

## Submission

### Select Committee on PFAS (per and polyfluoroalkyl substances)

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This submission is submitted on behalf of NO INCINERATOR FOR WESTERN SYDNEY (NIWS).

NIWS is an incorporated community environmental justice group primarily opposed to waste to energy incineration (WTE).

The groups' opposition to WTE incineration is essentially centred on the emissions of highly toxic persistent organic pollutants, including PFAS, into the environment this also applies to the disposal of concentrated operational wastes in the form of air pollution control residues and various forms of contaminated ash. The purpose of NIWS' submission is to ensure that the Senate select committee is made aware of this potential source of pervasive PFAS emissions.

Whilst the regulator is well aware of these issues, in 2022 the New South Wales government under advice from the regulator, NSW EPA, incomprehensively introduced a regulation.

#### **PART 4 - ENERGY RECOVERY FROM THERMAL TREATMENT OF WASTE--THE ACT, SCH 2 CLL 5, 6 AND 6A**

This regulation permits the operation of WTE facilities in four (4) separate precincts within NSW. All four precincts are known food, grain and livestock, producing areas with at least one being located within the Sydney drinking water catchment specified area.

NIWS recognises and acknowledges the recent review by Water NSW of drinking water contamination limit values following the review by the USEPA, however, little confidence is held by our group that these revised limit values would be effectively enforced by the regulator with far too much reliance being placed upon self-regulation by the

operators of these facilities. These views are supported by the persistent failure of the regulator to coercively enforce current regulatory requirements upon the operators of waste landfill operations, in particular, hydrogen sulphide (H<sub>2</sub>S) emissions. Some of these very same landfill/bio-reactor operators are the proponents and applicants to build and operate WTE incinerators under this regulatory regime. One such application is currently progressing through the NSW planning processes.

**Recommendations:**

The NSW EPA be adequately funded to ensure independent verification and reporting of compliance with emission limit values are conducted by the EPA and that self-regulation and reporting not be relied upon to verify operator compliance.

That all costs associated with remedial de-contamination of the relevant environment be ascribed to the polluter pursuant to Part 9.4 of the NSW Protection of the Environment Operations Act 1997 (POEO ACT 1997).

Require strict compliance with Part 9.3E NSW IChEMS register Divisions 1-5 of the POEO ACT 1997.

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