

Environment Protection Authority

Transmittal Certificate

Compliance Statement

The 2019-20 Environment Protection Authority (EPA) Annual Report must comply with the Annual Report Directions ('the Directions') made under section 8 of the Annual Reports ACT. The Directions are found at the ACT Legislation Register: www.legislation.act.gov.au

The Compliance Statement indicates the subsections, under Parts 1 to 5 of the Directions, that are applicable to the EPA and the location of information that satisfies these requirements:

Part 1 Directions Overview

The requirements under Part 1 of the Directions relate to the purpose, timing and distribution, and records keeping of annual reports. The 2019-20 EPA Annual Report complies with all subsections of Part 1 under the Directions.

To meet Section 15 Feedback, Part 1 of the Directions, contact details for the EPA are provided within the 2019-20 EPA Annual Report to provide readers with the opportunity to provide feedback.

Part 2 Reporting entity Annual Report Requirements

The requirements within Part 2 of the Directions are mandatory for all reporting entities and the EPA Annual Report complies with all subsections. The information that satisfies the requirements of Part 2 is found in the EPA Annual Report as follows:

- > A. Transmittal Certificate, see page xxx
- > B. Organisational Overview and Performance Analysis subsections, see pages xxx-xxx. As the EPA sits within Access Canberra in CMTEDD, all other subsections in Section B, Part 2 of the Directions are contained within the CMTEDD Annual report.
- > C. Financial Management Reporting, inclusive of all subsections, see Volume 2 of the CMTEDD Annual report.

Part 3 Reporting by Exception

The EPA has nil information to report by exception under Part 3 of the Directions for the 2019-20 reporting year.

Part 4 Directorate and Public Sector Body Specific Annual Report Requirements

There are no specific annual report requirements for the EPA.

Part 5 Whole of Government Annual Reporting

All subsections of Part 5 of the Directions apply to the EPA. Consistent with the Directions, the information satisfying these requirements is reported in the one place for all reporting entities as follows:

- > Bushfire Risk Management, see the annual report of the Justice and Community Safety Directorate;
- > Human Rights, see the annual report of the Justice and Community Safety Directorate;
- > Legal Services Directions, see the annual report of the Justice and Community Safety Directorate
- > Public Sector Standards and Workforce Profile, see the annual State of the Service Report; and

- > Territory Records, see the annual report of Chief Minister, Treasury and Economic, Development Directorate.

ACT Public Service Directorate annual reports are found at the following web address:

http://www.cmd.act.gov.au/open_government/report/annual_reports

Organisational Overview and Performance

The Environment Protection Authority ('the Authority') is a statutory public servant position established by the *Environment Protection Act 1997*. It is currently assigned to the Senior Director of the Environment Protection Authority within Access Canberra. The Authority is supported by the Office of the Environment Protection Authority (also referred to as the EPA) within Access Canberra, to carry out its functions.

Legislative Framework and Functions

The EPA administers the follow legislation:

- > *Environment Protection Act 1997*
- > *Environment Protection Regulation 2005*
- > *Water Resources Act 2007*
- > *Water Resource Regulation 2007*
- > *Lakes Act 1976*
- > *Lakes Regulation 2019*
- > *Clinical Waste Act 1990*

The EPA is the primary environmental regulator for the ACT.

Our mission is to protect the well-being of the environment and community as the ACT's primary environmental regulator.

Overview of Functions

Environment Protection Act 1997

The Authority oversees the administration of the *Environment Protection Act 1997* and the *Environment Protection Regulation 2005*, which provide for the protection of the environment and for related purposes.

The objects of the *Environment Protection Act 1997* are to:

- > protect and enhance the quality of the environment
- > prevent environmental degradation and risk of harm to human health
- > achieve effective integration of environmental, economic and social consideration in decision-making processes
- > establish a single and integrated regulatory framework for environmental protection and provide for monitoring and reporting of environmental quality on a regular basis

- > facilitate the implementation of national environment protection measures and laws
- > ensure contaminated land is managed having regard to human health and the environment; and
- > encourage responsibility by the whole community for the environment – general environmental duty of care.

