



Mr Dean Knudson
Deputy Secretary
Department of Climate Change, Energy, the Environment and Water
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Email: ichems.enquiry@dcceew.gov.au

13 May 2024

Dear Mr Knudson

Re: Proposed IChEMS decisions – Internationally recognised chemicals of concern, and lower-concern chemicals

Thank you for the opportunity to provide feedback on the proposed decisions for Dechlorane Plus®, UV-328, melamine, boric acid and its precursors and β -Alanine N-(2-hydroxyethyl)-N-[2-[(1-oxooctyl)amino]ethyl]. The Waste Management and Resource Recovery Association of Australia (WMRR) is the national peak body representing Australia's \$17 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.

In WMRRs view the Australian government must take a stronger and more considered stance on the impact of chemicals in products and the impact that they have on the environment. For example, the European Green Deal has set goals to better protect human health and safeguard the environment as part of its approach to zero pollution and moving towards a toxic-free environment.

This means that due to the lack of comprehensive considerations in Australia we are now dealing with regrettable substitution as decabromodiphenyl ether (cdecaDBE) which was banned in 2023 and now Dechlorane Plus® (DP) its replacement being banned. The Stockholm Convention also deals with products and while 'articles' are mentioned in draft decisions the IChEMS Minimum Standards reads as if products are not included. To ensure alignment with the convention and chemicals of concern are managed any confusion must be resolved.

Article 6 of the Stockholm Convention requires products and articles containing listed chemicals to be identified. While the government is moving to ratify the convention, regrettably at this juncture we have no such comprehensive scheme in Australia with the proposed iChEMS scheme missing key elements such as a supporting Consumer, Labelling and Packaging (CLP) regulation, providing consumers with knowledge and choice, as well as a considered and comprehensive approach to what is banned similar to what we see in Europe with the operations of REACH. WMRR continues to advocate for the development of a national program requiring all manufacturers – local and import – to report and identify hazardous chemicals within the products they produce and supply. Australia

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does not have to start from scratch but can adopt 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 support informed choices throughout the supply chain.

Again, WMRR reiterates that Australia does not have to start from scratch but can adopt 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 support informed choices throughout the supply chain. The lack of such a comprehensive scheme is a genuine inhibition to create a circular economy in Australia by 2030 as committed to by national Environment Minister's, given the obvious pollution that these chemicals are in products and the inability to recover products/ materials that contain them.

As volumes and the complexity of e-waste continue to grow, so too much industry and consumer knowledge to appropriately manage these human health and environmental risks. UV-328 a chemical in many e-products poses issues for WARR as e-product volumes continue to increase. E-waste is growing three (3) times faster than other waste streams. To kerb this, efforts to extend product lifespan through repair and refurbishment need to be encouraged however this can only be supported if products are safe to do so. Recycling e-products and disposing of contaminated materials will be the only option if these chemicals and substitutes are not banned. We note UV-328 decomposes at extreme temperatures (448 degrees) and have concerns that current waste is not reaching appropriate WARR infrastructure. The REACH and CLP programs would support collection and disposal of legacy waste as essential use exemptions extend 20+years.

End-of-life management costs must be shared across the supply chain and measures must be considered to hold manufacturers and distributors responsible for correct disposal of materials containing prohibited chemicals. A systems approach is needed to solve the root cause however we recognise that IChEMS' remit is narrow.

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

Yours sincerely

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Chief Executive Officer

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