LEGISLATIVE COUNCIL
Question Without Notice

Friday, 27 July 2018

C583. Hon Dr Steve Thomas to the Minister for Environment

I refer to Table 6 of the Department of Water and Environmental Regulations document, “Landfill Waste Classification and Waste Definitions 1996 (as amended 2018) published in April 2018 which is enlivened by the Environmental Protection Amendment Regulations 2018 gazetted on 27 April 2018 and ask the Minister:

1. What was the scientific and or technical rationale upon which DWER relied in determining the Maximum concentration and leaching test levels?

2. Were the DWER maximum concentration levels taken from, or based on any other jurisdictions, guidelines or research documentation? And if so, what was the source, and will the minister table it?

3. Did DWER or any other agency conduct any risk based assessments in determining these levels?

4. Which(if any) of the maximum concentration levels exceed wholly or in part, background levels for soils of the Swan Coastal Plain, and if so why?

5. Was a regulatory impact assessment of the effect of the Environmental Protection Amendment Regulations 2018 conducted and if so will the Minister table it?

Answer

1. Maximum concentration and leaching test thresholds for uncontaminated fill were set at a conservative level to ensure no risk to human health or environmental values. This allows for the reuse of waste material at any location, including sensitive receptors on the Swan Coast Plain. It also delivers a straightforward and consistent approach for industry, without the need for licencing or payment of the waste levy.

2. The list of key source documents considered form Appendix B of the Consultation Summary Report available on the Department of Water and Environmental Regulation’s website and now tabled. [See Tabled Paper No X]

3. The thresholds were developed having regard to published generic risk-based criteria for the assessment of contaminants in the environment tabled in response to question 2. These published criteria are based on available toxicological data and set at levels below which adverse effects to human health, the environment or any environmental value would not be expected to occur.

4. The thresholds were also developed having regard to available data on background concentrations for contaminants in soils of the Swan Coastal Plain. Thresholds were adopted that would not be lower than typical ambient background levels encountered in soils of the Swan Coastal Plain.
5. The proposed changes to the regulations were considered by the Better Regulation Unit of the Department of Treasury consistent with its regulatory impact assessment process. The Department of Treasury advised that regulatory impact assessment was not required.

Hoff Stephen Dawson MLC
MINISTER FOR ENVIRONMENT; DISABILITY SERVICES
2. List of sources considered in the development of the thresholds for uncontaminated fill:


