

Submission

To EPA Victoria
PFASstandards@environment.gov.au

From Colin Sweet, CEO - ALOA

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Subject **THE PFAS NATIONAL ENVIRONMENTAL MANAGEMENT PLAN – ALOA's Response**

The Australian Landfill Owners Association (ALOA) was formed in late 2008. It is an incorporated entity with members from across Australia.

Modern landfills are an essential element in today's integrated waste management infrastructure as landfills:

- Offer cost effective and reliable disposal of recycling and processing residues and unsorted wastes;
- Manage greenhouse gas emission by methane collection and combustion;
- Provide a source of renewable energy;
- Have the flexibility to accept variable waste volumes; and
- Are reliable last resorts for the acceptance of large volumes of 'disaster' waste.
- Member landfills provide services to the general public, local government, industry, property developers, mining and agriculture.

ALOA members receive and safely manage the disposal of almost three quarters of the waste landfilled in Australia.

Since its inception ALOA has defended the interests of its members in national and state issues. In particular, ALOA campaigned for fairer treatment under the 'carbon' tax and worked closely with the Australian Local government Association (ALGA) to develop the Voluntary Waste Industry Protocol to utilise collected carbon tax monies.

ALOA is governed by a 'national' board and has state 'chapters' in each of the mainland states.

THE PFAS NATIONAL ENVIRONMENTAL MANAGEMENT PLAN

ALOA notes the recent release on the PFAS National Environmental Management Plan by the Victorian EPA. In response to this plan ALOA notes:

1. Regulators need to be aware that if enforced, commercial landfill operators may reject PFAS contaminated materials - leaving no disposal option available.
2. In regard to existing PFAS contamination in existing landfills - regulators should be aware of the perverse environmental outcomes which could result from making the disposal of landfill leachate to trade waste illegal.
3. Regulators must be clear about what additional remediation works will be required at closed and capped landfills. In some cases, the additional remediation works will be unfunded.
4. PFAS contamination could affect both recycling and waste to energy. That is, PFAS contaminated material may be unsuitable for both options - creating new landfill volume.
5. New classification of waste due to PFAS contamination will put additional pressure on hazardous waste landfill cell capacity.

THE REGULATORY IMPACT STATEMENT ON PFAS CONTAMINATION

ALOA notes the valuable work undertaken by the Commonwealth in regard to PFAS contamination. It welcomes work by the Commonwealth Department of the Environment to control this important emerging persistent organic pollutant.

This submission only addresses; the thermal destruction of PFAS contaminated wastes (including contaminated soils), legacy PFAS in landfills and the treatment of landfill leachate contaminated by PFAS, and the broader regulatory context of a national landfill standard.

The import and use of PFAS containing products

1. ALOA supports banning the import of all non-essential PFAS contaminated materials and products.
2. Landfill owners submit that the most efficient way to control PFAS contamination at landfills is by banning the production and importation of PFAS.
3. The liability of PFAS contamination must remain with waste generators in order for there to be a positive environmental incentive for its effectively management.

Thermal destruction of PFAS contamination

1. ALOA supports the destruction of PFAS contamination through the best available thermal technology.
2. It welcomes new, science-based regulations to ensure that PFAS contaminated wastes are treated appropriately to ensure public and environmental safety. These regulations should be nationally consistent.

Legacy PFAS contamination in landfills

1. ALOA supports the precautionary principle in regard to the treatment of PFAS/PFAS contamination.
2. Throughout the process, it is important that the introduction of new regulatory requirements (in particular at landfills) are implemented with consultation with the industry and in a manner that enables compliance. For changes to compliance requirements, industry should be given sufficient notice to be able to install new processing plant.
3. The new requirements must recognise that many years of waste acceptance at landfills within the applicable jurisdictional regulations - they should not result in penalising a facility based upon 'backdated' changing thresholds, or in other words, retrospective legislation.
4. In particular, Water Authorities should be directed and encouraged to accept trade waste from leachate treatment plants operating at engineered landfills. It is likely that there will be very low levels of PFAS in treated effluent however the larger impact of not having a disposal option for leachate has more potential to negatively impact the environment than the PFAS level in the effluent.
5. Further, it is important that PFAS/PFAS discharge standards not be set at a level (that is, zero or below drinking water standards) which will result in perverse environmental outcomes. Such outcomes could include;
 - a. No disposal options available for landfill leachate,
 - b. Very large new waste volumes being categorised as Prescribed Industrial Waste in Victoria or hazardous waste in other states and,
 - c. The subsequent or potential stockpiling of biosolids or PFAS/PFAS contaminated wastes.

A national standard for landfills

1. Universal licensing will allow measurement of PFAS discharges on all active, putrescible landfills.
2. We support a single national landfill standard. All landfills should be subject to consistent and high quality environmental controls.
3. Industry cautions against applying standards selectively to landfill facilities, which may distort the market. Raising prices at licensed facilities can cause waste to leak to lower quality landfills.
4. Landfill standards should be 'blind' to the size and owner of the facility - small and large, government and private landfills should be subject to the same standards.

For further information on this important matter, please contact ALOA.

Yours Sincerely
Colin Sweet
CEO