
The Parliament of the Commonwealth of Australia

Inquiry into PFAS remediation in and around Defence bases

Second progress report

PFAS Sub-committee

House of Representatives

Joint Standing Committee on Foreign Affairs, Defence and Trade

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Foreword

Over the 46th Parliament, the PFAS Sub-committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade (JSCFADT) is monitoring progress under the Department of Defence's National PFAS Investigation and Management Program. This follows the JSCFADT's inquiry last Parliament on Defence's management of PFAS contamination in and around Defence bases.

The Joint Committee's report on the management of PFAS contamination was presented in December 2018 and made nine recommendations. In February 2020 the *Whole of Government Response* to that report was presented to Parliament. In its response, the Government agreed to *Recommendation 3* for review of the health opinion. The Government in agreeing in part, agreeing in principle, or noting all other recommendations, indicated that it considered current arrangements adequately address, or can address, the issues raised by the JSCFADT.

In this report, the second progress review of work conducted under the National Program, the Sub-committee considers the Government's response against evidence taken in the current inquiry to date. Review for this report has confirmed a number of observations the Sub-committee made in its first report tabled in December 2019. At that time, the Sub-committee recognised that many in PFAS affected communities felt anxious about progress in the remediation effort, and left out of the decision-making processes that affected their daily lives.

While this is partly attributable to ongoing uncertainties about PFAS chemicals, the Sub-committee has concluded that apparent gaps in the Government's national response and in Defence's processes continue to contribute to this same outcome. This report makes ten recommendations to reform both high level and in-practice processes under the National PFAS Investigation and Management program. These are grouped in four evaluative chapters which respond to recommendations made in the JSCFADT 2018 review.

The first chapter covers the coordination of the Government's national PFAS remediation program. The 2018 report called for appointment of a PFAS Coordinator-General as contact point and coordinator of the program. In its

response the Government noted this recommendation but highlighted the PFAS Taskforce in this role, and as the manager of the upgraded PFAS website.

The Sub-committee noted that the newly designed PFAS website is much improved on last year. However, if the PFAS Taskforce to be the face of the Government's national PFAS effort, then the Sub-committee considers it must have a dedicated interface on the website, with direct contact details, enhanced site interactivity and profiled consumer support information.

Another need is to ensure functional participation approaches are used to engage, inform and support people living in and nearby PFAS affected communities. Participatory approaches require that people have input into the remediation process as it progresses and that, equivalently, they receive clear information about matters of community importance, such as the implementation of PFAS Area Management Plans (PMAPs) which govern the remediation process.

The Government indicates it has responded to JSCFADT's recommendations by posting PMAPs and summary documents on the Defence website. Defence also hosts community information meetings to provide advice. However, the process is complex and so is the documentation. The Committee has made practical recommendations for provision of maps showing the clearance and remediation status of land and for genuinely consultative approaches to build confidence and awareness in people living in and nearby PFAS affected communities.

This report further recommends for a reviewed information strategy – one which shows government to be accountable to those affected and the general public, as PFAS contamination emerges as topic of concern in the mainstream media.

In its first report, the Sub-committee noted the life stresses imposed on people in PFAS affected communities. This review heard about research being conducted on the cumulative social and mental impacts on whole communities affected by PFAS, and other human made disasters. The Sub-committee has recommended that this important area of work should be funded by government. The Sub-committee also recommends for provision of sustained mental health services and supports for individuals affected by PFAS, and not just those in the three regions around Williamstown, Oakey and Katherine.

Finally, the Sub-committee has noted slow progress towards finalisation of key PFAS related legislation and regulatory agreements in both the domestic and international context which underpin Australia's environmental and human health safety management.

The Committee welcomes the publication this year of Australia's National Environmental Management Plan (NEMP), after some years in review, and the introduction of the *Industrial Chemicals Act 2020* which enables prohibition of

identified chemicals at any time. Work continues on the National Standard for Environmental Risks Management of Industrial Chemicals which aims to close the gap between chemicals laws and state and territory regulatory frameworks. The National Standard is expected to be in operation by 2022.

