openly in the future, or meet in camera, or whatever—that is entirely a matter for you. I think that it would be interesting to develop some of the points they sought to develop with me, about which I said, ‘No, it has to be an open process, and therefore, although this is interesting background, I will not be able to use it’. I think that they certainly have information that members of the Committee would find of great interest.

In the last point, if I have made a note of it properly, you referred to the influence of commercial in confidence. I think that one of the things I try to emphasise is that there should, in my view, be nothing commercial and in confidence about the operation of a publicly owned landfill site, set in the context of this one, or indeed in any other context I can think of. We are talking here about the public pound, we are talking of risk and liability to the public purse, and to the people that live in the community. This mechanism, by which a landfill operator was to be given commercial freedom to trade, you will probably each have a view on, in view of your political philosophy. I do not accept any party political philosophy, but it looks like nonsense to me, and I will not budge from that view. I think that it is nonsense to say that that is a facility run by a private enterprise—it is clearly not, and all the risks fall upon the community or the taxpayer. I can see no justification whatsoever for its affairs not being entirely transparent, particularly the pricing policies. I sought information about the pricing policies that Rhondda Waste Disposal Limited had adopted because I saw that there was incompatibility between their trading performance and what they said in the accounts, and what they claimed to be doing. The brief note that I had in response to my inquiry about pricing policies was that ‘we charge what the market will bear’—I paraphrase. That does not look to me like taking account of future environmental liabilities and the true risks involved in that sort of enterprise. Of course, as we have seen,

Mae gennyf ofn nad oes gennyf ddim syniad a fyddant hwy'n barod i gwrdd â'r Pwyllgor. Nid oes gennyf ddim syniad a fyddai'r Pwyllgor yn bwriadu cyfarfod yn agored yn y dyfodol, neu gyfarfod tu ôl i ddrysau caeedig, neu beth bynnag—mater i chi yn llwyr yw hynny. Yr wylf yn meddwl y byddai'n ddiddorol datblygu rhai o'r pwyntiau y ceisiasant eu datblygu gyda mi, y dywedais i amdanynt, ‘Na, mae'n rhaid iddi fod yn broses agored, ac felly, er bod hyn yn gefndir diddorol, ni fyddaf yn gallu ei ddefnyddio’. Yr wylf yn meddwl fod ganddynt yn sicr wybodaeth a fyddai o ddiddordeb mawr i aelodau'r Pwyllgor.

Yn y pwynt olaf, os ydwylf wedi'i nodi'n iawn, cyfeiriasoch at ddylanwad dweud bod gwybodaeth yn fasnachol a chyfrinachol. Credaf mai un o'r pethau y ceisiaf eu pwysleisio yw na ddylai, yn fy marn i, fod dim masnachol a chyfrinachol ynghylch gweithrediad safle tirlenwi sydd mewn mediant cyhoeddus, yng nghyd-destun y safle hwn, neu'n wir unrhyw gyd-destun arall y gallaf feddwl amdano. Yr ydym yn sôn yn y fan hon am y bunt gyhoeddus, yr ydym yn sôn am risg ac atebolrwydd i'r pwrs cyhoeddus, ac i'r bobl sydd yn byw yn y gymuned. Mae'n debyg y bydd gan bob un ohonoch chi farn ar y peirianwaith hwn, a ddefnyddiwyd i roi rhyddid masnachu i weithredwr tirlenwi, yn ôl eich athroniaeth wleidyddol. Nid wylf yn derbyn athroniaeth unrhyw blaidd wleidyddol, ond mae'n edrych fel nonsens i mi, ac ni wnaf wyro oddi wrth y farn honno. Yr wylf yn meddwl mai nonsens yw dweud ei fod yn gyfleuster a redir gan fenter breifat—yn amlwg nid dyna ydyw, a syrthia pob risg ar y gymuned neu'r trethdalwr. Ni welaf unrhyw gyfiawnhad o gwbl dros i'w fusnes beidio â bod yn gwbl dryloyw, yn enwedig y polisiau prisio. Gofynnais am wybodaeth am y polisiau prisio yr oedd Rhondda Waste Disposal Limited wedi'u mabwysiadu oherwydd gwelwn fod anghydnausedd rhwng eu perfformiad masnachu a'r hyn a ddywedent yn eu cyfrifon, a'r hyn yr oeddent yn honni eu bod yn ei wneud. Dywedai'r nodyn byr a gefais yn ateb i f'y mholiad am y polisiau prisio 'y byddwn ni'n codi'r pris y gall y farchnad ei gymryd'—yr wylf yn aralleirio. Nid yw hynny'n ymddangos i mi fel ffordd o

the consequences in terms of environmental pollution and a great deal of unrest in the community have indeed fallen on the community. They have not fallen on private shareholders, and no private capital has been at risk. [Applause.]

gymryd i ystyriaeth atebolwydd amgylcheddol i'r dyfodol a'r gwir risgau sydd ynghlwm yn y math hwnnw o fenter. Wrth gwrs, fel y gwelsom, mae'r canlyniadau o ran llygredd amgylcheddol a chryn dipyn o anesmwythder yn y gymuned yn wir wedi disgyn ar y gymuned. Nid ydynt wedi disgyn ar gyfranddalwyr preifat, ac ni pheryglwyd unrhyw gyfalaf preifat. [Cymeradwyaeth.]

[4] **Helen Mary Jones:** So that I am sure that I understand what you said about the meeting with the directors when the administrator just popped up, that was essentially a private meeting, but the written information that the directors shared with you did then go into the public domain, although they were not prepared to be questioned publicly or anything of that nature? The information that you have taken into account in the report would be that written information that they submitted to you?

Mr Purchon: Yes. I cannot improve on your interpretation.

[5] **Helen Mary Jones:** I thought that that was the case. I am asking for an opinion here, Chair, and it is up to Mr Purchon whether he wants to give it or not. Were you us, Mr Purchon, do you think that it would be worth approaching some of these key individuals again—the directors of the company and, perhaps, those with political responsibility—to see whether they will speak to the Committee? I know that it is very difficult to judge but, to be blunt, do you think it is worth our making the effort?

On another further issue, which was not directly within your terms of reference, but again may help us move the issue forward, I wonder whether you have formed any views, particularly in terms of the regulatory regime, about the powers of the National Assembly for Wales in relation to these matters. The legislation around waste disposal and that around the Environment Agency Wales is quite complex. To what extent do you feel that the National Assembly will or may be able to act on some of what you have to say? I am thinking, particularly, Chair, of some of the things regarding the Environment Agency Wales. Mr Purchon had some quite strong

[4] **Helen Mary Jones:** Er mwyn imi fod yn siŵr fy mod yn deall yr hyn a ddywedasoch am y cyfarfod gyda'r cyfarwyddwyr pan ddigwyddodd y gweinyddwr fod yn bresennol, cyfarfod preifat oedd hwnnw yn ei hanfod, ond wedyn fe aeth y wybodaeth ysgrifenedig a rannodd y cyfarwyddwyr gyda chi yn eiddo cyhoeddus, er nad oeddent yn barod i gael eu holi'n gyhoeddus na dim o'r fath? Byddai'r wybodaeth a gymerwyd i ystyriaeth gennych chi yn yr adroddiad yn wybodaeth ysgrifenedig a roesant hwy ichi?

Mr Purchon: Ie. Ni allaf wella'ch dehongliad.

[5] **Helen Mary Jones:** Yr oeddwn yn tybio mai felly yr oedd hi. Yr wyf yn gofyn am farn yn y fan hon, Gadeirydd, a mater i Mr Purchon yw a oes arno eisiau ei rhoi ai peidio. Pe baech yn ein lle ni, Mr Purchon, a ydych yn meddwl y byddai'n werth mynd at rai o'r unigolion allweddol hynny eto—cyfarwyddwyr y cwmni ac, efallai, y rheini â chyfrifoldeb gwleidyddol—i weld a wnaent siarad â'r Pwyllgor? Gwn ei bod yn anodd iawn barnu, ond â siarad yn blwmp ac yn blaen, a ydych yn meddwl ei bod yn werth inni wneud yr ymdrech?

Ar fater arall, nad oedd yn uniongyrchol o fewn eich cylch gorchwyl, ond eto a all ein helpu i symud ymlaen â'r mater, tybed a ydych wedi ffurfio unrhyw farn, yn arbennig ar y drefn reoleiddio, am bwerau Cynulliad Cenedlaethol Cymru mewn perthynas â'r materion hyn. Mae'r ddeddfwriaeth ynghylch gwaredu gwastraff ac ynghylch Asiantaeth yr Amgylchedd Cymru yn eithaf cymhleth. I brraddau y teimlwch y bydd neu y gallai'r Cynulliad Cenedlaethol weithredu ar rywfaint o'r hyn a ddywedwch? Yr wyf yn meddwl yn arbennig, Gadeirydd, am rai o'r pethau ynghylch Asiantaeth yr Amgylchedd Cymru. Yr oedd gan Mr Purchon bethau eithaf cryf

things to say on that in the report.

Mr Purchon: Yes, there are two things. I would certainly recommend that you approach those people who were invited to come forward and chose not to. I think that there is, inevitably, a significant difference in status between being approached by an independent investigator and being approached by the democratically elected representatives of the National Assembly. Therefore, I am sure that it would be worthwhile and I think that there is information that you would find very useful. I cannot necessarily say that I think that it will all be revealed to you. However, I certainly think that it is worth pursuing.

Turning to the question of powers, I do not think that I am particularly well placed to answer that; I am not a constitutional expert on devolved administrations. I can think of someone in this room who would be a great deal better placed than I am to answer that in a strictly legal sense. However, as a committed democrat, I think that you should not hesitate. Even though you may lack powers, you have undoubtedly influence. That itself is incredibly powerful. Some of the things that I feel need to be changed do require UK legislation to be changed. However, if you were to say that you believed that they should be changed, I am sure that you would be listened to; I am not sure that I would be listened to. We are really talking about influence, I think, rather than power. In politics, I would have thought that influence was at least as suitable as power.

[6] **Richard Edwards:** To clarify, at the end of the meeting when we discuss the next stage of the investigation, I will ask the Committee who it thinks should be called again before the Committee to give evidence.

[7] **Eleanor Burnham:** I also welcome this comprehensive investigation by David Purchon. The report is one of many positive moves, I think, made by devolution and the Assembly to achieve a swift and positive response to the unbearable and protracted problem that the people in this community have had to face. I do not live in this area. I am fairly new to the Welsh Assembly and

i'w dweud ar hynny yn yr adroddiad.

Mr Purchon: Oes, y mae dau beth. Byddwn yn sicr yn argymhell eich bod yn cysylltu â'r bobl hynny a wahoddwyd i ddod ymlaen ond a ddewisodd beidio. Yr wyf yn meddwl, yn anochel, bod cryn wahaniaeth statws rhwng cael cais gan ymchwilydd annibynnol a chael cais gan gynrychiolwyr etholedig democraidd y Cynulliad Cenedlaethol. Felly, yr wyf yn siŵr y byddai'n werth chweil ac yr wyf yn meddwl fod yna wybodaeth a fyddai o ddefnydd mawr ichi. Ni allaf ddweud o reidrwydd fy mod yn credu y datgelir y cyfan ichi. Fodd bynnag, yr wyf yn sicr yn meddwl ei bod yn werth mynd ar ôl y peth.

A throi at gwestiwn pwerau, nid wyf yn meddwl fy mod i mewn lle arbennig o dda i ateb hynny; nid wyf yn arbenigwr cyfansoddiadol ar weinyddiaethau datganoledig. Gallaf feddwl am rywun yn yr ystafell hon a fyddai mewn lle llawer gwell na mi i ateb hynny mewn ystyr cyfreithiol pur. Fodd bynnag, fel democrat ymroddedig, credaf na ddylech oedi. Er eich bod efallai'n brin o bwerau, mae gennych ddyylanwad yn sicr. Mae hynny ynddo'i hun yn eithriadol o rymus. I newid rhai o'r pethau y teimlaf y mae angen eu newid mae angen newid cyfraith y DU. Fodd bynnag, pe dywedech chi y credech y dylid eu newid, yr wyf yn siŵr y gwrandewid arnoch; nid wyf yn siŵr y gwrandewid arnaf fi. Sôn am ddyylanwad yr ydym mewn gwirionedd, fe gredaf, yn hytrach na grym. Mewn gwleidyddiaeth, buaswn i'n meddwl fod dylanwad o leiaf yr un mor addas â grym.

[6] **Richard Edwards:** I egluro, ar ddiwedd y cyfarfod pan fyddwn yn trafod cam nesaf yr ymchwiliad, byddaf yn gofyn i'r Pwyllgor pwys y mae'n teimlo y dylid eu galw eto ger bron y Pwyllgor i roi dystiolaeth.

[7] **Eleanor Burnham:** Croesawaf finnau'r ymchwiliad cynhwysfawr hwn gan David Purchon. Mae'r adroddiad yn un o lawer o bethau cadarnhaol, fe dybiaf, y mae datganoli a'r Cynulliad wedi'u cyflawni i sicrhau ymateb cyflym a chadarnhaol i'r broblem annioddefol a hirhoedlog y bu'n rhaid i'r bobl yn y gymuned hon ei hwynebu. Nid wyf yn byw yn yr ardal hon. Yr wyf yn weddol

very new to the Environment, Planning and Transport Committee. I am very pleased to have been here today to listen to such a wonderful report, which has, obviously, made me feel quite ashamed really that we could allow anything like this to go on for so long. There are a couple of—[Applause.]

newydd i'r Cynulliad Cenedlaethol ac yn newydd iawn i Bwyllgor yr Amgylchedd, Cynllunio a Thrafnidiaeth. Yr wyf yn falch iawn o fod wedi bod yma heddiw i wrando ar adroddiad mor wych, sydd, yn amlwg, wedi codi cywilydd arnaf braidd ein bod wedi gallu caniatáu i unrhyw beth fel hyn fynd ymlaen am gyhyd. Y mae un neu ddaau o—[Cymeradwyaeth.]

