



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ENVIRONMENT AND TRANSPORT AND CITY SERVICES
SUZANNE ORR MLA (CHAIR), CANDICE BURCH MLA (DEPUTY CHAIR), JAMES MILLIGAN MLA

Inquiry into referred 2017–18 Annual and Financial Reports
ANSWER TO QUESTION ON NOTICE

Asked by **ELIZABETH LEE MLA**:

In relation to: Sheep dip and arsenic

1. Has the Environment Directorate done any work in the area of arsenic sheep dip sites and if so what are the findings?
 - a. Are the findings public? If so, please provide a copy.
 - b. If not, why not?
2. How are rural chemical products monitored in the ACT and what role does the EPSD have in ensuring their correct use and disposal?

GORDON RAMSAY MLA: The answer to the Member's question is as follows:–

1. The ACT has specific legislative provisions in the *Environment Protection Act 1997* regarding the management of contaminated land in the ACT. All potentially contaminated sites that are redeveloped for other uses where there is the potential for significant risk of harm to human health or to the environment, are required to be assessed, remediated and independently audited (if required) by an accredited contaminated land auditor.

The Environment Protection Authority (EPA) has 1,139 known or potentially contaminated sites recorded in its contaminated sites information systems. Some of these sites are also on the Register of contaminated sites because of formal assessment or ongoing management requirements. The Register can be found on the Access Canberra website at:
https://www.accesscanberra.act.gov.au/app/services/contaminated_sites#/

Contaminated sites are located throughout the ACT, however, a greater number are found in the commercial/industrial areas where activities which could lead to contamination are more prevalent. Appendix A of the Contaminated Sites Environment Protection Policy 2009 contains a list of potentially contaminating activities.

Many rural leases in the ACT have a long history of use for sheep grazing. Sheep husbandry technology has changed markedly to the present day and knowledge about the effects of substances used for that husbandry has similarly advanced to the stage where we are now aware of the harmful effects some of the substances used historically may have on human health and the environment.

The Department of Urban Services undertook a comprehensive program in the mid -1990s to assess, remediate, where necessary, independently audit sheep dip sites within urban areas of the ACT which had been redeveloped for urban purposes by the Commonwealth.

The assessment and remedial works at former sheep dips are undertaken in accordance with the nationally adopted assessment and remediation processes of the time.

The assessment criteria for arsenic, which is the contaminant of concern at these sites, remains the same in the current version of the nationally adopted National Environment Protection (Assessment of Site Contamination) Measure, which has undergone rigorous national and international review. The measure was revised and amended in 2013 following significant review and consultation with regulators, industry and other stakeholders, and provides a nationally consistent approach to the assessment of contaminated sites.

a. Due to the sensitivity surrounding contaminated sites information it is publicly released by the EPA.

For information on the Register of contaminated sites and what information the EPA holds on contaminated sites please refer to section 11 of the Contaminated Sites Environment Protection Policy (December 2017) which is available on the Access Canberra website at

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1564/~/_/contaminated-sites.

Information is generally available via a contaminated land search which is undertaken on a fee for service basis. These searches are generally done for lease conveyancing (land purchase), due diligence and environmental reports.

b. N/A

2. The Commonwealth's Australian Pesticides and Veterinary Medicines Authority (APVMA) are responsible for assessing and registering pesticides and veterinary medicines proposed for supply in Australia. Beyond the point of sale, state and territory governments are responsible for the control of use of agricultural and veterinary (agvet) chemicals. In the ACT the use of agvet chemicals is regulated under the *Environment Protection Regulation 2005*.

All chemicals used must be registered and used in accordance with the conditions of registration, which includes using the product in accordance with its approved label, or an off label permit issued by the APVMA.

The use of agvet chemicals, in either a rural or urban environment, is not specifically monitored in the ACT. There is a legal obligation to use chemicals in accordance with their product label or off label permit. Matters involving the incorrect use of agvet chemicals are investigated by the EPA

The commercial use of agvet chemicals is a Class A activity under the *Environment Protection Act 1997* and requires an environmental authorisation issued by the EPA. There are minimum competency standards for the commercial users of agvet chemicals.

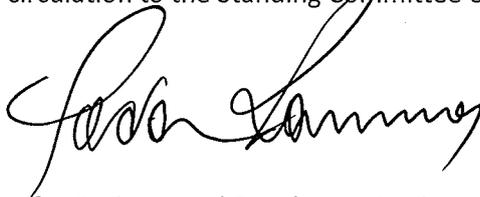
Disposal of unwanted chemicals is ultimately the responsibility of the chemical user who is the waste producer.

In the late 1990's the ACT Government ran a program for the collection and safe disposal of unwanted and deregistered agvet chemicals, in particular persistent organochlorine pesticides (OCPs) which pose a risk to the environment, human health and agricultural produce. Since 2003 farmers have been able to access ChemClear, an industry levy funded program, for the collection and disposal of unwanted agvet chemicals. The levy also pays for the recycling of rinsed chemical containers under the drumMUSTER program.

Chemicals ineligible for collection under the ChemClear program will need to be disposed of using a hazardous waste contractor. All chemicals, irrespective of being unwanted or not, must be stored in accordance with their label directions.

Approved for circulation to the Standing Committee on Environment and Transport and City Services

Signature:



Date: 29/11/18

By the Minister for Business and Regulatory Services, Gordon Ramsay MLA

