



Mr Dean Knudson  
Deputy Secretary  
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Email: [iChEMS.enquiry@dcceew.gov.au](mailto:iChEMS.enquiry@dcceew.gov.au)

1 September 2023

Dear Mr Knudson

**Re: iChEMS PFAS and PeCB decisions**

Thank you for the opportunity to provide feedback on the proposed Industrial Chemicals Environmental Management Scheme (iChEMS) PFAS and PeCB decisions. The Waste Management and Resource Recovery Association of Australia (WMRR) is the national peak body representing Australia's \$15.8 billion waste and resource recovery (WARR) industry. With more than 2,200 members from over 500 entities nationwide, we represent the breadth and depth of the sector, within business organisations, the three (3) tiers of government, universities, and NGOs.

WMRR supports the addition of the four (4) chemicals to Schedule 7 of the (iChEMS) Register and recognises that this aligns with the Stockholm Convention, noting that these are proven to be detrimental to human health and accumulate in the environment. WMRR does however query why it is necessary to have an additional 18 months for the three (3) PFAS chemicals to be banned when the global ban of these substances is expected to be in force by the end of 2023, WMRR believes that Australia should act with more haste, and we propose a start date of 1 January 2024 at the latest.

WMRR strongly believes that it is not sufficient to simply address these three (3) PFAS chemicals only, given that some of these have been listed globally since 2009, there is significant knowledge of the adverse impact that Persistent Organic Pollutants (PoPs) have, and there are over 4,000 PFAS compounds in circulation that Australia needs to act quickly to address. This consultation effectively restricts only the bulk importation of PFAS that are used as a production or manufacturing input, predominantly in firefighting foam- something that a number of states have already acted to address. WMRR urges the Australian government to act with far greater urgency and take the European Commission's approach to phasing out all PFAS.

WMRR continues to call on the federal government to prioritise a national phase-out of all POPs, starting with PFAS, by banning the use of these substances as raw materials in products in the first instance, as well as the EU style labelling scheme for all products that currently contain these POPs. WMRR is also seeking the development of a national program that requires all manufacturers – local and import – to report and identify hazardous chemicals within the products they produce and supply, similar to, for example, the EU's Register, Authorisation and Restriction of Chemicals (REACH) program as well as the Classification Labelling and Packaging (CLP) initiative, which requires identification of the material to allow consumers to make an informed choice.

The scheduling fails to acknowledge that the most significant portion of PFAS in stock, circulation and continuing imports occurs in unlabelled PFAS additives in chemical products and undisclosed / unreported PFAS in manufactured goods.

It is important to note that in Europe, the Stockholm Convention is part of a wholistic system that manages the generation, design and management of materials, including those containing hazardous materials through to

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end of life. The Stockholm Convention, unlike iChEMS, forms part of a wholistic system including the Waste Directives, the CLP and REACH programs. There is no similar framework in Australia, and to simply limit the management of these problematic chemicals as proposed in this consultation to only three (3) in limited circumstances, risks making Australia the dumping ground for products that already contain these POPs that cannot be placed on market in other jurisdictions. This is a real risk for the Australian community.

Further, the scheduling as WMRR reads it fails to include minimum standards for imported products that contain PFAS as 'information ... about the environmental risks of the industrial chemical, when used for the purpose for which it was manufactured' will not affect short lived products that disproportionately enter the waste stream (fabric, packaging, health care products).

Finally, the challenge created by PFAS in the environment for both government and the WARR industry does not originate within the WARR sector but rather, stems from the start of the supply chain, that of product design and manufacture. The WARR industry plays a vital role at the end-of-pipe for end-of-life materials, meaning we provide pathways for safe and sustainable recovery, recycling, and/or disposal; however, it has no ability to control the materials that are generated and consumed. WMRR submits that there must be coordinated attention nationally about how Australia classifies and manages hazardous substances before the disposal stage, not just simply continue to focus on end-of-pipe alone given this is a supply chain issue.

We urgently need a consistent national framework on how to manage these POPs across the supply chain given that we know that the WARR sector will have to manage these materials for the foreseeable future. The delay in progressing NEMP 3.0 and the inconsistent application of the management of PFAS across the jurisdictions within Australia has a significant impact on the ability to invest in infrastructure to recover materials given the ongoing presence in materials. Nowhere is this more evident than in the creation of organic compost, where we not only have different acceptable levels, but we are in fact referencing different PFAS compounds in state conditions. A consistent national framework that manages all these issues is urgently required not simply a listing of four (4) substances on a register that will have no real impact on the circulation and use of these compounds.

Please do not hesitate to contact the undersigned to discuss at [gayle@wmrr.asn.au](mailto:gayle@wmrr.asn.au).

Yours sincerely

Gayle Sloan  
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Waste Management and Resource Recovery Association of Australia