[8] **Richard Edwards:** Can I point out now, before things get out of hand, that I do not want Members to comment on the merits of the report at this stage of the investigation.

[8] **Richard Edwards:** A gaf fi nodi yn awr, cyn i bethau fynd dros ben llestri, nad oes arnaf eisiau i Aelodau wneud sylwadau ar rinweddau'r adroddiad ar yr adeg hon yn yr ymchwiliad.

[9] **Eleanor Burnham:** I am so sorry, Chairman.

[9] **Eleanor Burnham:** Mae'n wir ddrwg gennyf, Gadeirydd.

[10] **Richard Edwards:** The purpose of today's meeting, and in fairness to Helen Mary—

[10] **Richard Edwards:** Pwrpas cyfarfod heddiw, ac er tegwch i Helen Mary—

[11] **Eleanor Burnham:** I beg your pardon. It shows how new I am. I am so sorry.

[11] **Eleanor Burnham:** Maddeuwch imi. Dyna ddangos pa mor newydd ydwyf. Mae'n ddrwg gennyf.

[12] **Richard Edwards:** Okay. Please confine your comments to the evidence basis for the recommendations.

[12] **Richard Edwards:** Iawn. A fyddch gystal â chyfyngu'ch sylwadau i'r sail o ran tystiolaeth dros yr argymhellion.

[13] **Eleanor Burnham:** Fine, okay. I beg your pardon.

[13] **Eleanor Burnham:** Iawn. Maddeuwch imi.

I am particularly interested in your comments in point 16.15, Mr Purchon, about recommending that the National Assembly considers how communities may seek independent research and health risk appraisal. I am sure that you will be able to give us food for thought on that point. I am particularly concerned as well about the role of the Environment Agency. Could you make a few more comments about how we can help, as Assembly Members, to ensure the tightening up of what I consider to be a crucial role of the Environment Agency? I have been to several meetings now on various aspects of its work and I am very concerned that we must be seen to be tightening up its monitoring because, at every occasion, I have only heard it discuss cost—

Mae gennyf ddiddordeb arbennig yn eich sylwadau ym mhwynt 16.15, Mr Purchon, ynghylch argymhell fod y Cynulliad Cenedlaethol yn ystyried sut y gall cymunedau geisio ymchwil a gwerthusiad annibynnol o beryglon iechyd. Yr wyf yn siŵr y byddwch yn gallu rhoi rhywbeth inni gnoi cil arno ar y pwynt hwnnw. Yr wyf yn pryderu'n arbennig hefyd am rôl Asiantaeth yr Amgylchedd. A allech wneud ychydig mwy o sylwadau ynghylch sut y gallwn ni, fel Aelodau Cynulliad, helpu sicrhau tynhau yr hyn a ystyriaf yn rôl allweddol i Asiantaeth yr Amgylchedd? Bûm mewn sawl cyfarfod bellach ar wahanol agweddau ar ei gwaith ac yr wyf yn bryderus iawn fod yn rhaid inni gael ein gweld yn tynhau ar ei gwaith monitro oherwydd, ar bob achlysur, nid wyf ond wedi ei chlywed yn trafod cost—

[14] **Richard Edwards:** Again, I ask you not

[14] **Richard Edwards:** Eto, gofynnaf ichi

to stray too much into that. We will be doing that in due course, but we do not wish to prejudice the responses to the investigation when we come to consider those.

[15] **Eleanor Burnham:** Fine, okay. I shall leave it at that. Those are the two comments on which I would be very keen to hear some more of your views.

Mr Purchon: In terms of what can be done to get to the bottom of the necessary health investigations, this is not easy, as I mention in the introduction to the report. We have considerable problems of what are interpreted as medical ethics in regard to confidentiality and as regards data protection about individuals. However, I think that, undoubtedly, more can be done. The whole question of investigating alleged public health problems is one that is developing a new momentum. Of course, our current system is designed around what is generally referred to as communicable disease—disease that is typically regarded as infectious disease. It does need a very different approach to dealing with health that is most at risk from, say, occupational exposure, or from environmental exposure, and environmental exposure is by far the most difficult to investigate.

What is needed is a series of baseline studies to examine what is the norm in our society, and I mention in the report work that is being done in the United States to map the exposure to and absorption of toxic substances across the population of the United States. I am a member of the UK Chemicals Forum, which seeks to advise the UK Government on how the influence of chemicals in the environment can be managed. It does require a great deal of information about toxicology, about hazard appraisal, risk assessment and then, finally, risk management. All this is developing nationally and needs to develop rather quickly. There are ways in which this can be done without trespassing too far into the information about individuals and without too many invasive techniques. For example, one of the things that was raised in yesterday's forum meeting was the presence in a great deal of the food chain of medium-chain chlorinated paraffins—the sort of thing

beidio â chrwydro gormod i mewn i hynny. Byddwn yn gwneud hynny maes o law, ond nid ydym am ragfarnu'r ymatebion i'r ymchwiliad pan ddeuwn i ystyried y rheini.

[15] **Eleanor Burnham:** Iawn. Fe'i gadawaf ar hynny. Dyna'r ddau sylw y byddwn i'n awyddus iawn i glywed mwy o'ch barn chi arnynt.

Mr Purchon: O ran yr hyn y gellir ei wneud i fynd at wraidd yr ymchwiliadau iechyd angenrheidiol, nid yw hyn yn hawdd, fel y soniaf yn fy rhagymadrodd i'r adroddiad. Mae gennym broblemau sylweddol ynghylch yr hyn a ddehonglir fel moeseg feddygol o ran cyfrinachedd ac o ran gwarchod data am unigolion. Fodd bynnag, yr wyf yn meddwl, yn ddi-os, y gellir gwneud mwy. Mae'r holl gwestiwn o ymchwilio i broblemau iechyd cyhoeddus honedig yn un sydd yn datblygu momentwm newydd. Wrth gwrs, mae ein system gyfredol wedi'i chynllunio o gwmpas yr hyn a elwir yn gyffredinol yn afiechydon trosglwyddadwy—afiechydon yr edrychir arnynt yn nodwediadol fel afiechydon heintus. Mae angen ymagwedd wahanol iawn i ddelio â iechyd sydd mewn mwyaf o berygl oddi wrth, dyweder, amlygiad galwedigaethol, neu oddi wrth amlygiad amgylcheddol, ac amlygiad amgylcheddol yw'r anoddaf i ymchwilio iddo o bell ffordd.

Yr hyn sydd ei angen yw cyfres o astudiaethau llinell waelod i archwilio beth yw'r norm yn ein cymdeithas, a soniaf yn yr adroddiad am waith sydd yn cael ei wneud yn yr Unol Daleithiau i fapio amlygiad i sylweddau gwenwynig ac amsugniad ohonynt ar draws poblogaeth yr Unol Daleithiau. Yr wyf yn aelod o Fforwm Cemegau'r DU, sydd yn ceisio cynghori Llywodraeth y DU ar sut y gellir rheoli dylanwad cemegau yn yr amgylchedd. Y mae'n gofyn am lawer iawn o wybodaeth am wenwyneg, am werthuso perygl, asesu risg ac wedyn, yn olaf, rheoli risg. Mae hyn i gyd yn datblygu'n genedlaethol ac mae angen iddo ddatblygu'n eithaf cyflym. Mae ffyrdd y gellir gwneud hyn heb dresmasu'n rhy bell i'r wybodaeth am unigolion a heb ormod o dechnegau ymyrrol. Er enghraift, un o'r pethau a godwyd yng nghyfarfod fforwm ddoe oedd presenoldeb paraffinau clorinedig cadwyn-ganolig mewn rhan fawr o'r gadwyn

that would inevitably find its way into a tip, and into leachate and, possibly, into the food chain. It has been established in research in Germany that there are significant quantities of this substance in mothers' milk, which, of course, the baby is going to be consuming at a very vulnerable stage of its development. So, we need to do a great deal of baseline investigations into chemicals and substances in the environment that can affect health, and try to go from what is monitored in the environment to what is absorbed by individuals. That is the sort of health study that is needed.

In terms of what may be the role of a health commissioner, this may be to give some expert advice on what needs to be done and how it might be done, what time it would take and what it might cost. It is to give a route to individuals to seek to have their fears addressed in an authoritative way. I think that approaching any local authority or health authority and expecting them to be able to respond at the forefront of international technology is unrealistic. Therefore, the Assembly has a crucial role in pushing forward the knowledge base on which risk management can be based because risk management is essentially a political process, it is not an expert process. All the processes that proceed it are expert, but the judgment and the management must be political.

[16] **Geraint Davies:** To begin with, I would like to welcome you belatedly to the Rhondda. The welcome is warm despite the lateness; we have been waiting a long time for this investigation. Some people here have been campaigning on Nantygwyddon for five, six or seven years. It has been two and a half years since we tabled a motion calling for an inquiry, and that has been a very long time. Some of us would have liked to have had an inquiry, and Helen Mary has said that we could have subpoenaed witnesses as a consequence, and perhaps not being able to do so has weakened the investigation. However, it has been useful to have an independent voice coming in from the outside with no axe to grind, just to look at the situation. I think that people are very appreciative of the work that you have undertaken. *Diolch yn fawr iawn.*

fwyd—y math o beth a fyddai'n anochel yn canfod ei ffordd i domen, ac i drwytholchiad ac, o bosibl, i'r gadwyn fwyd. Sefydlwyd mewn ymchwil yn yr Almaen fod meintiau arwyddocaol o'r sylwedd hwn yn llaeth mamau, y bydd y baban, wrth gwrs, yn ei yfed ar gyfnod bregus iawn yn ei ddatblygiad. Felly, mae angen gwneud llawer iawn o ymchwiliadau llinell waelod i gemegau a sylweddau yn yr amgylchedd a all effeithio ar iechyd, a cheisio mynd oddi wrth yr hyn a gaiff ei fonitro yn yr amgylchedd i'r hyn a gaiff ei amsugno gan unigolion. Dyna'r math o astudiaeth iechyd y mae ei hangen.

O ran yr hyn all fod yn rôl comisiynydd iechyd, gall olygu rhoi cyngor arbenigol ar yr hyn y mae angen ei wneud a sut y gellid ei wneud, faint o amser a gymerai a beth y gallai ei gostio. Byddai'n rhoi llwybr i unigolion geisio cael ateb o awdurdod i leddfu eu hofnau. Yr wyf yn meddwl ei bod yn afrealistig mynd at unrhyw awdurdod lleol neu awdurdod iechyd a disgwyd iddynt allu rhoi ateb sydd yn rheng flaen technoleg ryngwladol. Felly, mae gan y Cynulliad rôl allweddol yn gwthio ymlaen y sylfaen wybodaeth y gellir seilio rheolaeth risg arni gan fod rheoli risg yn ei hanfod yn broses wleidyddol, nid yn broses arbenigol. Mae'r holl brosesau sydd yn ei rhagflaenu'n rhai arbenigol, ond mae'n rhaid i'r dyfarnu a'r rheoli fod yn wleidyddol.

[16] **Geraint Davies:** I ddechrau, hoffwn eich croesawu yn hwyr yn y dydd i'r Rhondda. Mae'r croeso'n dwymgalon er mor hwyr ydyw; buom yn aros yn hir am yr ymchwiliad hwn. Mae rhai pobl yma wedi bod yn ymgyrchu ar Nantygwyddon ers pum, chwe neu saith mlynedd. Aeth dwy flynedd a hanner heibio ers inni gyflwyno cynnig yn galw am ymchwiliad, a bu hynny'n amser maith iawn. Buasai rhai ohonom wedi hoffi cael ymchwiliad cyhoeddus, ac mae Helen Mary wedi dweud y gallem fod wedi gwysio tystion o ganlyniad, ac efallai bod methu gwneud hynny wedi gwanhau'r ymchwiliad. Fodd bynnag, bu'n ddefnyddiol cael llais annibynnol yn dod i mewn o'r tu allan heb unrhyw gyllell i'w hogi, dim ond i edrych ar y sefyllfa. Yr wyf yn meddwl fod pobl yn werthfawrogol iawn o'r gwaith a wnaethoch. Diolch yn fawr iawn.

My question is the burning one of the moment and is on your first recommendation, in paragraph 16.1:

'I recommend that there should be an end to household waste disposal at Nantygwyddon.'

First of all, I would like to know why you only mention household waste and not commercial waste. When do you think that household waste disposal should end and what process should be undertaken to facilitate that? Secondly, your second recommendation relates to capping and the remedial work that you propose. However, people are concerned about what is actually in the tip at the moment and what are the potential dangers in the future. Do you have any proposals for bore holes or whatever, to find out exactly what is the problem in Nantygwyddon? Thirdly, I have a question on an issue raised by Eleanor Burnham regarding health studies. This has been everyone's greatest concern. I want to reiterate your views on the precautionary principle. I will quote an extract from page 11 of the Institute of Environment and Health report, which refers to gastroschisis. It is one of the most disturbing things in the report, as far as I am concerned.

'As noted in a commentary on the study by Fielder *et al*, such a cluster of gastroschisis is unusual but would be observed by chance in one in a thousand similarly sized communities.'

One in a thousand. You say that it is difficult for investigators to distinguish between normal clusters and those that may result from a common cause. I think that one in a thousand is a very small number, and I think that it is incredibly coincidental that this has occurred near a landfill site. I would like your comments on that and on whether in future, with regard to the development of such things as landfill sites, a health impact assessment should be included in any planning guidance that is proposed. That is all, thank you.

