



Mr Lee Miezis  
Chief Executive Officer  
EPA Victoria  
200 Victoria Street  
CARLTON VIC 3053

Email: [wasteandlandpolicy@epa.vic.gov.au](mailto:wasteandlandpolicy@epa.vic.gov.au)

21 December 2023

Dear Mr Miezis

**Re: Draft Soil Sampling for Waste Soil (Pub. 702.2) &  
Classifying Waste and Waste Soils Containing PFAS**

Thank you for the opportunity to provide feedback on the *Classifying waste and waste soils containing PFAS* consultation paper. 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 400 entities nationwide, we represent the breadth and depth of the sector, including representation from business organisations, the three (3) tiers of government, universities, and Non-Government Organisations (NGOs), including research bodies.

At the outset WMRR would like to state that we remain deeply concerned that PFAS remains prevalent in the broader Australian community, with little to no awareness of this fact. In WMRR's correspondence with state and federal governments, WMRR has highlighted that PFAS continues to be present in a range of everyday household items, including packaging, make up, carpet and furniture, it continues to be embedded in many consumer goods and commercial products however we only appear to see consistent government concern and action once it reaches WARR facilities. It is regrettable that the Australian government (at all levels) fails to take action on the ongoing availability of this material to the community, with the waste and resource recovery sector is at a loss to understand why the continued focus on this material at end of pipe and not across the entire supply chain.

WMRR is supportive of the move away from individual designations to self-classification as in theory this should streamline applications, and we do consider that if effectively implemented it should result in reducing the additional load of persons involved in classifying waste.

WMRR notes that the changes to publication 702.2 look to remove some of the ambiguity that may have existed in the previous document, industry also believes that many of these changes will aid in the classification of contaminated soil, as a large amount of the focus is with industrial or higher contamination potential sites.

In a broader comment regarding the publication 1828, industry proposes that changes could be made to the document to reduce the need for the EPA to issue individual designations for "green field" sourced soils. Industry is aware of many designations for naturally occurring levels of nickel, arsenic,

**WMRR NATIONAL OFFICE**  
57 ST JOHNS ROAD  
GLEBE NSW 2037

(02) 8746 5000  
INFO@WMRR.ASN.AU

**WMRR.ASN.AU**

zinc, fluoride and other naturally occurring parameters that exceed the 'fill' thresholds. Ample research and scientific literature exist that discuss these parameters being naturally occurring. Thus, the EPA should allow suitably qualified persons to make note of this in site assessment reports, removing the need of the EPA to issue designations. Further Table 3 of Publication 1828 (Fill material criteria) contains less parameters to test for compared to Table 2 (Cat D/C/B criteria). This may result in materials considered 'fill', to exceed Cat C/D thresholds parameters, which are not listed in table 3. As such, consideration is needed by the EPA to further expand parameters in Table 3.

WMRR Notes that there is a need for a bit of a reality check in how we manage material at landfill sites, for example many older landfills have accepted, and continue to accept, PFAS contaminated materials, particularly prior to these materials being identified as problematic. Further, material delivered to landfills is often bagged and / or in mixed loads. Testing to obtain a realistic and representative measure of contamination would be difficult. An increase in PFAS contaminated waste to landfill will lead to increased PFAS concentrations in leachate. These costs and risks could be mitigated by responsibility being placed on generators as opposed to simply placing greater burden on our essential sector. Levy funds have a role in this regard, to assist with meeting costs associated with this. These facts should be appropriately dealt with by the EPA.

Please contact the undersigned if you wish to further discuss WMRR's submission further.

Yours sincerely



Gayle Sloan  
**Chief Executive Officer**  
Waste Management and Resource Recovery Association of Australia