Water Resources Act 2007

The Authority has responsibility for administering the *Water Resources Act 2007* and *the Water Resources Regulation 2007*, which provides for sustainable management of the water resources of the Territory, and for other purposes.

The objects of the *Water Resources Act 2007* are to:

- > ensure that management and use of the water resources of the Territory sustain the physical, economic and social wellbeing of the people of the ACT while protecting the ecosystems that depend on those resources
- > protect aquatic ecosystems and aquifers from damage and, where practicable, to reverse damage that has already happened; and
- > ensure that the water resources are able to meet the reasonably foreseeable needs of future generations.

Lakes Act 1976

The Senior Director of the Environment Protection Authority holds the statutory position of Delegate for Lakes ('the Delegate'), responsible for administering the *Lakes Act 1976* and the *Lakes Regulation 2019*, which provide for the administration, control and use of certain lakes.

The Delegate is responsible for approving structures and activities (such as motorised boat activities) on designated lakes and waterways in the ACT and lake closures in the event of a threat to human health or the environment, for example, pollution or emergency incidents/discharges, special events and/or a blue green algae outbreak.

Clinical Waste Act 1990

The Senior Director of the Environment Protection Authority holds the statutory position of Clinical Waste Controller under the *Clinical Waste Act 1990* with responsibility for the treatment, storage, transportation and disposal of clinical waste.

Compliance Framework

The EPA applies an engage, educate and enforce compliance model, the three fundamental steps used by Access Canberra. Compliance is encouraged through education, however, escalating enforcement actions will be applied to those whose conduct will, or is likely to cause harm, or those who demonstrate a disregard for the law.

Access Canberra operates on a risk-based compliance model. The risk-based compliance approach enables the targeting of resources to those areas where they are most needed and will be most effective. This approach involves a series of steps to identify and assess risks and to then apply the most appropriate regulatory tool to control the risk. This means that resource allocation and enforcement responses are determined based on priorities determined through risk assessment.

The EPA carries out both proactive and reactive activities. Resources are allocated based on the level of risk posed to the strategic objectives as outlined in the Environment Regulation and Protection Compliance Framework, which can be found on the Access Canberra website (www.accesscanberra.act.gov.au) under 'Accountability Commitment'.

Where an issue is identified, the EPA seeks to resolve the issue before it leads to an adverse impact on human health or the environment.

Reactive monitoring relies on the community, business or industry reporting environmental concerns or events, such as pollution of our environment, or illegal water use.

Information and guidelines for industry and the general public in relation to EPA legislation is available via the Access Canberra website. Information is also routinely shared through social media, radio and print platforms informing the community of their environmental obligations, while also providing important updates which may influence better environmental decision making by persons.

This Annual Report summarises the activities and performance of the EPA in 2019-2020.

Performance Analysis

Environment Protection Act 1997

Environmental Authorisations

An Environmental Authorisation (Authorisation) is a form of licence granted under section 49 of the *Environment Protection Act 1997*. An Authorisation sets out the conditions under which activities with a significant potential to cause environmental harm may be conducted. Authorisations granted for an unlimited period are subject to review at least every 5 years based on an assessment of the activity and the authorisation holder.

In 2019-2020, a total of 27 Authorisations were granted, bringing the number of Authorisations administered to 304 (refer to Table 1). During this period, 117 authorisations were reviewed and 28 varied.

Table 1: Number of Environmental Authorisations issued per activity

Activity (Schedule1 Class A)	New EA issued in 2017-18	New EAs issued in 2018-19	New EAs issued in 2019-20	EAs Administered
Controlled burns	-	-		2
Commercial incineration	-	-		1
Composting	-	1		3
Material crushing, grinding or separating	1	-		7
Commercial production of alcoholic beverages	-	-	2	2
Crematorium	-	-		1
Extraction of material from a waterway	2	2		3
Extraction of material from Land	-	-		1
Keeping poultry	-	-		1
Commercial landfills	-	-		2
Logging	-	-		1
Milk production	-	-		1
Motor sports	2	1	2	4
Motor sports and outdoor concerts	-	-		
Concert Venue	-	-	1	2
Outdoor concerts	4	8	3	3
Commercial use of agricultural and veterinary chemicals	17	14	10	146
Petroleum storage	1	2	4	70
Road building material production	-	-		2
Production of concrete	-	-	1	11
Sewage treatment	-	-		4
Placement of soil on land	3	7	3	12
Operation of waste transfer	-	-	1	1
Transportation within the ACT of regulated waste	3	4		17
Transport of Controlled Waste	-	-		6
Sterilisation of clinical waste	-	-		1
Timber milling	-	-		1
Waste petroleum recovery	-	-		1
Operation of a Firearm Shooting Range	-	-		5