In this report, the Committee has noted the problems associated with achieving consistency under a federal system. Responsibility for implementation of the NEMP's standards, for example, devolves to the state and territory environmental protection agencies (EPAs). The Committee heard that Defence's PMAPs are not responding to more advanced state laws, making remediation efforts less efficient, and has recommended addressing this deficiency.

Consistency is also an issue under Food Standards Australia and New Zealand's 'trigger points' for regulation of the PFAS, which States and Territories interpret under their own laws. The result is that people living with PFAS in different parts of Australia can be regulated differently and given different advice about such important matters as food safety and water use.

The Committee understands that work is underway to address these issues, but progress is invisible to many of those affected. The same applies to Australia's efforts to consolidate a national stance against PFAS chemicals. The Sub-committee has urged the Government as a priority to move on this matter, and to hasten processes towards providing appropriate compensation for impacts on people affected by PFAS.

Finally, the Sub-committee has noted in this review research being funded to better understand the impacts of PFAS on health and even reduce those impacts. Remediation technologies are also being funded by government and the private sector to remove PFAS from soil and water, and to destroy residue concentrates.

This work provides an encouraging sign of commitment and hope for the effective remediation of PFAS contamination in the future, and will be further investigated by the Sub-committee during its review.

Dr John McVeigh MP

Membership of the Full Committee

Members of the Joint Standing Committee on Foreign Affairs, Defence and Trade

Chair Senator the Hon David Fawcett

Deputy Chair Mr Nick Champion MP

Members

Hon Kevin Andrews MP	Senator the Hon Eric Abetz
Mr Vince Connelly MP	Senator Tim Ayres
Hon Damian Drum MP	Senator Mehreen Faruqi
Mr Patrick Gorman MP	Senator the Hon Concetta Fierravanti-Wells
Mr Andrew Hastie MP	Senator Kimberley Kitching
Mr Chris Hayes MP	Senator Malarndirri McCarthy
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**Former members of the Joint Standing Committee on Foreign Affairs, Defence
and Trade**

Senator the Hon Arthur Sinodinos AO (from 22/07/2019 – 11 /11/2019)



Membership of the PFAS Sub-committee

Members of the PFAS Sub-committee

Chair Hon Dr John McVeigh MP

Deputy Chair Ms Meryl Swanson MP

Members Mr Nick Champion MP (*ex officio*)

Senator Mehreen Faruqi

Senator the Hon David Fawcett (*ex officio*)

Senator Kimberley Kitching

Senator Malarndirri McCarthy

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Terms of reference

On Wednesday 18 September 2019 the Joint Standing Committee on Foreign Affairs, Defence and Trade initiated under its annual report powers an inquiry into the remediation of PFAS related impacts in and around defence bases.

The focus of the review will be work progressed under the 'National PFAS Investigation and Management Program', as reported in Chapter 9 of the *Department of Defence 2017-18 Annual Report*.

The Department's annual report stated that Defence had conducted environmental investigations of 23 PFAS affected sites, with site work being progressed under PFAS Management Area Plans (MAPs), including by:

- provision of alternative water supplies to residents who live near investigation sites and are reliant on bore water for drinking;
- implementation of management and remediation options for contaminated water and soil, including through clearance of drains, the installation of water treatment plants; and
- review of emerging remediation technologies for future application.

The *Department of Defence 2018-19 Annual Report* subsequently advised of this work on 28 sites. The PFAS Sub-committee's inquiry will monitor the progress of Defence activity under the National Program and review evolving policy on PFAS-related health and environmental impacts over the course of the 46th Parliament.



List of abbreviations

AFFF	Aqueous Film Forming Foams
ACT	Australian Capital Territory
AICIS	Australian Industrial Chemicals Introduction Scheme
ANU	Australian National University
AQoN	Answer/s to Questions on Notice
ARC	Australian Research Council
CAP	Coalition against PFAS
COAG	Council of Australian Governments
COVID-19	Coronavirus
CRC CARE	Cooperative Research Centre for Contamination Assessment and Remediation of the Environment
DAWE	Department of Agriculture, Water and the Environment
EFSA	European Food Safety Authority
enHealth	The Environmental Health Standing Committee of the Australian Health Protection Principal Committee
EPA	Environmental Protection Agency
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
FSANZ	Food Standards Australia New Zealand

HBGVs	Health Based Guidance Values
HEN	Hawkesbury Environment Network
MFB	Metropolitan Fire Brigade
NEMP	National Environmental Management Plan
NMHRC	National Medical and Health Research Council
NICNAS	National Industrial Chemicals Notification and Assessment Scheme
NSW	New South Wales
NT	Northern Territory
PFAS	Per-and poly-fluoroalkyl substances
PFAS IGA	Intergovernmental Agreement on a National Framework for Responding to PFAS Contamination
PFHxS	Perfluorohexane sulfonate
PFOA	Perfluoro-octanoic acid
PFOS	Perfluorooctane sulfonate
PM&C	Department of Prime Minister and Cabinet
PMAP	PFAS Management Area Plan
POP	Persistent Organic Pollutants
PHNs	Primary Health Networks
QAEHS	Queensland Alliance of Environmental Health Sciences
Qld	Queensland
Qld DES	Queensland Department of Environment and Science
RAAF	Royal Australian Air Force
SA	South Australia
TDI	Tolerable daily intake

TWI	Tolerable weekly intake
UFUA	United Fighter Fighters Union of Australia
UoN	University of Newcastle
UQ	University of Queensland
VBTP	Voluntary Blood Testing Program
WA	Western Australia



List of recommendations

2 Coordination of a national PFAS remediation program

Recommendation 1

The Committee recommends that the Government highlight the PFAS Taskforce's role in coordination and review of the national PFAS response in a dedicated link accessible on the PFAS homepage as a contact point for members of the public.

This dedicated webpage should also improve accountability and accessibility by:

- providing information on and links to relevant annual reports, parliamentary reviews, and to the Government response;
- making a feature of the PFAS Taskforce contact form, with 'how can we help' content and links to dedicated PFAS support and consumer protection sites; and
- providing information and contact details for the Director of the PFAS Taskforce.

3 Remediation management and investment

Recommendation 2

The Committee recommends that the Department of Defence includes information on its investment in PFAS remediation programs, research and related activities in its annual reports along with tabular progress reports on remediation work under PMAPs for all sites.

Recommendation 3

The Committee recommends that the Department of Defence should publish on its website up-to-date maps showing the changing boundaries of PFAS investigation and PFAS Management Area Plan (PMAP) sites, with the status of areas officially cleared of PFAS contamination plainly indicated.

The Committee recommends copies of these maps should be made available to residents on request.

The Committee also recommends that the Department ensures public input is sought through community engagement throughout the process.

Recommendation 4

The Committee recommends that PMAPs should be practical documents that direct compliance with a jurisdiction's environmental policies and standards as well national PFAS regulatory frameworks for timely remediation works in and around Defence bases.

4 Health, community and compensation

Recommendation 5

The Committee recommends that the Government review its local information and broader media strategy to ensure information on PFAS related matters is factual, cites trusted sources, and is well targeted to inform specific audiences about priority issues and concerns.

Recommendation 6

The Committee recommends that the Government adopt participatory approaches to improve collaboration and involvement with the community.

Recommendation 7

The Committee recommends that the Government should fund research to better understand the mental health impacts of living with PFAS contamination and related human made disasters to better inform Government services and supports.

Recommendation 8

The Committee recommends that the Government should provide all people affected by PFAS with mental health supports and counselling services, with a dedicated link and a phone contact on the PFAS website

for accessing these services, and regular updates provided in affected communities about what services are available.

Recommendation 9

The Committee recommends that the Government prioritise assisting property owners and businesses in affected areas through compensation for financial losses associated with contamination emanating from Defence bases, including the possibility of buy-backs.

5 National and international standards setting

Recommendation 10

The Committee recommends that the Government expedite the work to ban the use of, contain, and ultimately safely destroy, long chain PFAS-based firefighting foams (including those containing PFOS, PFOA and PFHxS), with the objective of urgently ratifying the listing of PFOS and expediting the process for PFOA and PFHxS in the event they are listed under the Stockholm Convention on Persistent Organic Pollutants.

The Committee recommends that the Government provide a timeline for the processes identified in the previous recommendation.