Mr Purchon: For clarification on why the reference to 'household', I think it is the biological degeneration of the waste that is the crucial issue on the hilltop at the moment.

Fy nghwestiwn i yw pwnc llosg y foment ac mae a wnelo â'ch argymhelliaid cyntaf, ym mharagraff 16.1:

'Argymhellaf y dylid rhoi'r gorau i waredu gwastraff tŷ yn Nantygwyddon.'

Yn gyntaf oll, hoffwn wybod pam mai dim ond am wastraff tŷ y soniwch ac nid gwastraff masnachol. Pa bryd yn eich barn chi y dylid rhoi'r gorau i waredu gwastraff tŷ a pha broses y dylid ymgymryd â hi i hwyluso hynny? Yn ail, mae a wnelo'ch ail argymhelliaid â chapio a'r gwaith adfer a argymhellwch. Fodd bynnag, mae pobl yn pryderu yngylch yr hyn sydd yn y domen ar hyn o bryd ac yngylch beth yw'r peryglon potensial yn y dyfodol. A oes gennych unrhyw gynigion ar gyfer treidd-dyllau neu beth bynnag, i ganfod yn union beth yw'r broblem yn Nantygwyddon? Yn drydydd, mae gennyl gwestiwn ar fater a godwyd gan Eleanor Burnham yngylch astudiaethau iechyd. Dyma fu pryder mwyaf pawb. Hoffwn ategu'ch sylwadau ar yr egwyddor o ragofal. Dyfynnaf ddarn o dudalen 11 adroddiad Sefydliad yr Amgylchedd a Iechyd, sydd yn cyfeirio at gastrosgisis. Mae'n un o'r pethau mwyaf brawychus yn yr adroddiad, o'm safbwyt i.

'Fel a nodwyd mewn sylwebaeth ar yr astudiaeth gan Fielder *et al*, mae'r fath glwstwr o gastrosgisis yn anarferol, ond fe'i gwelid ar hap mewn un mewn mil o gymunedau o faint tebyg.'

Un mewn mil. Dywedwch chi ei bod yn anodd i ymchwilwyr wahaniaethu rhwng clystyrau arferol a rhai a all ddeillio o achos cyffredin. Mae un mewn mil yn rhif bach iawn yn fy marn i, a thybiaf ei fod yn gyddigwyddiad anhygoel fod hyn wedi digwydd yn agos at safle tirlenwi. Hoffwn glywed eich sylwadau ar hynny ac yngylch a ddylid yn y dyfodol, wrth ystyried datblygiad pethau fel safleoedd tirlenwi, gynnwys asesiad o'r effaith ar iechyd mewn unrhyw ganllawiau cynllunio a gynigir. Dyna'r cwbl, diolch.

Mr Purchon: I egluro pam y cyfeiriwyd at 'wastraff tŷ', credaf mai dirywiad biolegol y gwastraff yw'r mater allweddol ar ben y bryn ar hyn o bryd. Yr wyf i bob pwrrpas yn

I am effectively suggesting that it would be sensible to cap or limit the amount of pollutant that is taken to the hilltop. The licence restricts, and the current company practice restricts, what is taken there very considerably. However, it is, in my view, necessary to engineer the site to a close. It is perfectly possible to use some waste material to engineer that closure.

There is colliery spoil aplenty around, but it is spoil that has a worrying sulphur content, as does much British coal. Therefore, I think that it has to be used with care. There are other materials, which are undoubtedly waste, which are biologically inactive and likely to be chemically inactive on that site. That can be used to engineer the site to a closure. I would mention in particular composted waste. It is my belief that you, in Wales, will soon be composting vast tonnages of household waste, and that material can be used to revegetate the site and engineer its closure. It is necessary to engineer it, because it will continue gassing and it will continue producing leachate inevitably, to some extent, however well it is engineered.

I would not contemplate trying to shift all the material that has been put there since 1988. It would be very, very difficult to handle. The nuisance from handling it and transporting it would be inconceivable, and where would it go in its state? I think that, to some extent, the mess is made and has to be handled where it is. It is the least damaging of the options and I think that that can be done. However, of course, the question is at what cost, over what time. I cannot say exactly how long that might take, but I would think that, probably, getting the will to engineer it to a closure will take longer than the engineering itself, because of what it is going to cost. This is very much a political issue for you and for the owning local authority, and whoever is going to fund it, because it is going to take a lot of time, effort, care and resources. It probably could be done in two years from those decisions being taken and the resources being put in place.

awgrymu y byddai'n ddoeth capio neu gyfyngu faint o ddeunydd llygrol a gludir i ben y bryn. Mae'r drwydded yn cyfyngu, ac mae ymarfer presennol y cwmni'n cyfyngu, yn sylweddol iawn ar yr hyn a gludir yno. Fodd bynnag, mae'n angenrheidiol, yn fy marn i, weithio tuag at gau'r safle. Mae'n berffaith bosibl defnyddio rhywfaint o ddeunydd gwastraff i weithio at y cau hwnnw.

Mae hen ddigon o wastraff gwaith glo o gwmpas, ond mae'n rwbel sydd yn cynnwys gormod o swlfwr i fod yn gysurus yn ei gylch, fel llawer o lo Prydain. Felly, credaf fod angen ei ddefnyddio â gofal. Mae defnyddiau eraill, sydd heb os yn wastraff, sydd yn fiolegol anactif ac yn debygol o fod yn gemegol anactif ar y safle hwnnw. Gellir defnyddio hynny i weithio tuag at gau'r safle. Hoffwn sôn yn arbennig am wastraff compost. Fy nghred i yw y byddwch chi, yng Nghymru, cyn bo hir yn compostio tunelli lawer o wastraff tŷ, ac y gellir defnyddio'r defnydd hwnnw i ailgyflwyno tyfiant ar y safle a gweithio tuag at ei gau. Mae angen gwaith peirianyddol arno, oherwydd bydd yn parhau i gynhyrchu nwya thrwytholchiad, yn anochel, i ryw raddau, pa mor dda bynnag y bo'r gwaith peirianyddol.

Ni fyddwn yn ystyried ceisio symud yr holl ddefnydd a roddwyd yno ers 1988. Byddai'n anodd iawn, iawn i'w drafod. Mae'n anodd dychmygu'r niwsans o'i drafod a'i gludo, ac i ble y byddai'n mynd yn y cyflwr sydd arno? Credaf, i ryw raddau, fod y llanastr wedi'i wneud a bod yn rhaid delio ag ef yn y fan a'r lle. Dyna'r dewis lleiaf niweidiol o bob opsiwn a chredaf y gellir gwneud hynny. Fodd bynnag, wrth gwrs, y cwestiwn yw ar ba gost, a thros faint o amser. Ni allaf ddweud yn union faint y gallai hynny ei gymryd, ond buaswn yn tybio, mae'n debyg, y bydd cael yr ewylls i weithio ar gau'r safle yn cymryd mwy o amser na'r gwaith ei hun, oherwydd yr hyn y mae'n mynd i'w gostio. Mae hyn i raddau helaeth iawn yn fater gwleidyddol i chi ac i'r awdurdod lleol sydd yn berchen arno, oherwydd mae'n mynd i gymryd llawer iawn o amser, ymdrech, gofal ac adnoddau. Gellid, mae'n debyg, ei wneud mewn dwy flynedd ar ôl gwneud y penderfyniadau hynny a sicrhau'r adnoddau.

I think that the third point was about the very important precautionary principle. I think that the possibility that you raise, Mr Davies, of this cluster of birth defects of a particular kind being an entirely random occurrence—I find that very difficult to believe from all the studies. The field has been reviewed in 2000 by Martine Vrijheid, who is mentioned in the report. I find it inconceivable that you could get so much random occurrence of a variety of birth defects, low birth weights and so on, in the vicinity of landfill sites purely by random chance. Therefore, my implementation of the precautionary principle is to do the most thorough health studies possible.

Turning to your last point, of whether health impact assessments be made for waste disposal plants—I think that you probably said landfill sites, but I would certainly mean waste disposal facilities—I feel that I have been clear in saying that it requires a health impact assessment, an environmental impact assessment, and a financial impact assessment, because the lifetime costs of waste disposal facilities are the only sensible way in which to take a policy decision or a business decision. A great many waste disposal companies are, at the moment, furiously investigating alternatives to landfill and this, hopefully, includes trying to extract value from waste. I think that, financially, the more that you extract value—which would help you to pass a financial impact assessment—the more you are likely to have a positive influence on the environment and health.

[17] **Geraint Davies:** May I just clarify—

[18] **Richard Edwards:** Very quickly then, Geraint.

[19] **Geraint Davies:** Are you saying that the tipping of household waste should be stopped in two years' time? Is that what you are saying?

Mr Purchon: No. I am saying that the site should be engineered to a closure as soon as possible, and no more household waste should be taken there.

Credaf fod y trydydd pwynt yn ymwneud â'r egwyddor bwysig iawn o ragofal. Credaf fod y posiblwydd a nodwch, Mr Davies, fod y clwstwr hwn o ddiffygion geni o fath arbennig yn ddigwyddiad cyfan gwbl ar hap—caf hi'n anodd iawn i gredu hynny ar sail yr holl astudiaethau. Adolygyd y maes yn 2000 gan Martine Vrijheid, a grybwylir yn yr adroddiad. Ni allaf ddychmygu y gallech gael cymaint o achosion ar hap o amrywiaeth o ddiffygion geni, pwysau geni isel ac ati, yng nghyffiniau safleoedd tirlenwi drwy siawns bur yn unig. Felly, fy nefnydd i o'r egwyddor ragofalus yw gwneud yr astudiaethau iechyd mwyaf trwyndl bosibl.

A thro i at eich pwynt olaf, sef a ddylid gwneud asesiadau effaith iechyd ar weithfeydd gwaredu gwastraff—credaf ichi ddweud safleoedd tirlenwi yn ôl pob tebyg, ond byddwn i'n sicr yn golygu cyfleusterau gwaredu gwastraff—teimlaf fy mod wedi bod yn glir wrth ddweud bod angen asesu'r effaith ar iechyd, yr effaith ar yr amgylchedd, a'r effaith ariannol, oherwydd costau oes cyfleusterau gwaredu gwastraff yw'r unig ffordd synhwyrol o wneud penderfyniad polisi neu benderfyniad busnes. Mae llawer iawn o gwmniau gwaredu gwastraff ar hyn o bryd wrthi'n ddiwyd yn ymchwilio i ddulliau eraill i gymryd lle tirlenwi, ac mae hyn, gofeithio, yn cynnwys ceisio cael gwerth allan o wastraff. Yn ariannol, yr wyf yn meddwl mai po fwyaf o werth y cewch allan—a fyddai'n eich helpu i basio asesiad effaith ariannol—mwyaf y byddwch yn debygol o gael dylanwad cadarnhaol ar yr amgylchedd ac iechyd.

[17] **Geraint Davies:** A gaf i eglurhad sydyn—

[18] **Richard Edwards:** Yn gyflym iawn, felly, Geraint.

[19] **Geraint Davies:** A ydych yn dweud y dyliid rhoi'r gorau i daflu gwastraff tŷ o fewn dwy flynedd? Ai dyna beth yr ydych yn ei ddweud?

Mr Purchon: Na. Yr wyf yn dweud y dyliid gweithio i gau'r safle cyn gynted ag y bo modd, ac na ddylid mynd â dim mwy o wastraff tŷ yno.

[20] **Geraint Davies:** From when?

Mr Purchon: This afternoon? [*Applause.*]

[21] **Karen Sinclair:** I would like to add my thanks to David Purchon for this very thought-provoking report. There are a couple of things in the report on which I would like clarification, and then I will go on with a couple of general questions.

On page nine, paragraph 2.8, the last sentence—I will not go through the whole paragraph because you will be familiar with it, as you wrote it, obviously—states:

‘There are several bodies of water (ponds, lakes, etc.) which could be polluted by tipped waste leachate including Glyncornel Lake trout pond.’

What does ‘could’ mean there? Does it mean potentially, or does it mean that you are not sure because there are no figures? I was not sure what the word ‘could’ meant in that particular sentence.

Also, on page 13, paragraph 2.13, says that there were:

‘reports that fence posts have been erected through the liner.’

Is that just a report, or something that you actually know factually?

Then, on page 28, paragraph 7.7, it says:

‘The local authority RCTCBC does not have meaningful local air quality data and is in no position to assess the contribution, if any, of the site. For reasons of environmental health capability generally this needs to be urgently addressed.’

Is it true that, ongoingly, air samples have not been taken to date?

Moving to the more general question, obviously the overarching principle of the Assembly’s new waste strategy is that waste

[20] **Geraint Davies:** O ba bryd?

Mr Purchon: Y prynhawn yma?
[*Cymeradwyaeth.*]

[21] **Karen Sinclair:** Hoffwn ychwanegu fy niolch i i David Purchon am yr adroddiad hwn, sydd yn sicr yn gwneud i rywun feddwl. Mae un neu ddau o bethau yn yr adroddiad yr hoffwn dderbyn eglurhad arnynt, ac wedyn af ymlaen gyda chwpl o gwestiynau cyffredinol.

Ar dudalen naw, paragraff 2.8, dywed y frawddeg olaf—nid af drwy’r paragraff cyfan oherwydd byddwch yn gyfarwydd ag ef, gan mai chi a’i hysgrifennodd, yn amlwg:

‘Mae sawl corff o ddŵr (llynnoedd ac ati) a allai gael eu llygru gan drwytholchiad o wastraff a daflwyd, yn cynnwys Llyn Glyncornel lle megir brithyllod.’

