

Select Committee on PFAS (per and polyfluoroalkyl substances)

Answers to questions on notice

Climate Change, Energy, the Environment and Water Portfolio

Inquiry: Select Committee on PFAS (per and polyfluoroalkyl substances)

Question No: IQ25-000015

Hearing Date: 05 September 2025

Division/Agency: Circular Economy Division

Topic: PFAS - Written questions on notice 5 September 2025

Question Date: 05 September 2025

Question Type: Written

Senator Thorpe asked:

1. What has been learned from the PFAS challenge to inform future assessment of chemical risks to the environment? What actionable steps are being taken to better assess risks and provide support to sectors who are responsible for removing/treating these risks?
2. Has your Department considered the UCSF's Strengthening the Chemical Regulatory Process and Environment Evidence-to-Decision Framework? How closely does Australia adhere to these recommended best practices for the various aspects of chemical risk assessment and regulation?
3. The National PFAS Position Statement sets objectives for reducing the release of PFAS.
 - a. How is Australia tracking the reduction of PFAS through various sources?
 - b. Can you please provide more information on how this is being assessed and the data for PFAS?
4. The National PFAS Position statement states that 'Where a product or article is suspected of containing PFAS, information should be gathered to ascertain if it contains long-chain PFAS and it should then be managed accordingly.' This seems to me that there is information on a wide range of products containing PFAS, if long-chain or short-chain. This is valuable information for further reducing consumer exposure to PFAS.
 - a. Who is gathering this information and ensures products are managed accordingly?
 - b. What does this process look like in real life? What happens to a product that contains PFAS?
 - c. How can this information on products be accessed? (if not publicly, can you provide it on notice)
 - d. Why is this information not being made widely available, so consumers can make informed choices as to what products they purchase?
5. Has a labelling regime for PFAS content in consumer products, to give consumers the power of choice, been considered?
6. What is being done to understand the extent of contamination in drinking water and waste facilities in remote First Nations communities?
7. Regarding the essential use assessment for the Schedule 7 assessments, can you please provide further information on how "essentiality" is assessed?
8. How does the Department's assessment of essential use for chemicals compare to the essentiality framework set out in UCSF's Program on Reproductive Health and the Environment Evidence-to-Decision Framework? Is this independently assessed or do you rely on industry data?
9. How do you mandate that for chemicals deemed "essential" that industry is investing in safer alternatives?
10. Can you please provide copies of any briefings that you have provided to the Minister on litigation against PFAS manufacturers here and overseas?
11. What legal avenues are available to the federal government to litigate against PFAS

manufacturers, particularly if they are found to have knowingly covered up scientific findings on the impacts of PFAS on health and the environment?

Answer:

Question 1

The Department of Climate Change, Energy, the Environment and Water provides advice on the environmental risks of industrial chemicals to the Executive Director of the Australian Industrial Chemicals Introduction Scheme (AICIS).

This is done in line with requirements under the *Industrial Chemicals Act 2019* (IC Act). The IC Act is administered by the Department of Health, Disability and Ageing.

The AICIS assesses risks of industrial chemicals at the point of import or manufacture, to inform recommendations that help protect human health and the environment. Risk is determined by evaluating the chemical's environmental exposure and hazard characteristics.

These recommendations are published on the AICIS website and shared with government agencies, including state and territory regulators, to support their chemical management responsibilities.

Question 2

The framework developed by the University of California San Francisco provides recommendations on how the human health risks of chemicals can be assessed.

The assessment of human health risks of chemicals in Australia is the responsibility of the Australian Government Department of Health, Disability and Ageing.

Question 3

As the primary regulators of pollution and contamination, states and territories undertake the majority of environmental monitoring activities within their jurisdictions.

To strengthen national monitoring of PFAS exposure, the Government asked the Australian Bureau of Statistics (ABS) to include PFAS as an indicator in the National Health Measures Survey (NHMS). On 27 May 2025 the ABS published Biomedical Results for PFAS (www.abs.gov.au/articles/per-and-polyfluoroalkyl-substances).

Question 4

All chemicals scheduled on the IChEMS must be managed in line with the IChEMS Minimum Standards (www.dcceew.gov.au/environment/protection/chemicals-management/national-standard/ichems-minimum-standards).

- This includes requirements for businesses to obtain and share information on environmental risks with their suppliers and buyers ensuring activities involving scheduled chemicals are undertaken in an environmentally safe manner.

To prove compliance, it is recommended businesses adopt a tiered approach that includes both administrative and analytical measures.

- Administrative measures may include specifying chemical composition in contracts, purchasing from countries with similar standards, and purchasing from companies with appropriate certifications.

- Analytical methods may include non-targeted approaches or high-level screening of key elements. For example, total organic fluorine (TOF) analysis measures the amount of fluorine in samples containing perfluorooctanoic acid (PFOA).

Based on screening test results, further analysis may be needed using targeted methods. The methods will depend on the chemical being measured.

Question 5

The Australian Competition and Consumer Commission (ACCC) is the national regulator responsible for consumer product safety under the Australian Consumer Law.

The ACCC develops mandatory safety and information standards for consumer products, which can include requirements for consumer product labelling.

Question 6

State and territory governments are the primary regulators of water quality, including for water used for drinking, recreational purposes or recycled water use. State and territory governments, along with local governments, undertake the majority of water resource management activities within their jurisdictions.

The Australian & New Zealand Guidelines for Fresh and Marine Water Quality provide authoritative guidance on the management of water quality for natural and semi-natural water resources in Australia and New Zealand.

The 2018 revision of the Water Quality Guidelines is presented as an online platform, to improve usability and facilitate updates as new information becomes available.

National health guidance, such as drinking water guideline values, is developed by the Department of Health, Disability and Ageing.

Question 7

When making a standard, the Minister must comply with the *Industrial Chemicals Environmental Management (Register) Principles 2022* (the principles) (www.legislation.gov.au/F2022L01436/latest/text). The principles set out the risk characteristics for each schedule

Section 7 of the principles require that chemicals listed in Schedule 7 do not have an essential use in Australia.

Section 8 of the principles require that in determining essential uses for Schedule 6 chemicals, consideration must be given to whether:

- the chemical is currently used in Australia
- it is necessary for medical, veterinary, defence, national security, public safety, industrial safety, economic or environmental purposes
- there are viable alternatives
- Australia has any international obligations in respect of the chemical.

Question 8

The essential use of a chemical is determined by Section 8 of the *Industrial Chemicals Environmental Management (Register) Principles 2022* (the principles).

The department assesses information from risk assessments, technical guidelines supporting multilateral environmental agreements, the regulatory practices of countries with comparable environmental standards, and feedback provided through statutory consultation.

All decisions involving consideration of essential uses have been referred to the Advisory Committee on the Environmental Management of Industrial Chemicals (IChEMS Advisory Committee) which is established under the *Industrial Chemicals Environmental Management (Register) Act 2021* to provide expert advice to the Minister for Environment and Water.

The committee's advice is publicly available through the department's website (www.dcceew.gov.au/environment/protection/chemicals-management/national-standard/ichems-advisory-committee).

Question 9

To date all Schedule 6 decisions under the IChEMS have specified time limited essential uses to both minimise disruptions to Australia's trade arrangements and provide deadlines for industry's transition to safer alternatives.

As the IChEMS Register expands, it will be easier for industry to select less harmful chemicals. Chemicals listed in lower schedules can be substituted for those with similar functional uses as those listed in higher schedules.

Question 10

The department has not provided any briefings to the Minister for Environment and Water on litigation against PFAS manufacturers here or overseas.

Question 11

The department would need to consider the particular circumstances of each matter.