Activity (Schedule1 Class A)	New EA issued in 2017-18	New EAs issued in 2018-19	New EAs issued in 2019-20	EAs Administered
Total	33	39	27	*311

Note: * There are 304 Environmental Authorisations, some of which are for multiple activities, hence the total by activity type is 311.

Environmental Protection Agreements

Section 38 of the *Environment Protection Act 1997* ('the Act') provides for the EPA to enter into Environmental Protection Agreements (Agreements) generally for the purpose of the Act. This section also allows Agreements to be used instead of an authorisation where people are conducting certain activities that entail a moderately significant risk of environmental harm (those listed in Schedule 1 Class B of the Act; see also subsection 42(2) of the Act).

Agreements are designed to assist businesses manage their environmental performance. During 2019, the term of Agreements was changed from three years to an unlimited period. This was as the result of a request from members of the Master Builders Association and a red tape reduction initiative.

In 2019-2020, the EPA entered into 42 Agreements, bringing the number of Agreements administered by the EPA to 131 (refer to Table 2).

Table 2: Number of Environmental Protection Agreements issued per Activity

Activity (Schedule1 Class B)	2017-18 Agreements	2018-19 Agreements	2019-20 Agreements	Total Current Agreements
Land development/construction	40	41	38	116
Landfill gas management	-	-	1	1
Municipal services	-	-	-	-
E-Waste Dismantling and Storage	-	-	-	1
Wastewater reuse	-	1	-	1
Contaminated sites	-	-	3	12
Total	40	42	42	131

Note: of the 131 agreements, 116 relate to builders and developers undertaking construction works on sites greater than 0.3 hectares.

Erosion and Sediment Control Plans

A condition of an Agreement is endorsement by the EPA of an erosion and sediment control plan prior to works commencing. During 2019-2020 (refer to Table 3):

- > the EPA received and endorsed 72 erosion and sediment control plans; and
- > conducted 1,426 inspections of development sites.

Table 3: Erosion and Sediment Control Plans

Activity	2017-2018	2018-2019	2019-20
No. of plans endorsed	93	88	72
Inspections of development sites (greater than 0.3 ha)	775*	1752	1426

Note: this was for construction sites greater than 0.3 ha, the figures for 2018-2019 and 2019-2020 includes residential sites less than 0.3ha.

Contamination

Contaminated Land Notifications

During 2019-2020, the EPA received 14 contaminated land notifications under section 23A of the *Environment Protection Act 1997*. The notifications related to asbestos, hydrocarbon and per- and poly-fluoralkyl substance impacts to soil and groundwater at the notified sites. There have been 129 notifications since the contaminated land provisions were enacted in 1999.

Contaminated Sites

During 2019-2020 (refer to Table 4):

- > 14 independent contaminated land audits into site suitability by EPA approved auditors were reviewed and endorsed by the EPA. These primarily related to greenfield developments and the re-development of sites potentially impacted by hydrocarbon and asbestos contamination;
- > 69 contaminated land environmental assessment reports into the suitability of sites for their proposed uses were reviewed and endorsed; and
- > 599 inspections were carried out of known, or potentially contaminated sites to review whether activities had the appropriate approval and whether re-development activities were underway or complete. This number is down from previous years due to less inspections between March to June 2020 as a result of the COVID-19 pandemic.