Beth yw ystyr ‘a allai’ yn y fan honno? A ydyw’n golygu bod potensial, neu a ydyw’n golygu nad ydych yn siŵr oherwydd nad oes dim ffigurau? Nid oeddwn yn siŵr beth oedd ystyr y gair ‘allai’ yn y frawddeg arbennig honno.

Hefyd, ar dudalen 13, dywed paragraff 2.13 fod:

‘adroddiadau fod dyst ffensiô wedi’u codi drwy’r leinin.’

Ai dim ond adroddiad yw hynny, ynteu a yw’n rhywbeth y gwyddoch ei fod yn ffaith?

Wedyn, ar dudalen 28, paragraff 7.7, dywedir:

‘Nid oes gan yr awdurdod lleol, Cyngor Bwrdeistref Sirol Rhondda Cynon Taf, ddim data ystyrlon ar ansawdd aer yn lleol, ac nid yw mewn sefyllfa i asesu cyfraniad y safle, os oes cyfraniad. Am resymau iechyd yr amgylchedd yn gyffredinol, mae angen rhoi sylw i hyn ar fyrdre.’

A ydyw’n wir nad oes samplau aer rheolaidd wedi’u cymryd hyd yma?

A symud at y cwestiwn mwy cyffredinol, egwyddor drosfwaol strategaeth gwastraff newydd y Cynulliad yn amlwg yw y dylid

should be disposed of as close to its point of production as possible. As I live in a very urban area, I realise that there are big implications in urban areas from this. What do you see as a possible way forward here in the Valleys? We have got particular topography problems here that you do not have in certain other areas. I wondered what you saw as a potential way forward there.

Mr Purchon: Paragraph 2.8 would better read, ‘has been polluted’, rather than ‘could be polluted’, because the data shows intermittent pollution and the trout pond is fed by water from the hilltop, but not from the Nantygwyddon stream. Therefore, intermittent pollution has been found in the streams and in the bodies of water. I think that there can be quite an argument about why it is intermittent and this probably has to do with the speed with which the water flows from the hillside, and the fact that the streams are able to recover very quickly because of the fast flow of the water from the hill. However, the record certainly shows that these streams and bodies of water have been polluted, so they could be polluted again. They are not necessarily indicating traces of pollutant as we sit here now, but there is every likelihood that they could exhibit those symptoms later.

On the fence post through the liner, this is information given to me in conversation while touring the site by staff of the present operators. These were problems that the present operator discovered and paid to have repaired. To some extent, that is hearsay, because I did not seek to see the invoices and the quality control certificates. However, I accepted the information that this had been a problem, and had been remedied. I was told who had done it, when it was done, and so on.

On the question of the local authority and its lack of meaningful air quality data, it is my understanding, from discussion with representatives of the local authority, that it had—I am not quite sure of the current status, because I was told that equipment was being purchased—but it had no instrumentation with which to measure the air quality in its

gwaredu gwastraff mor agos at ei fan cynhyrchu ag sydd yn bosibl. Gan fy mod yn byw mewn ardal drefol iawn, sylweddolaf fod goblygiadau mawr yn hyn i ardaloedd trefol. Beth welwch chi fel ffordd bosibl ymlaen yma yn y Cymoedd? Mae gennym broblemau arbennig o ran topograffeg yma nad ydynt yn bodoli mewn rhai ardaloedd eraill. Meddwl yr oeddwon tybed beth yr oeddech yn ei weld fel ffordd bosibl ymlaen yno.

Mr Purchon: Byddai paragraff 2.8 yn darllen yn well pe rhawn ‘wedi eu llygru’ yn lle ‘a allai gael eu llygru’, oherwydd dengys y data lygredd ysbeidiol a chaiff y llyn brithyllod ei fwyo gan ddŵr o ben y bryn, ond nid o ffrwd Nantygwyddon. Felly, canfuwyd llygredd ysbeidiol yn y nentydd ac yn y llynnoedd. Credaf y gellid cynnal eithaf dadl ynghylch pam y mae’n ysbeidiol ac mae’n debyg fod a wnelo hyn â chyflymder llif y dŵr o lethrau'r bryn, a'r ffaith fod y nentydd yn gallu ail-lenwi'n sydyn iawn oherwydd llif cyflym y dŵr oddi ar y bryn. Fodd bynnag, dengys y cofnod yn sicr fod y nentydd a'r llynnoedd hyn wedi'u llygru, felly gallent gael eu llygru eto. Nid ydynt o reidrwydd yn arddangos olion llygredd yr eiliad hon, ond mae pob tebygrwydd y gallent arddangos y symtomau hynny yn ddiweddarach.

Ynglŷn â'r postyn ffens drwy'r leinin, dyma wybodaeth a roddwyd imi mewn sgwrs tra'r oeddwon yn mynd o gwmpas y safle gan staff y gweithredwyr presennol. Dyma broblemau a ddarganfu'r gweithredwr presennol ac y talodd i gael eu trwsio. I ryw raddau, stori yw honno, oherwydd ni ofynnais am gael gweld yr anfonebau a'r dystysgrifau rheoli ansawdd. Fodd bynnag, derbyniais y wybodaeth y bu hyn yn broblem, a'i bod wedi'i chywiro. Dywedwyd wrthyf pwys a wnaeth hyn, pryd y digwyddodd, ac ati.

Ar gwestiwn yr awdurdod lleol a'i ddiffyg data ystyrlon ar ansawdd aer, fy nealltwriaeth i, ar sail trafodaeth gyda chynrychiolwyr yr awdurdod lleol, yw nad oedd ganddo—nid wyf yn gwbl sicr o'r sefyllfa gyfredol, oherwydd dywedwyd wrthyf fod offer yn cael eu prynu—ond nid oedd ganddo unrhyw offerynnau i fesur ansawdd yr aer yn ei ardal.

area. There is an air quality management strategy and standards that have been adopted by the UK Government. A local authority is required to appraise its air quality and draw up an air quality management plan. It can really only do this if it has the base-line data, so my understanding is that—certainly for the period that I was reviewing—it did not have the equipment, it was not doing the work and, therefore, it could not assess the contribution, if any, from the tip, other than by occasionally getting some consultants in to study a particular problem. It did employ consultants to come and study the tip but, as far as I understand it, it has not employed consultants to appraise the air quality that it has in its area. My contention is that the local authority has a duty to undertake that work, and it should be done. In the absence of such base-line information about the ambient air quality in an area, you cannot start to establish the exceptional air quality problems, if any, in a specific part of your area, from a point pollution source, for example.

The principle that waste should be disposed of close to its point of production—I think you may have meant close to its point of consumption, but please correct me if I am wrong. The washing machine may be produced in Turin but it is used and consumed in the Rhondda. I presume that you think that it ought to be disposed of in the Rhondda.

[22] **Karen Sinclair:** Yes, sorry.

Mr Purchon: In my view, producer responsibility in waste disposal is extremely important, because how the product is engineered certainly influences how it can be reused or, ultimately, how it may be safely disposed of. So I certainly think that the engineering of a product should be undertaken with its eventual disposal in mind. If we are ever to bring a sense of responsibility to a consumer society, yes, we must manage the waste close to the point of its production and not the product's production. There is a very quickly developing local—that is, UK—response to the landfill directive. There is clearly a lot of international response to this. Many people

Mae strategaeth a safonau rheoli ansawdd aer sydd wedi'u mabwysiadu gan Lywodraeth y DU. Mae'n ofynnol i awdurdod lleol werthuso ansawdd ei aer a llunio cynllun rheoli ansawdd aer. Ni all ond gwneud hyn mewn gwirionedd os oes ganddo'r data llinell waelod, felly fy nealltwriaeth i yw—yn sicr am y cyfnod yr oeddwn i'n ei adolygu—nad oedd ganddo'r offer, nad oedd yn gwneud y gwaith ac, felly, na allai asesu'r cyfraniad, os oedd un, gan y domen, ac eithrio drwy alw ymgynghorwyr i mewn yn achlysurol i astudio problem arbennig. Fe gyflogodd ymgynghorwyr i ddod ac astudio'r domen ond, yn ôl a ddeallaf, nid yw wedi cyflogi ymgynghorwyr i werthuso ansawdd yr aer yn ei ardal. Yr wyf yn maentumio fod dyletswydd ar yr awdurdod lleol i wneud y gwaith hwnnw, ac y dylid ei wneud. Heb wybodaeth waelodlin o'r fath am ansawdd yr aer amgylchol mewn ardal, ni ellir dechrau sefydlu beth yw'r problemau eithriadol o ran ansawdd aer, os oes rhai, mewn rhan benodol o ardal, o ffynhonnell llygredd penodol, er enghraifft.

Ar yr egwyddor y dylid gwaredu gwastraff yn agos at y fan lle caiff ei gynhyrchu—tybiaf efallai mai yn agos at ei bwynt defnyddio a olygwch, ond cywirwch fi os wyf yn anghywir. Gall y peiriant golchi fod wedi'i gynhyrchu yn Nhorino ond caiff ei ddefnyddio yn y Rhondda. Yr wyf yn tybio eich bod o'r farn y dylai gael ei waredu yn y Rhondda.

[22] **Karen Sinclair:** Ie, mae'n ddrwg gennyd.

Mr Purchon: Yn fy marn i, mae cyfrifoldeb y cynhyrchydd dros waredu gwastraff yn hynod o bwysig, oherwydd mae'r modd y peiriannwyd y nwydd yn sicr yn dylanwadu ar y modd y gellir ei ailddefnyddio neu, yn y pen draw, y modd y gellir ei waredu'n ddiogel. Felly, yr wyf yn sicr o'r farn y dylid gwneud cynnyrch gan ystyried sut y caiff ei waredu yn y pen draw. Os ydym byth am ddod â synnwyr o gyfrifoldeb i gymdeithas o ddefnyddwyr nwyddau traul, oes, mae'n rhaid inni reoli'r gwastraff yn agos at y fan y'i cynhyrchrir ac nid y fan lle cynhyrchrir y cynnyrch. Mae ymateb lleol—hynny yw, Prydeinig—yn datblygu'n gyflym iawn i'r gyfarwyddeb dirlenwi. Mae'n amlwg bod

rely on incineration, but that is very unpopular generally in the UK, although energy from waste is part of the waste management hierarchy. I mentioned composting earlier and, certainly, there are a range of recycling activities such as a type of steam autoclaving and pyrolysis. All this is developing and trying to get a material that can be reused to extract the energy. At the end of the day, yes, it does give you a material that still has to be disposed of, but perhaps it can be used in a beneficial way on land rather than merely crudely dumped in a hole or piled on top of a hill.

[23] **Karen Sinclair:** May I come back on that?

[24] **Richard Edwards:** You will have to be very quick, Karen, because we are running out of time.

[25] **Karen Sinclair:** I just have a question in order to get clarification on a response to a question. On the question that I asked about air quality, I took it that you meant that, unless it was looked at initially before anything was happening in the area and then comparing it at a later date, it could be meaningless. However, I will come back innocently and say that, if I had a gas leak outside my house and I wanted to know whether there was a gas leak and so someone came to test the air, surely they would not have had to have tested the air before the gas leak to prove that there was a gas leak there?

[26] **Richard Edwards:** A brief response, please, David.

Mr Purchon: Briefly, I am glad that you mentioned gas, because the smell that they put in natural gas that comes through the gas main is methyl mercaptan. Methyl mercaptan is the smell often associated with a landfill site. So, if you lived adjacent to a fissure from a landfill site, you would not know whether you had a gas leak of natural gas or a gas leak of landfill gas. If you had base-line information about the air quality in your street, you would know, even if it was something that you could not smell, whether

llawer o ymateb rhyngwladol i hyn. Mae llawer o bobl yn dibynnu ar losgi, ond mae hynny'n amhoblogaidd iawn yn gyffredinol yn y DU, er bod ynni o wastraff yn rhan o'r drefn reoli gwastraff. Soniais am gompostio yn gynharach ac, yn sicer, ceir amrediad o weithgareddau ailgylchu, er enghraifft, math o awtoclafio â stêm a phyrolysis. Mae hyn i gyd yn fod o ddatblygu a cheisio cael deunydd y gellir ei ailddefnyddio i dynnu'r ynni allan. Yn y pen draw, ydyw, y mae'n rhoi deunydd ichi y mae'n rhaid cael gwared ohono o hyd, ond efallai y gellir ei ddefnyddio mewn ffordd fuddiol ar dir yn hytrach na dim ond ei luchio i mewn i dwll neu ei bentyrru ar ben brym.

[23] **Karen Sinclair:** A gaf fi ddod yn ôl ar hynny?

[24] **Richard Edwards:** Bydd yn rhaid ichi fod yn gyflym iawn, Karen, oherwydd mae ein hamser yn prysur ddirwyn i ben.

[25] **Karen Sinclair:** Dim ond cwestiwn sydd gennyf er mwyn cael eglurhad ar ateb i gwestiwn. Ar y cwestiwn a ofynnais yngylch ansawdd aer, cymerais eich bod yn golygu, oni bai yr edrychwyd arno yn y dechrau cyn bod dim yn digwydd yn yr ardal a'i gymharu wedyn ar ddyddiad diweddarach, y gallai fod yn ddiystyr. Fodd bynnag, dof yn ôl yn ddiniwed a dweud, pe bai gennyf fi nwyr yn gollwng y tu allan i'm tŷ a bod arnaf eisiau gwybod a oedd nwyr yn gollwng ac felly bod rhywun yn dod i brofi'r aer, yn ddiua ni fuasent wedi gorfol profi'r aer cyn y gollyngiad nwyr er mwyn profi fod nwyr yn gollwng yno?

[26] **Richard Edwards:** Ateb byr, os gwelwch yn dda, David.

Mr Purchon: Yn fyr, yr wyf yn falch ichi sôn am nwyr, oherwydd methyl mercaptan yw'r arogl a roddir mewn nwyr naturiol a ddaw drwy'r brif bibell nwyr. Methyl mercaptan yw'r arogl a gysylltir yn aml â safle tirlenwi. Felly, petaech yn byw nesaf at ollyngiad nwyr o safle tirlenwi, ni fydddech yn gwybod a oedd nwyr naturiol yn gollwng ynteu ai nwyr tirlenwad oedd yn gollwng. Pe bai gennych wybodaeth waelodlin am ansawdd yr aer yn eich stryd, byddech yn gwybod, hyd yn oed pe bai'n rhywbeth na

you had something normal or abnormal. My view is that the local authority should know what the norm is in its area and be able to compare its area with other similar areas. If it has no information at all, how does it know what it is looking for?

[27] **Richard Edwards:** May I just point out that we do need to finish by 5 p.m. at the latest. I will now take questioners two at a time. The first two will be David and Brian. I am glad that you could make it, David. You should have travelled by train and then you would have got here on time. [*Laughter.*]

[28] **David Davies:** Touché.

[29] **Richard Edwards:** I have an important point to make. Just in case you missed what I said earlier, please confine your questions to points of clarification of the evidence and do not, at this stage, express opinions on the recommendations.

[30] **David Davies:** The first question that I want to ask is about this. You state in paragraph 2.14 that the stream was being regularly polluted. Is that still happening? If so, is the Environment Agency now taking proper action, because you also say elsewhere in your report that the Environment Agency did not appear to be taking action? If it is the case that the stream is still being polluted and not enough action is being taken, that is certainly something that we could and should be doing something about. Secondly, you have talked about files going missing. It seems that not only the files that related to the setting up of this landfill site have gone missing but also, presumably, a separate tranche of files that related to European funding for this. It is, in my—

[31] **Richard Edwards:** Do not express an opinion, David.

[32] **David Davies:** No, I will not express an opinion, but let me just say this: I do not see how that number of files, relating to all sorts of different things, can go missing unless somebody has deliberately led them to go missing. [*Applause.*] If that is the case,

allech ei arogli, a oedd gennych rywbedd normal ynteu annormal. Fy marn i yw y dylai'r awdurdod lleol wybod beth yw'r norm yn ei ardal a gallu cymharu ei ardal ag ardaloedd eraill tebyg. Os nad oes ganddo wybodaeth o gwbl, sut y mae'n gwybod am beth y mae'n chwilio?

[27] **Richard Edwards:** A gaf fi nodi fod angen inni orffen erbyn 5 o'r gloch fan bellaf. Cymeraf holwyr fesul dau yn awr. David a Brian fydd y ddau gyntaf. Yr wyf yn falch eich bod wedi llwyddo i ddod, David. Dylasech fod wedi teithio ar y trêñ ac wedyn buasech yma mewn pryd. [*Chwerthin.*]

[28] **David Davies:** Touché.

[29] **Richard Edwards:** Mae gennyf bwynt pwysig i'w wneud. Rhag ofn eich bod wedi colli'r hyn a ddywedais yn gynharach, a fyddch gystal â chyfyngu'ch cwestiynau i bwyntiau o eglurhad ar y dystiolaeth, a pheidiwch, ar hyn o bryd, â mynegi barn ar yr argymhellion.

[30] **David Davies:** Dyma'r cwestiwn cyntaf yr hoffwn ei ofyn. Dywedwch ym mharagraff 2.14 fod y nant yn cael ei llygru'n rheolaidd. A yw hynny'n dal i ddigwydd? Os ydyw, a yw Asiantaeth yr Amgylchedd yn gweithredu'n briodol erbyn hyn, oherwydd dywedwch hefyd yn rhywle arall yn eich adroddiad nad oedd Asiantaeth yr Amgylchedd fel petai'n gweithredu? Os yw'n wir fod y nant yn dal i gael ei llygru ac nad oes digon yn cael ei wneud ynglych y peth, mae hynny'n sier yn rhywbedd y gallem ac y dylem wneud rhywbedd yn ei gylch. Yn ail, sonioch am ffeiliau'n mynd ar goll. Mae'n debyg fod nid yn unig y ffeiliau ynglŷn â sefydlu'r safle tirlenwi hwn wedi mynd ar goll, ond hefyd, mae'n debyg, bentwr arall o ffeiliau'n ymwneud â chyllid Ewropeaidd ar gyfer hyn. Y mae, yn fy—

[31] **Richard Edwards:** Peidiwch â mynegi barn, David.

[32] **David Davies:** Na, ni wnaf fynegi barn, ond gadewch imi ddweud hyn: ni welaf sut y gall y fath nifer o ffeiliau, yn ymwneud â phob math o wahanol bethau, fynd ar goll oni bai fod rhywun wedi peri'n fwriadol iddynt fynd ar goll. [*Cymeradwyaeth.*] Os mai dyna

should we not be taking some sort of further action—that is, police action—to find out who has led these files to go missing? Files just do not go missing. I used to run a transport business: you cannot have files go missing; someone either takes them away, or they do not.

[33] **Richard Edwards:** David, that is a bit beyond—

[34] **David Davies:** Well, all right, but—

[35] **Richard Edwards:** Hold on, Brian is going to come in now, because I am taking questioners two at a time now.

[36] **Brian Gibbons:** I just want to ask a supplementary question to Geraint's question. You did not answer the question as regards industrial waste and what should be happening to industrial waste. And, while I understand that the local authority will be the organisation that will close the tip, who is responsible for making a decision on stopping dumping, as opposed to closing the tip? The second question I would like to ask is about the health exposure. I think that this is crucial in the hierarchy of waste management. You say in paragraph 11.1 in your report that there is a problem with obtaining satisfactory evidence. I have genuine problems with the assumption that it will be possible to resolve this particular issue in an area just around Nantygwyddon, simply because the population size may not be big enough to actually resolve that particular issue. There may be a lot of very, very serious illnesses—life-threatening illnesses—which have a very low frequency, which we need to know about, but if we just looked at a relatively small population around—in your own words—a relatively small landfill, then we may actually get a false impression of security. How satisfied are you that this particular question can be resolved by further research just based in the Gelli area, or the area around Nantygwyddon?

Mr Purchon: The streams and watercourses

sydd yn wir, oni ddylem ni fod yn ymgymryd â rhyw fath o weithredu pellach—hynny yw, gweithredu gan yr heddlu—i ganfod pwy sydd wedi peri i'r ffeiliau hyn fynd ar goll? Nid yw ffeiliau'n mynd ar goll ar eu pennau eu hunain. Yr oeddwn i'n arfer rhedeg busnes cludiant: ni all ffeiliau fynd ar goll; mae rhywun unai'n mynd â hwy i ffwrdd, neu ddim.

[33] **Richard Edwards:** David, mae hynny ychydig tu hwnt—

[34] **David Davies:** Wel, olreit, ond—

[35] **Richard Edwards:** Un munud, mae Brian yn mynd i ddod i mewn yn awr, oherwydd yr wyf yn cymryd holwyr fesul dau yn awr.

[36] **Brian Gibbons:** Dim ond eisiau gofyn cwestiwn atodol i gwestiwn Geraint sydd arnaf. Ni wnaethoch ateb y cwestiwn ynglŷn â gwastraff diwydiannol a beth a ddylai fod yn digwydd i wastraff diwydiannol. A, thra fy mod yn deall mai'r awdurdod lleol fydd y corff a fydd yn cau'r domen, pwy sydd yn gyfrifol am wneud penderfyniad ar atal dympio gwastraff, yn hytrach na chau'r domen? Yr ail gwestiwn yr hoffwn ei ofyn yw ynghylch yr amlygiad o safbwyt iechyd. Yr wyf yn meddwl fod hyn yn allweddol yn nhrefn rheoli gwastraff. Dywedwch ym mharagraff 11.1 yn eich adroddiad fod problem gyda chael tystiolaeth fodhaol. Mae gennyl fi broblemau gwirioneddol gyda'r dybiaeth y bydd modd datrys y mater arbennig hwn mewn ardal o gwmpas Nantygwyddon yn unig, yn syml oherwydd efallai na fydd maint y boblogaeth yn ddigon mawr i ddatrys y mater arbennig hwnnw. Fe all fod sawl salwch difrifol iawn, iawn—salwch angheul—sydd ag amledd isel iawn, y mae angen inni wybod amdanynt, ond pe baem yn edrych dim ond ar boblogaeth gymharol fach o gwmpas—yn eich geiriau chi—safle tirlenwi cymharol fach, yna gallem mewn gwirionedd gael camargraff o ddiogelwch. Pa mor fodlon ydych chi y gellir datrys y cwestiwn arbennig hwn drwy ymchwil bellach wedi'i lleoli yn ardal y Gelli yn unig, neu'r ardal o amgylch Nantygwyddon?

Mr Purchon: Mae'r nentydd a'r cyrsiau dŵr

are still liable to be polluted, and have been polluted during the course of the investigation. The leachate system, I think, is readily overwhelmed by the volume of leachate. We had a case where a body of polluted water was released to one of the lakes—I am afraid the name escapes me—in Clydach Vale, not very long ago. So there is a lot of pollution potential from the tip, and managing it is difficult. Amgen Rhondda Limited is doing its level best to manage it now. It is constructing, as I mentioned, more leachate storage lagoons. It is trying to maintain the integrity of the drain. One of the ways in which it does that is by providing more storage on the site. A water pollution monitoring strategy has been agreed with the agency or, I think, is being agreed with the agency, to be strictly correct. I may not be quite up to date with that. Therefore, I think that the operator and the regulator are well aware of the problem, and are doing their best to handle it. However, one of the things that I say is treat the leachate on site so that you are not worrying about the drain and the integrity of the lagoons and so on. That is feasible. Of course, many things are feasible, but they have to be resourced.

I do not think that I can say any more about files that have gone missing. It is frustrating. You may have your ideas; I have expressed my view that it is entirely unsatisfactory. Particularly insofar as financial, engineering and contractual matters are concerned, it has been a frustration.

As far as industrial waste was concerned, I rather thought that I had answered that. Not all industrial waste is necessarily biologically or chemically active and, therefore, it may be able to be used in engineering the site to a closure. Industrial waste merely means anything being produced by industry that is no longer of use to it. Obviously, anything that would add to the pollution potential of that site, I would not wish to see go there. However, things like construction waste and the tailings from a lot of production are inert and can be used. Inert is a value-loaded word, but they are certainly usable on such a site.

yn dueddol o fod wedi'u llygru o hyd, a buont wedi'u llygru yn ystod yr ymchwiliad. Caiff y system drwytholchi, yr wyf yn meddwl, ei llethu'n hawdd gan faint y trwytholchiad. Cawsom achos lle rhyddhawyd cyfaint o ddŵr llygredig i un o'r llynnoedd—mae'n flin gennyf na chofiaf ei enw—yngh Nghwm Clydach, heb fod amser maith yn ôl. Felly mae llawer o botensial llygredd o'r domen, ac mae'n anodd ei reoli. Mae Amgen Rhondda Cyf yn gwneud eu gorau glas i'w reoli yn awr. Mae'n adeiladu, fel y crybwylais, fwy o lagwnau storio trwytholchiad. Mae'n ceisio cynnal integriti'r draen. Un o'r ffyrdd y mae'n gwneud hyn yw trwy ddarparu mwy o storfa ar y safle. Cytunwyd ar strategaeth fonitro llygredd dŵr gyda'r asiantaeth neu, yr wyf yn meddwl, i fod yn fanwl gywir, mae wrthi'n cael ei chytuno gyda'r asiantaeth. Efallai nad yw'r wybodaeth ddiweddaraf un gennyf ar hynny. Felly, yr wyf yn meddwl fod y gweithredwr a'r rheoleiddiwr yn ymwybodol iawn o'r broblem, ac yn gwneud eu gorau i'w rheoli. Fodd bynnag, un o'r pethau a ddywedaf yw y dylid trin y trwytholchiad ar y safle fel nad oes raid poeni am y draen ac integriti'r lagwnau ac ati. Wrth gwrs, mae llawer o bethau'n bosibl, ond rhaid darparu adnoddau ar eu cyfer.

Nid wyf yn meddwl y gallaf ddweud rhagor am ffeiliau a aeth ar goll. Mae'n destun rhwystredigaeth. Efallai fod gennych chi eich syniadau; yr wyf fi wedi mynegi fy marn fod hyn yn gwbl anfoddhaol. Yn enwedig o safbwyt materion ariannol, peirianyddol a chontractiol, bu'n destun rhwystredigaeth.

O ran gwastraff diwydiannol, tybiais imi ateb hynny. Nid yw pob gwastraff diwydiannol o reidrwydd yn fiolegol neu gemegol actif ac, felly, efallai y gellir ei ddefnyddio i gau'r safle. Y cwbl a olygir wrth wastraff diwydiannol yw unrhyw beth a gynhyrchir gan ddiwydiant nad yw mwyach o unrhyw ddefnydd iddo. Wrth reswm, ni fyddwn yn dymuno gweld ychwanegu unrhyw beth a fyddai'n ychwanegu at botensial llygrol y safle. Fodd bynnag, mae pethau fel gwastraff adeiladu a sorod llawer o waith cynhyrchu yn ddifywyd a gellir eu defnyddio. Mae difywyd yn air llwythog o ran gwerth, ond yn sicr gellir eu defnyddio ar safle o'r fath.

Who should close the tip? I think that that is a matter for political resolution that the Committee and the local authority will address. How far the National Assembly can assist in that or direct it or persuade that it happens is a matter for you. You asked who is responsible for stopping dumping. I am not quite sure what you meant by that. Did you mean fly-tipping?

[37] **Brian Gibbons:** No. Presumably, some of the industrial waste is dumped by commercial organisations, so they make a decision that they will go elsewhere. Equally presumably, most of the municipal waste is dumped by the local authority; it, too, can make a decision to try to dispose of that waste elsewhere. Am I correct in saying that the vast majority of the household waste is from the local authority? A possible way forward is that the local authority should be considering alternative sources of disposal and, equally, commercial dumpers should be told to go elsewhere as well.

Mr Purchon: All the dumping or depositing of waste requires a licence. The licence comes from the Environment Agency. No waste can be deposited without such a licence. The agency may have a role, in an academic way. The site is also owned and operated—we know that that is by the local authority for the area, so it is equipped to stop the deposit of waste there. I do not think that anyone else would be, except, possibly, the courts. Perhaps they could make an order for specific performance in some circumstances. I cannot actually think of anything else at the moment.

You then went on to question what is feasible in terms of health studies in a small area. The problem with epidemiological study—the study of disease in populations—is that, if you have a very small population, you may get a highly questionable result. However, you are studying—it is basically a desk study; it is an information study. It is not a study of the dose that people are subjected to or exposed to in terms of any particular chemical or other material. Nor does it purport to be a study of their bodies' response

Pwy ddylai gau'r domen? Yr wyf yn meddwl fod hynny'n fater ar gyfer penderfyniad gwleidyddol i'r Pwyllgor a'r awdurdod lleol. Mater i chi yw pa mor bell y gall y Cynulliad Cenedlaethol helpu yn hynny neu ei gyfarwyddo neu berswadio ei fod yn digwydd. Gofynasoch pwy sydd yn gyfrifol am atal dympio gwastraff. Nid wyf yn gwbl siŵr beth yr oeddech yn ei olygu wrth hynny. A oeddech yn golygu tipio anghyfreithlon?

[37] **Brian Gibbons:** Na. Mae'n debyg fod rhywfaint o'r gwastraff diwydiannol yn cael ei ddymvio gan sefydliadau masnachol, felly gwnânt benderfyniad i fynd i rywle arall. Yr un mor debyg, caiff y rhan fwyaf o'r gwastraff bwrdeisiol ei ddymvio gan yr awdurdod lleol; gall yntau benderfynu ceisio gwaredu'r gwastraff hwnnw yn rhywle arall. A ydwyf yn gywir i ddweud y daw mwyafrif llethol y gwastraff tŷ gan yr awdurdod lleol? Un ffordd bosibl ymlaen yw y dylai'r awdurdod lleol fod yn ystyried ffynonellau gwaredu eraill posibl ac, yn yr un modd, dylid dweud wrth waredwyr masnachol am fynd i rywle arall hefyd.

Mr Purchon: Mae angen trwydded ar gyfer pob dympio neu waredu gwastraff. Daw'r drwydded oddi wrth Asiantaeth yr Amgylchedd. Ni ellir gwaredu unrhyw wastraff heb drwydded o'r fath. Gall yr asiantaeth chwarae rôl, mewn ffordd academaidd. Mae perchenog a gweithredwr ar y safle—gwyddom mai'r awdurdod lleol dros yr ardal yw hwnnw, felly gall yntau atal gwaredu gwastraff yno. Nid wyf yn meddwl y gallai neb arall, ac eithrio, o bosibl, y llysoedd. Efallai y gallent hwy wneud gorchymyn am berfformiad penodol dan rai amgylchiadau. Ni allaf feddwl am unrhyw beth arall ar y funud.

Aethoch ymlaen wedyn i holi beth sydd yn ymarferol yn nhermau astudiaethau iechyd mewn ardal fach. Y broblem gydag astudiaeth epidemiologol—sef astudio aifiechyd mewn poblogaethau—yw, os oes gennych boblogaeth fach iawn, y gallwch gael canlyniad amheus iawn. Fodd bynnag, yr ydych yn astudio—astudiaeth ddesg ydyw yn y bôn; astudiaeth er gwybodaeth. Nid yw'n astudiaeth o'r ddogn y mae pobl yn ei dderbyn neu wedi'u hamlygu iddo yn nhermau unrhyw gemegyn neu ddefnydd

to that dose. Size of population is not a problem. If you are measuring dose and you are looking for an effect, all you need is people in whom to diagnose a health effect and a means of measuring the dose to which they are exposed. This can be a personal dust sampler; it can be something that would absorb a variety of fumes and gases, for example. You can do a health study in a workplace. It does not matter how small the population is. You can do it with people exposed to welding fumes or paint that they are spraying. Population size is not a problem for the sort of health study that can be done on a small population.

[38] **Richard Edwards:** Thank you, David. I am anxious to get everybody in. The next two questioners are Rhodri Glyn Thomas and Val Lloyd.

[39] **Rhodri Glyn Thomas:** Diolch, Richard. Ceir cyfeiriad yn yr adroddiad at yr angen i atal gwastraff domestig rhag mynd i'r domen o hyn ymlaen. Ni fydd yr ardal hon yn peidio â chynhyrchu gwastraff domestig yn sydyn. Sut yn union y mae modd delio gyda'r sefyllfa hon? Ble yn union y dylai'r gwastraff hwnnw fynd os na fydd yn cael ei osod yn Nantygwyddon?

Mae fy ail gwestiwn ynglŷn ag ymgynghorwyr i fonitro ansawdd yr aer. Os deallaf yn iawn, yr hyn a ddywedoch oedd bod yn rhaid cael y data sylfaenol er mwyn cymharu. Felly, ai'r feirniadaeth ydyw nad oedd y cyngor bwrdeistref blaenorol wedi penodi ymgynghorwyr i fonitro ansawdd yr aer, ac felly nad yw'r data ar gael er mwyn cymharu?

Mae gennyf gwestiwn hefyd ynglŷn ag Asiantaeth yr Amgylchedd. Yr ydych yn hynod o feirniadol yn yr adroddiad o'r asiantaeth ac yr ydych yn sôn am agwedd ac am adnoddau. A gredwch fod agwedd ac adnoddau yn gysylltiedig â'i gilydd, ac os nad yw'r adnoddau ar gael y bydd yr agwedd yn ddifygiol? Os ydym am gael rhywun i reoleiddio mewn modd sy'n mynd i ddiogelu pobl rhag datblygiad sefyllfaoedd fel hyn yn y dyfodol, a oes yn rhaid cael yr adnoddau priodol i sicrhau hynny?

arbennig. Nid yw ychwaith yn honni bod yn astudiaeth o ymateb eu cyrff i'r ddogn honno. Nid yw maint y boblogaeth yn broblem. Os ydych yn mesur dogn ac yn chwilio am effaith, y cwbl sydd arnoch ei angen yw pobl i ganfod effaith ar eu hiechyd a modd o fesur y ddogn y cawsant eu hamlygu iddi. Gall hyn fod yn samplydd llwch personol; gall fod yn rhywbeth a fyddai'n amsugno amrywiaeth o fygdarthau a nwyon, er enghraifft. Gallwch wneud astudiaeth iechyd mewn gweithle. Nid oes ots pa mor fach yw'r boblogaeth. Gallwch ei wneud gyda phobl a amlygwyd i fygdarth weldio neu baent y maent yn ei chwistrellu. Nid yw maint poblogaeth yn broblem i'r math o astudiaeth iechyd y gellir ei gwneud ar boblogaeth fach.

[38] **Richard Edwards:** Diolch, David. Yr wyf yn awyddus i gael pawb i mewn. Y ddau holwr nesaf yw Rhodri Glyn Thomas a Val Lloyd.

[39] **Rhodri Glyn Thomas:** Thank you, Richard. The report refers to the need to stop domestic waste going to the tip from now on. This area will not suddenly stop producing domestic waste. How exactly can this situation be dealt with? Where exactly should that waste go, if it is not going to be placed in Nantygwyddon?

My second question relates to consultants to monitor the air quality. If I understand it correctly, you said that basic data must be available in order to make a comparison. Therefore, is your criticism that the previous borough council did not appoint consultants to monitor air quality, and therefore the data is not available in order to make a comparison?

I also have a question regarding the Environment Agency. In your report, you are extremely critical of the agency and you mention attitude and resources. Do you believe that attitude and resources are linked, and that if the resources are not available the attitude will be defective? If we are to have someone to regulate this in a way that will safeguard people from similar situations developing in the future, do we need the appropriate resources to ensure that?

Mae gennyf gwestiwn tebyg ar drin *leachate* yn y fan a'r lle. Dywedwch mai dyna yw'r ffordd orau o'i drin. Mae cwestiwn o adnoddau yma hefyd. Ai cyfrifoldeb Cynulliad Cenedlaethol Cymru yw sicrhau bod yr adnoddau hynny ar gael er mwyn sicrhau bod y *leachate* yn cael ei drin ar y safle yn hytrach na chael ei gludo oddi yno?

[40] **Val Lloyd:** My first question, Mr Purchon, relates to regulation. In reference to paragraph 6.2, were you able to ascertain why there was no action on breaches of regulation? You say that there were breaches, but no action. If it was possible for you to do that, does it suggest some principles for future direction? I have one other question on regulation. Could you possibly elaborate on the body of evidence that led you to be convinced that Environment Agency officers could have done more? Finally, the Assembly has asked every local authority to produce a waste plan. Do you agree that the proposal to stop household waste going to Nantygwyddon should be addressed immediately by Rhondda Cynon Taff County Borough Council in its particular plan?

[41] **Richard Edwards:** David, could I just add briefly to that and ask whether you would say something briefly about the legislative impetus behind the setting up of the local authority waste disposal company?

There were quite a lot of questions for you, but it would be useful if you could be quite quick.

David Purchon: I will try to be brief. Where will domestic waste go? In the very short term, it can go where it went when the site itself was closed, or to other facilities within range. However, clearly, that is only a very short-term measure. My understanding is that RCT is adopting a radical waste disposal plan to meet the obligations it has as a waste collection authority with a disposal need. It does require the rapid development of alternatives. These are being investigated. One of the problems is providing them and scaling them up in the short term. I think that probably one of the frustrations I have faced is that people generally seem to have been

I have a similar question on treating leachate on site. You say that that is the best way of treating it. There is a question of resources here also. Is it the responsibility of the National Assembly for Wales to ensure that those resources are available in order to ensure that the leachate is treated on site rather than transported from it?

[40] **Val Lloyd:** Mae a wnelo fy nghwestiwn cyntaf, Mr Purchon, â rheoleiddio. Gan gyfeirio at baragraff 6.2, a allasoch chi ganfod pam na weithredwyd ar achosion o dor-reoleiddiad? Dywedwch y bu tor-reoleiddiad, ond na fu gweithredu. Os oedd modd ichi wneud hynny, a ydyw'n awgrymu egwyddorion ar gyfer y dyfodol? Mae gennyf un cwestiwn arall ar reoleiddiad. A allech o bosibl ymhelaethu ar y corff o dystiolaeth a'ch darbwylloedd y gallasai swyddogion Asiantaeth yr Amgylchedd fod wedi gwneud mwy? Yn olaf, mae'r Cynulliad wedi gofyn i bob awdurdod lleol lunio cynllun gwastraff. A gytunwch y dylai'r cynnig i atal gwastraff tŷ rhag mynd i Nantygwyddon gael sylw ar unwaith gan Gyngor Bwrdeistref Sirol Rhondda Cynon Taf yn ei gynllun arbennig ef?

[41] **Richard Edwards:** David, a gaf i ychwanegu'n fyr at hynny a gofyn a fuasech yn dweud rhywbeth yn fyr am yr ysgogiad deddfwriaethol y tu ôl i sefydlu cwmni gwaredu gwastraff yr awdurdod lleol?

Yr oedd yno lawer o gwestiynau ichi, ond byddai'n ddefnyddiol pe galleg fod yn weddol gyflym.

Mr Purchon: Ceisiaf fod yn fyr. I ble yr aiff gwastraff domestig? Yn y tymor byr iawn, gall fynd i'r lle yr aeth pan gaewyd y safle ei hun, neu i gyfleusterau eraill o fewn cyrraedd. Fodd bynnag, yn amlwg, dim ond mesur byrdymor iawn yw hwnnw. Fy nealltwriaeth i yw fod Rhondda Cynon Taf yn mabwysiadu cynllun gwaredu gwastraff radical i gwrdd â'r dyletswyddau sydd arno fel awdurdod casglu gwastraff gydag angen i waredu. Y mae'n gofyn am ddatblygu cyfleusterau eraill ar fyrdar. Maent yn edrych i mewn i'r rhain. Un o'r problemau yw eu darparu a chynyddu eu cynhwysedd yn y tymor byr. Yr wyf yn meddwl mai un o'r

waiting for the results of this investigation before getting on with some aspects of developing alternatives. That is rather an unfair remark in some ways, but the landfill directive has been heading for the United Kingdom since the very early 1990s, and here we are, virtually in 2002, wondering what we are going to do about it. So, where will it go? It just has to go to alternative facilities in the short term, and waste management facilities have to be developed rapidly.

On the question about air quality and was it just the previous council, by which I assume that you mean Rhondda Borough Council, the answer is 'no'. The current council has only quite recently decided to invest in the equipment with which to monitor air quality in its area. I am not sure whether that is operational. I understood that the equipment had been authorised and ordered the last time I discussed it with someone from the local authority.

