



The Hon. Leanne Linard, MP  
Minister for the Environment and  
the Great Barrier Reef  
Minister for Science and  
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30 October 2023

Dear Minister

**Re: Per- and Polyfluorinated Substances (PFAS) limits in Queensland**

The waste and resource recovery (WARR) sector strongly supports the objectives of both the Queensland Organics Strategy and Action Plan, and the National Waste Action Plan, as we recognise that if we cannot avoid food and organic waste, it is far better to make a quality sustainable compost product that can be applied to land. This is particularly true when one considers that organic material is the highest emitter of methane in landfill, and that our soils have never been as depleted of nutrients as now. Putting this “organic waste” to effective use, reducing material to landfill, and reducing carbon emissions is good policy. The diversion of organic material away from landfill is also pivotal to Queensland meeting its stated greenhouse gas (GhG) emissions targets.

Representatives from across Queensland’s industry have been actively supporting the Queensland Organics Strategy development, participating in the Stakeholders Advisory Group, with the Department of Environment and Science (DES), including for over 12 months prior to its public release in 2022.

With the Queensland Government’s initial priority being diverting household food organics and garden organic material (FOGO) from landfill, we have seen a number of recent announcements to support this initiative, for example the recent \$151 million announced by the Deputy Premier, the Hon. Steven Miles, MP that it is estimated will deliver one (1) million bins across the south east of Queensland, as well as providing opportunities for councils to apply for further assistance from the GROW FOGO programme.

Whilst industry appreciates this financial support from government, industry has now found itself at an impasse on a significant issue with DES. Despite many meetings with Departmental officers, we are unable to reach any meaningful progress or suitable outcome. It is industry’s view that this issue will significantly impact the Queensland Government’s commitment to the GROW FOGO programme, hence we believe that it is important that we now bring this matter to your attention.

By way of background, to develop a high-quality compost industry in Queensland, DES embarked on a project to modernise ERA 53. In principle, industry supports certainty and best practice operation of facilities, and are keen to ensure that quality standards of operation are set and maintained, given as a sector we really do want to be a ‘good neighbour.’ However, through the ERA modernisation process DES have set levels of PFAS in finished products that the organics recycling industry Australia wide believes are unachievable. These levels are out of step with all other Australian jurisdictions at this time and will create



an un-level playing field for Queensland businesses when competing with product manufactured in other states.

The signatories to this letter all understand and support the need to take a precautionary approach within the WARR industry, including towards PFAS, however we would strongly argue that the current Queensland level (1 part per billion) and approach of making those at the end of pipe responsible for this chemical placed on market by others without consequence, is fundamentally flawed and requires urgent review and addressing, including the introduction of mitigation measures higher up the supply chain.

It is industry's collective view that there remains significant misinformation and uncertainty in relation to the hazardous nature of PFAS in the public domain, with no government to date informing or empowering their community to understand both the prevalence and impact of this material. Whilst the WARR industry at end of pipe, is being told that this chemical is so harmful to human health by DES, that we must not exceed levels of one (1) part per billion in compost, we know that no such approach is being taken to broader product categories such as everyday household items such as microwaveable popcorn bags (18,200 parts per billion), cosmetics (10,500 parts per billion) and dental floss at 12 parts per billion, 12 times that prescribed by DES for compost and mulch.

For example, Queensland recently banned plastic straws to much acclaim, to have it replaced with a paper straw that retains its waterproof properties through PFAS treatment. The industry struggles to correlate the tolerance of PFAS in our everyday lives and yet DES, by imposing these levels, threatens to wipe out the recycled organics industry in Queensland and push approximately two (2) million tonnes of organics back to landfill. The WARR sector should be kept to the same standards as products higher up the supply chain, and in the very least when government policy proposes alternatives, they should ensure that they are safe to use and be recovered.

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. If this chemical is of such great concern, then urgent action should be taken by both the Queensland and Federal governments to implement a blanket ban of this chemical.

The challenge created by PFAS in the environment for both government and the WARR industry does not originate from the WARR sector but rather, stems from the start of the supply chain, that of product design and manufacture. Industry has been working closely with DES and the NSW EPA to standardise and de-risk those products that are currently placed in organics bins, in a bid to avoid contaminants and inclusions that pose a risk to making a quality compost product. Levels set for end product must be reasonable and reflect actual risk remembering that the organic and food waste coming into organics recycling facilities is moving freely, safely and without control in our everyday lives.

Noting that to date, government at both state and federal level continues to enable this substance to be commonly available within everyday products, it is unclear whether there is genuine concern about this substance beyond firefighting foam. Industry submits that there must be coordinated attention nationally about how Australia classifies and manages this substance before the disposal stage, not just simply continue to focus on end-of-pipe alone given this is a supply chain issue.

For your information, as part of the recent meetings with DES, industry was provided with the details of the NSW compost study and the Queensland compost study, both of which provide indications that there is PFAS present within the garden organics (GO) and FOGO compost produced by the composting operations in both states. Analysis undertaken of the data from NSW indicated that of the 89 GO and FOGO



samples tested in the NSW study, 65 (or 73%) of these will fail to meet the PFAS limits in the Queensland model conditions condemning this valuable product to disposal at a landfill at a significant cost. Industry representatives and other Government regulatory authorities would not consider this compost to be a contaminated product. The processed feedstocks are only FOGO and green waste, however with the lower Queensland PFAS levels applied, NSW manufactured compost would not meet the DES model condition limits.

Industry is deeply concerned that the limits set in the model conditions are unreasonable and will seriously impact the shared aim of reducing organic waste disposal into landfill. If composting operations are unable to meet the contaminant limits set by the model conditions, there will be no incentive for industry or local government to spend millions of dollars to establish the infrastructure to compost organic waste from residential properties. Presented solutions to this issue, i.e., thermal treatment of organics to ensure the destruction and removal of PFAS compounds, is costly and unsustainable for most communities within Queensland.

We strongly believe that there needs to be further review of the PFAS limits in the ERA 53 model conditions in line with other state and federal regulators before further composting operations are impacted by these changes and there is no other alternative to deal with the organic streams than to landfill these waste materials.

Industry would also submit that if PFAS is of genuine concern, urgent positive action is required by all governments nationally to ensure that generators and suppliers who continue to bring these chemicals to market are held to account, or at the very least, the community is made aware that they are purchasing/using items that contain PFAS. Industry proposes that this would be most effectively done through a polluters-pay principle to appropriately label and manage these products from production to end-of-life. We would encourage the Queensland government to work with the other jurisdictions and the federal government to develop programs such as the EU's REACH initiative (Register, Authorisation and Restriction of Chemicals Program), as well as the Classification, Labelling and Packaging Regulation (CLP), which requires identification of the material to allow consumers to make an informed choice as a matter of urgency.

We look forward to discussing this matter with you further. Please do not hesitate to contact the undersigned to discuss.

Yours sincerely

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WRIQ

**Greg Whitehead**  
Queensland Director  
AORA

**Gayle Sloan**  
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