On the criticism of the Environment Agency and whether its problem is one of attitude or is linked to resources, I am sure that it is a bit of both. Certainly, if resources are deficient, it does affect the attitude of the staff and how they apply what resources they have. Members may have been following a great deal of debate in the press very recently about the resources that the Health and Safety Executive has and have been applying to issues around corporate killing. There is an attitude as to whether legislation can help, or whether it is really an issue of regulatory ethos. I do think that we have a regulatory ethos problem in this country, certainly in relation to safety at work and in relation to environmental regulation. I think that it is a bit of both. However, the ethos is at least as important as the resources for what individuals do in performing their duties. The tradition in the UK is for the regulators to make an example of people. Exemplary action is probably one of the approaches that is taken in the absence of adequate resources to properly regulate everything; you just make an example of the worst offenders or those that you have managed to catch and get evidence against.

rhwystredigaethau yr wyf fi wedi'i hwynebu yw bod pobl yn gyffredinol fel pe baent wedi bod yn aros am ganlyniadau'r ymchwiliad hwn cyn bwrw iddi gyda rhai agweddu ar ddatblygu cyfleusterau eraill. Mae hynny'n sylw annheg mewn rhai ffyrdd, ond bu'r gyfarwyddeb ar dirlenwi ar ei ffordd i'r Deyrnas Unedig ers y 1990au cynnar iawn, a dyma ni, fwy neu lai yn 2002, yn meddwl tybed beth yr ydym am ei wneud yn ei chylch. Felly, i ble yr aiff? Yn syml, mae'n rhaid iddo fynd i gyfleusterau eraill yn y tymor byr, a rhaid datblygu cyfleusterau rheoli gwastraff ar fyrder.

Ar y cwestiwn am ansawdd aer ac ai dim ond y cyngor blaenorol ydoedd, sef Cyngor Bwrdeistref y Rhondda mi dybiaf, yr ateb yw 'na'. Dim ond yn weddol ddiweddar y penderfynodd y cyngor presennol fuddsoddi mewn offer i fonitro ansawdd yr aer yn ei ardal. Nid wyf yn siŵr a ydyw'n weithredol. Deellais fod yr offer wedi'i awdurdodi a'i archebu y tro diwethaf imi ei drafod gyda rhywun o'r awdurdod lleol.

Ar y feirniadaeth ar Asiantaeth yr Amgylchedd ac ai agwedd ynteu adnoddau yw ei phroblem, yr wyf yn siŵr ei bod yn ychydig o'r ddau. Yn sicr, os yw adnoddau'n ddifygiol, y mae'n effeithio ar agwedd y staff a'r modd y defnyddiant hynny o adnoddau sydd ganddynt. Efallai fod aelodau wedi dilyn llawer iawn o drafod yn y wasg yn ddiweddar iawn ynghylch yr adnoddau sydd gan yr Awdurdod Gweithredol Iechyd a Diogelwch ac a ddefnyddiwyd ganddynt ar faterion yn ymwneud â lladd corfforaethol. Mae yna agwedd o ran a all deddfwriaeth helpu, neu a ydyw mewn gwirionedd yn fater o ethos rheoleiddiol. Yr wyf yn meddwl fod gennym broblem gydag ethos rheoleiddiol yn y wlad hon, yn sicr mewn perthynas â diogelwch yn y gwaith ac mewn perthynas â rheoleiddio amgylcheddol. Yr wyf yn meddwl ei fod yn dipyn o'r ddau. Fodd bynnag, mae'r ethos o leiaf gyn bwysiced â'r adnoddau ar gyfer yr hyn a wna unigolion wrth gyflawni'u dyletswyddau. Y traddodiad yn y DU yw bod y rheoleiddwyr yn gwneud esiampl o bobl. Gweithredu esiampl, mae'n debyg, yw un o'r dulliau a ddefnyddir pan nad oes adnoddau digonol i reoleiddio popeth yn iawn; dim ond gwneud esiampl o'r

troseddwyr gwaethaf neu'r rhai y llwyddwyd i'w dal a chael tystiolaeth yn eu herbry.

The next question was about treating leachate on site. Is this the responsibility of the National Assembly for Wales? No. I think that Amgen Rhondda Limited could decide to do that. It is probably a financial decision. It has to pay to take its polluted effluent into the sewer. Similarly, it would have to pay to treat the material on site. Of course, it is likely to impact more on it in terms of capital and running costs if it treats the material on site. It is not a responsibility of the National Assembly for Wales; it is something that I would have expected the Environment Agency to pursue, and to try to persuade people producing polluted water to treat it on site, rather than dispose of it to sewer or watercourse.

The next questions were to do with regulation and why there was no action. I think that, in the earliest stages and when things were going badly and dramatically wrong in terms of Rhondda Waste Disposal Limited, the agency was very new. It was absorbing staff from former local authorities and from the National Rivers Authority and Her Majesty's Inspectorate of Pollution. It had no specific enforcement policy to start with. This sort of structural change is not to be underestimated as an inhibitor for powerful and demonstrative action. I think that others, in addition to myself, had very, very high expectations of the Environment Agency. They were probably unrealistic and they were probably rather idealistic. It has taken quite a lot of criticism very early on in its life as a group of people coming together. There have been changes—

[42] **Richard Edwards:** Sorry, David, can I press you to finish?

Mr Purchon: There have been changes at the senior level and I have every hope that it will do a great deal better. I have not studied a copy of the waste disposal plan of Rhondda Cynon Taff. I would hope that it contains lots

Cwestiwn am drin trwytholchiad ar y safle oedd y cwestiwn nesaf. Ai cyfrifoldeb Cynulliad Cenedlaethol Cymru yw hyn? Na. Yr wyf yn meddwl y gallai Amgen Rhondda Cyfyngedig benderfynu gwneud hynny. Mae'n debyg ei fod yn benderfyniad ariannol. Mae'n rhaid iddo dalu i fynd â'i elifiant llygredig i mewn i'r garthffos. Yn yr un modd, byddai'n rhaid iddo dalu am drin y deunydd ar y safle. Wrth gwrs, mae'n debyg o effeithio'n fwy arno yn nhermau costau rhedeg a chyfalaf os trinia'r deunydd ar y safle. Nid cyfrifoldeb Cynulliad Cenedlaethol Cymru ydyw; mae'n rhywbeth y buaswn wedi disgwyl i Asiantaeth yr Amgylchedd fynd ar ei ôl, a cheisio perswadio pobl sydd yn cynhyrchu dŵr llygredig i'w drin ar y safle, yn hytrach na'i waredu i garthffos neu gwrs dŵr.

Yr oedd a wnelo'r cwestiynau nesaf â rheoleiddio a pham na fu gweithredu. Yr wyf yn meddwl, yn y camau cynharaf a phan oedd pethau'n mynd o chwith mewn ffordd ddifrifol a dramatig yn nhermau Rhondda Waste Disposal Limited, fod yr asiantaeth yn newydd iawn. Yr oedd yn derbyn staff o hen awdurdodau lleol ac o'r Awdurdod Afonydd Cenedlaethol ac Arolygwyr Llygredd Ei Mawrhydi. Nid oedd ganddi bolisi gorfodi penodol i ddechrau. Ni ddylid dibrisio'r math hwn o newid strwythurol fel rhywbeth sydd yn llesteirio gweithredu grymus ac arddangosol. Yr wyf yn meddwl fod gan eraill, yn ogystal â mi fy hun, ddisgwyliadau uchel iawn, iawn o Asiantaeth yr Amgylchedd. Yr oeddent, mae'n debyg, yn afrealistig ac, mae'n debyg, braidd yn ddelfrydgar. Cymerodd gryn dipyn o feirniadaeth yn gynnar iawn yn ei hoes fel grwp o bobl wedi dod at ei gilydd. Bu newidiadau—

[42] **Richard Edwards:** Mae'n ddrwg gennyd, David, a gaf fi bwys o arnoch i orffen?

Mr Purchon: Bu newidiadau ar lefel swyddogion uwch ac mae gennyd bob gobaith y gwnaiff yn llawer gwell. Nid wyf wedi astudio copi o gynllun gwaredu gwastraff Rhondda Cynon Taf. Byddwn yn gobeithio ei

of alternatives to continuing to use landfill.

[43] **Richard Edwards:** And the LAWDC?

Mr Purchon: Yes. Sorry, Chairman, I forgot to make a note of that. The influence of the Environmental Protection Act 1990 in seeking to push waste disposal out of local authorities I think will be shown to have been rather an extraordinary thing to do. I believe that integrated waste management at a local authority level is by far a more coherent way forward but, of course, there is a need for a regional dimension in dealing with difficult waste. The need for a strategic approach also means that much waste can be handled locally in an integrated way. The influence of the Environmental Protection Act, I think, has been to divide waste management operators and professionals within the local authority, and it has not really proved that bringing competition into the industry raises standards. However, some consolidation in the industry has managed to raise standards in some places. Waste disposal is now big business and some of those businesses are driving the technology forward in a very impressive way.

[44] **Richard Edwards:** Thank you, David, and I thank all the Members for their questions. I am sorry that we are a bit pressed for time. I also understand that there has been some frustration because some Members have not been able to express opinions. However, if the investigation is to be fair, we must consider responses to the investigator's report before we draw our own conclusions. Therefore, subject to the Committee agreeing its detailed work programme, I am suggesting that the Committee considers responses to the investigator's report on 23 January, and that we consider our draft report and recommendations on 6 February. We have requested a Plenary slot in late February, early March at the very latest.

fod yn cynnwys llawer o ddewisiadau eraill yn lle parhau i dirlenwi.

[43] **Richard Edwards:** A chwmni gwaredu gwastraff yr awdurdod lleol?

Mr Purchon: Ie. Mae'n ddrwg gennyf, Gadeirydd, anghofiais wneud nodyn o hynny. Yr wyf yn meddwl y dangosir fod dylanwad Deddf Gwarchod yr Amgylchedd 1990 o ran ceisio gwthio gwaredu gwastraff allan o reolaeth awdurdodau lleol yn beth braidd yn anghyffredin i'w wneud. Credaf fod rheolaeth integredig ar wastraff ar lefel awdurdod lleol yn ffordd ymlaen fwy cydlynol o bell ffordd ond, wrth gwrs, mae angen dimensiwn rhanbarthol wrth ddelio â gwastraff anodd. Mae'r angen am ddull strategol o weithredu'n golygu hefyd y gall llawer o wastraff gael ei drin yn lleol mewn modd integredig. Mae dylanwad Deddf Gwarchod yr Amgylchedd, yn fy marn i, wedi rhannu gweithredwyr rheoli gwastraff a phobl broffesiynol o fewn yr awdurdod lleol, ac ni phrofwyd mewn gwirionedd fod dod â chystadleuaeth i mewn i'r diwydiant yn codi safonau. Fodd bynnag, mae peth cyfuno o fewn y diwydiant wedi llwyddo i godi safonau mewn rhai mannau. Mae gwaredu gwastraff yn fusnes mawr erbyn hyn ac mae rhai o'r busnesau hynny'n gyrru'r dechnoleg ymlaen mewn ffordd drawiadol iawn.

[44] **Richard Edwards:** Diolch i chi, David, a diolch i'r Aelodau i gyd am eu cwestiynau. Mae'n ddrwg gennyf ein bod ychydig dan ormes amser. Deallaf hefyd y teimlwyd rhywfaint o rwystredigaeth am na chafodd Aelodau fynegi barn. Fodd bynnag, os yw'r ymchwiliad i fod yn deg, rhaid inni ystyried ymatebion i adroddiad yr ymchwilydd cyn ffurfio'n casgliadau ein hunain. Felly, yn amodol ar i'r Pwyllgor gytuno ar ei raglen waith fanwl, awgrymaf fod y Pwyllgor yn ystyried ymatebion i adroddiad yr ymchwilydd ar 23 Ionawr, ac yr ystyriwn ein hadroddiad drafft a'n hargymhellion ar 6 Chwefror. Yr ydym wedi gofyn am drafodaeth mewn Cyfarfod Llawn tua diwedd Chwefror, dechrau Mawrth fan hwyrat.

Trafodaeth ar y Camau Nesaf Discussion on the Next Steps

Richard Edwards: I would now like the **Richard Edwards:** Yn awr hoffwn i

Committee members to think about who they would like to invite to the Committee in terms of organisations and individuals, if you think that people need to answer further questions. Obviously, these people would need to be given sufficient notice.

Helen Mary Jones: Obviously, some organisations and individuals may want to give written responses, but I think that there may be some that we also want the opportunity to question.

Richard Edwards: I should also mention that the deadline for written submissions is 10 January.

Helen Mary Jones: I think that it would be very helpful to us to be able to talk to the Environment Agency. I understand that its written response is likely to be fairly defensive, and one can understand that. It would be useful for the Committee to be able to explore the way ahead with it, you know, not to—

Richard Edwards: I think that the Environment Agency has expressed a keen desire to give oral evidence.

Helen Mary Jones: The other serious gap, it seems to me, in terms of who Mr Purchon was able to get to talk to him—there were two. One is the directors of the former company. I am not sanguine about whether they would agree to come and talk to us, but I think that we should give them another chance. I am also concerned about those who were politically responsible for taking the decisions, both about siting the tip where it was sited in the first place and then the issues around the change of management and the people who were politically responsible for some of the issues around European funding, for example. I am not saying that those people would be prepared to come and talk to us but, in fairness to them, before Committee members begin to express a view about what Mr Purchon has had to say, I think that we should give them one last shot at explaining themselves, if you like. That is the least that we can do.

This is my last comment about the way ahead. I think that, if taking extra evidence

aelodau'r Pwyllgor feddwl pwy yr hoffent eu gwahodd i'r Pwyllgor, yn gyrrf ac yn unigolion, os ydych o'r farn fod angen i bobl ateb cwestiynau pellach. Yn amlwg, byddai angen rhoi digon o rybudd i'r bobl hyn.

Helen Mary Jones: Yn amlwg, efallai y bydd rhai cyrff ac unigolion eisiau rhoi ymatebion ysgrifenedig, ond yr wyf yn meddwl efallai y bydd yna rai y byddwn yn awyddus i gael y cyfle i'w holi.

Richard Edwards: Dylwn grybwyl hefyd mai 10 Ionawr yw'r dyddiad olaf ar gyfer cyflwyniadau ysgrifenedig.

Helen Mary Jones: Yr wyf fi'n meddwl y byddai'n fuddiol iawn inni allu siarad ag Asiantaeth yr Amgylchedd. Deallaf fod ei hymateb ysgrifenedig yn debygol o fod yn weddol amddiffynnol, a gellir deall hynny. Byddai'n ddefnyddiol i'r Pwyllgor allu ymchwilio'r ffordd ymlaen gyda hi, wyddoch chi, nid er—

Richard Edwards: Yr wyf yn meddwl fod Asiantaeth yr Amgylchedd wedi mynegi awydd brwd i roi dystiolaeth lafar.

Helen Mary Jones: Y bwlc difrifol arall, mae'n ymddangos i mi, yn nhermau pwy yr oedd Mr Purchon yn gallu eu cael i siarad ag ef—yr oedd dau. Un yw cyfarwyddwyr yr hen gwmni. Nid wyf yn ffyddiog y byddent yn cytuno i ddod i siarad â ni, ond yr wyf yn meddwl y dylem roi cyfle arall iddynt. Yr wyf yn bryderus hefyd ynghylch y rheini a oedd yn wleidyddol gyfrifol am wneud y penderfyniadau, i leoli'r domen yn y fan lle'i lleolwyd yn y lle cyntaf ac wedyn y materion ynghylch newid rheolaeth a'r bobl a oedd yn wleidyddol gyfrifol am rai o'r materion cysylltiedig ag arian Ewrop, er enghraift. Nid wyf yn dweud y byddai'r bobl hynny'n barod i ddod i siarad gyda ni ond, er tegwch iddynt, cyn i aelodau'r Pwyllgor ddechrau mynegi barn ynghylch yr hyn yr oedd gan Mr Purchon i'w ddweud, yr wyf yn meddwl y dylem roi un cyfle olaf iddynt egluro'u hunain, os hoffwch chi. Dyna'r lleiaf y gallwn ei wneud.

Dyma fy sylw olaf i am y ffodd ymlaen. Yr wyf yn meddwl, os yw cymryd dystiolaeth

from people—if they are prepared to come forward—means that we do have to seek some extra Committee time, I know that we are all reluctant to do that and I know that, on this side, we have a principle that, while we have this ludicrous recess in the summer, we do not go for extra Committee meetings, but this is exceptional. If you and the Committee Secretariat felt that we needed time, we would be content with that, if you have a big response in terms of people wanting to see us.

Finally, Mr Purchon made a comment that the Committee has a right to meet in private, but I would not want us to do that.

Richard Edwards: You have pre-empted the comment I was going to make on whether or not we meet in private. Obviously, that will influence some of the evidence-giving. My feelings are that we should meet in public. The whole investigation has been held in public. [Applause.]

Helen Mary Jones: If people decide not to come forward, that is their decision.

Richard Edwards: Indeed, yes. Brian, do you want to come in on this?

Brian Gibbons: Yes. I would like the Chief Medical Officer to attend, for two reasons. I am still not totally convinced about the medical research on the basis of the answer that I have had. Also, I think that we need a firm commitment from the Chief Medical Officer as regards the independence of public health officers and so forth in Wales, that they are entitled to be able to make critical comments about public authorities if they feel that public health is at risk. [Applause.]

David Davies: To go back to the missing paper work and the European Union funding that was paid—

Richard Edwards: I am only taking questions now about who should be—

David Davies: I am coming to that. I am suggesting that these people, who,

ychwanegol gan bobl—os ydynt yn barod i ddod ymlaen—yn golygu fod yn rhaid inni ganfod ychydig mwy o amser i'r Pwyllgor, gwn ein bod i gyd yn gyndyn o wneud hynny a gwn fod gennym egwyddor ar yr ochr hon, er bod gennym y gwyliau gwirion hwn dros yr haf, nad ydym yn mynd am gyfarfodydd Pwyllgor ychwanegol, ond mae hyn yn eithriad. Pe teimlech chi ac Ysgrifenyddiaeth y Pwyllgor fod arnom angen amser, byddem yn fodlon ar hynny, os cewch ymateb mawr yn nhermau pobl eisiau ein gweld.

Yn olaf, gwnaeth Mr Purchon sylw fod gan y Pwyllgor hawl i gyfarfod yn breifat, ond ni fyddwn yn awyddus inni wneud hynny.

Richard Edwards: Yr ydych wedi achub y blaen ar y sylw yr oeddwn i am ei wneud ynghylch a ddylem gyfarfod yn breifat ai peidio. Yn amlwg, bydd hynny'n dylanwadu ar rywfaint o'r dystiolaeth. Fy rheolaethau i yw y dylem gyfarfod yn gyhoeddus. Mae'r ymchwiliad cyfan wedi'i gynnal yn gyhoeddus. [Cymeradwyaeth.]

Helen Mary Jones: Os penderfyna pobl beidio â dod ymlaen, eu penderfyniad hwy yw hynny.

Richard Edwards: Ie wir. Brian, oes arnoch chi eisiau dod i mewn ar hyn?

Brian Gibbons: Oes. Hoffwn i'r Prif Swyddog Meddygol ddedd atom, am ddau reswm. Nid wyf eto wedi fy argyhoeddi'n llwyr ynghylch yr ymchwil feddygol ar sail yr ateb a gefais. Hefyd, yr wyf yn meddwl fod arnom angen ymrwymiad pendant gan y Prif Swyddog Meddygol parthed annibyniaeth swyddogion iechyd cyhoeddus ac ati yng Nghymru, fod ganddynt hawl i allu gwneud sylwadau beirniadol am awdurdodau cyhoeddus os teimlant fod perygl i iechyd y cyhoedd. [Cymeradwyaeth.]

David Davies: I fynd yn ôl at y gwaith papur colledig ac arian yr Undeb Ewropeidd a dalwyd—

Richard Edwards: Nid wyf ond yn cymryd cwestiynau yn awr ynghylch pwys y dylid—

David Davies: Yr wyf yn dod at hynny. Yr wyf yn awgrymu y dylai'r bobl hyn, sydd, fe

apparently, may or may not have received money, ought to come to the Committee to explain themselves as well. Paragraph 2.11 says that consultants may or may not have been paid money. Who were these consultants and what moneys were they paid, and what did they actually offer for that? I really think that that is quite important, because there is a very serious whiff about all this. [Applause.]

Helen Mary Jones: On a point of order, in terms of the record of this meeting, several members have actually got away with making comments. We, on this side—we are very vulnerable on this—have been very careful not to.

Richard Edwards: I am grateful to you for that.

Helen Mary Jones: May I ask that, in terms of the minutes of this meeting, people's opinions from this table are not recorded, because we have made an effort not to express them and I do not want us to be disadvantaged?

Richard Edwards: I am very sorry about that, and I am grateful to those members who have abided by the comments that I made at the outset of this meeting. The bodies we have listed so far are the Environment Agency Wales, the directors of Rhondda Waste Disposal Limited, those politically responsible, Rhondda Borough Council—I know that Rhondda Cynon Taff County Borough Council also wishes to appear before the Committee again—the Chief Medical Officer and, I would imagine, Bro Taf Health Authority too. That is a reasonable list for us to get on with.

Geraint Davies: This has been an informal partnership between the Assembly, the local authority and the protesters in RANT. I think that we should build on that and possibly have a liaison committee—we should think about it—to work the process forward in terms of what exactly is going to happen.

Richard Edwards: After the investigation is over, I will be holding a review into the investigation. This is a novel procedure. It is

ymddengys, efallai wedi derbyn arian neu beidio, ddod i'r Pwyllgor i egluro'u hunain hefyd. Dywed paragraff 2.11 fod arian efallai wedi'i dalu neu heb ei dalu i ymgynghorwyr. Pwy oedd yr ymgynghorwyr hyn a pha arian a dalwyd iddynt, a beth yr oeddent yn ei gynnig mewn gwirionedd am hynny? Yr wyf yn wir yn meddwl fod hynny'n dra phwysig, oherwydd mae gwynt difrifol iawn ynghylch hyn i gyd. [Cymeradwyaeth.]

Helen Mary Jones: Ar bwynt o drefn, yn nhermau cofnod y cyfarfod hwn, mae sawl aelod wedi llwyddo i wneud sylwadau. Yr ydym ni, ar yr ochr hon—yr ydym yn fregus iawn ar hyn—wedi bod yn ofalus iawn i beidio â gwneud hynny.

Richard Edwards: Yr wyf yn ddiolchgar ichi am hynny.

Helen Mary Jones: A gaf fi ofyn, o ran cofnodion y cyfarfod hwn, am i sylwadau pobl ar y bwrdd hwn beidio â chael eu cofnodi, oherwydd yr ydym ni wedi gwneud ymdrech i beidio â'u mynegi ac nid oes arnaf eisiau inni fod dan anfantais?

Richard Edwards: Mae'n ddrwg iawn gennyl am hynny, ac yr wyf yn ddiolchgar i'r aelodau hynny a lynodd wrth y sylwadau a wneuthum ar ddechrau'r cyfarfod hwn. Dyma'r cyrff yr ydym wedi'u rhestru hyd yma: Asiantaeth yr Amgylchedd Cymru, cyfarwyddwyr Rhondda Waste Disposal Limited, y rhai gwleidyddol gyfrifol, Cyngor Bwrdeistref y Rhondda—gwn fod Cyngor Bwrdeistref Sirol Rhondda Cynon Taf hefyd yn dymuno ymddangos gerbron y Pwyllgor eto—y Prif Swyddog Meddygol ac, fe dybiwn i, Awdurdod Iechyd Bro Taf hefyd. Dyna restr resymol inni fynd rhagom â hi.

Geraint Davies: Bu hyn yn bartneriaeth anffurfiol rhwng y Cynulliad, yr awdurdod lleol a'r gwrthdystwyr yn RANT. Yr wyf yn meddwl y dylem adeiladu ar hynny ac o bosibl gael pwylgor cyswllt—dylem feddwl amdano—i weithio'r broses yn ei blaen yn nhermau beth yn union sydd yn mynd i ddigwydd.

Richard Edwards: Pan fydd yr ymchwiliad ar ben, byddaf yn cynnal adolygiad o'r ymchwiliad. Mae hon yn drefn newydd.

the first time that we have done this. It has been open. All the evidence on which the investigator's report has been based is in the public domain. It is a first for the Assembly and it is a first for Wales. I cannot conceive that anything like this would have happened in the days before devolution. In fairness to the Assembly as an institution, it is to the credit of the Assembly that we have been able to pursue this investigation in the way that we have. I am determined, certainly, that it will continue to be an open, accessible investigation. We will learn the lessons from the first investigation for future reference.

David Davies: Would it also be worth asking representatives from local authorities who run landfill sites where there have not been complaints whether they would like to make submissions? They might be able to tell us what went wrong down here.

Helen Mary Jones: Can you find such a local authority in the first place?

Richard Edwards: We will think about that, David, but I think, quite frankly, that it is beyond the terms of reference as far as the investigation is concerned. You can come in on this, very briefly, Sue.

Sue Essex: Alongside this has been the work going on on the draft waste strategy, which does involve local authority representatives, just to reassure David.

Richard Edwards: I again thank the Park and Dare Theatre for hosting the meeting today. I thank everybody for coming along and everybody who has been involved in the investigation. Of course, above all, I thank David Purchon himself for his report. [Applause.] Thank you very much.

*Daeth y cyfarfod i ben am 5 p.m.
The meeting ended at 5 p.m.*

Dyma'r tro cyntaf inni wneud hyn. Bu'n agored. Mae'r holl wybodaeth y seiliwyd adroddiad yr ymchwilydd arni ar gael i'r cyhoedd. Mae'n dro cyntaf i'r Cynulliad ac yn dro cyntaf i Gymru. Ni allaf ddychmygu y buasai dim fel hyn wedi digwydd yn y dyddiau cyn datganoli. Er tegwch i'r Cynulliad fel sefydliad, mae'n destun clod i'r Cynulliad ein bod wedi gallu cynnal yr ymchwiliad hwn yn y modd y gwnaethom. Yr wyf yn benderfynol, yn sicr, y bydd yn parhau i fod yn ymchwiliad agored, hygrych. Fe ddysgw y gwersi o'r ymchwiliad cyntaf ar gyfer y dyfodol.

David Davies: A fyddai hefyd yn werth gofyn i gynrychiolwyr awdurdodau lleol sydd yn rhedeg safleoedd tirlenwi lle na chafwyd cwynion, a hoffent hwythau wneud cyflwyniadau? Efallai y gallent ddweud wrthym beth aeth o'i le i lawr yn y fan hon.

Helen Mary Jones: A allwch ddod o hyd i awdurdod o'r fath yn y lle cyntaf?

Richard Edwards: Fe feddyliwn am hynny, David, ond yr wyf yn meddwl, â bod yn gwbl onest, ei bod y tu hwnt i gylch gorchwyl yr ymchwiliad hwn. Cewch chi ddod i mewn ar hyn yn fyr iawn, Sue.

Sue Essex: Ochr yn ochr â hyn cafwyd y gwaith a fu'n mynd rhagddo ar y strategaeth gwastraff drafft, sydd yn cynnwys cyfraniad cynrychiolwyr awdurdodau lleol, dim ond i dawelu meddwl David.

Richard Edwards: Diolch eto i Theatr Parc a Dâr am gartrefu'r cyfarfod yma heddiw. Diolch i bawb am ddod ac i bawb a fu'n ymwneud â'r ymchwiliad. Wrth gwrs, uwchlaw popeth, diolch i David Purchon ei hun am ei adroddiad. [Cymeradwyaeth.] Diolch yn fawr iawn.