Table 4: Contaminated Sites

Activity	2017-2018	2018-2019	2019-2020
Audits reviewed and endorsed	9	20	14
Environmental assessment reports reviewed and endorsed	47	56	69
Inspections of contaminated sites	760	860	599

Register of Contaminated Sites

As of 30 June 2020, there are 184 contaminated sites recorded on the Register. The information on the Register is publicly available on the Access Canberra website (www.accesscanberra.act.gov.au) and can also be obtained by contacting the EPA.

Contaminated Land Searches and Data

The EPA maintains records of known, potentially contaminated and remediated land in the ACT. This information is made available through the Lease Conveyancing Enquiry through the ACT Planning

and Land Authority and Contaminated Land Search through Access Canberra to ensure persons with an interest in the land have access to records held by the EPA. The information is also provided under licence agreement to utility providers, their contractors and other areas of the ACT Government for their operational requirements for installation and maintenance of infrastructure.

During 2019-2020, the EPA received and responded to 612 Contaminated Land Search enquiries (refer to Table 5).

Table 5: Contaminated Land Searches and Data

Activity	2017-2018	2018-2019	2019-2020
Licence Agreements	2	-	1
Contaminated Land Searches	542	518	612

Beneficial Reuse Approvals

Beneficial reuse involves the reapplication of soil which has a level of contamination that does not pose (subject to appropriate management) a risk to human health or the environment for a particular land use. Applications for reuse are undertaken by suitably qualified environmental consultants and are subject to rigorous assessment in accordance with EPA adopted guidance and criteria.

During 2019-2020, the EPA received, assessed and approved 79 applications for the beneficial reuse of approximately 153,268 cubic metres of low-level contaminated soil (refer to Table 6).

Table 6: Beneficial Reuse Approvals

Activity	2017-2018	2018-2019	2019-2020
Applications for reused approved	75	82	79
Cubic metres of soil reused	356,991	328,942	153,268

Planning and Development

During 2019-2020, the EPA commented on 275 Development Applications referred from the Planning and Land Authority, 127 from the National Capital Authority and 823 other planning documents.

Controlled Waste Movements

In 2019-2020, a total of 55 Consignment Authorisations were issued for the movement of a controlled waste into the ACT. Consignment Authorisations were issued primarily for the transport of clinical waste, asbestos, oily water and polychlorinated biphenyl (PCB) free oil from other jurisdictions, which resulted in 855 controlled waste movements into the ACT (refer to Table 7).

During the same period, 1,395 controlled waste movements out of the ACT were notified and monitored by the EPA (refer to Table 7).

Table 7: Controlled Waste Movements

Activity	2017-2018	2018-2019	2019-2020
Consignment authorisations	35	57	55
Controlled waste movements into the ACT	825	643*	855
Controlled waste movements out of the ACT	955	932	1,395

Note: * Number is reflective of total waste transport certificates received at the time of this report

Enforcement Actions

Individuals or businesses may incur penalties such as Infringement Notices, Environment Protection Orders or prosecution for breaches of the *Environment Protection Act 1997*.

During 2019-2020 the EPA undertook 19 enforcement actions (refer to Table 8 and Table 9).

Table 8: Enforcement Actions under the Environment Protection Act 1997

Enforcement action	2017-2018	2018-2019	2019-2020
Infringement Notices	2	4	15
Environment Protection Orders	2	2	4
Prosecution	1*	1	0

Note: * relates to a court imposed fine for a noise offence

Table 9: Overview of Enforcement Actions under the Environment Protection Act 1997 in 2019-2020.

Enforcement action	Total	Offence	Penalty (\$)/ Action	Location of Offence
Prosecutions	Nil			
Infringement Notices	15	Noise from building works	1000	Kingston
		Noise from building works	1000	Lyneham
		Noise from an air conditioner (Residential)	200	O'Connor
		Noise from amplified music (Commercial)	1000	Braddon
		Noise from refrigeration plant (Commercial)	1000	O'Connor
		Waste from building site entered waterway	100	Denman Prospect
		Waste from building site entered waterway	500	Denman Prospect
		Areas near development to be kept clear	500	Denman Prospect
		Areas near Development to be kept clear	500	Denman Prospect
		Noise from weights (gym)	1000	Harrison
		Noise from building works	1000	Turner
		Pollution of a waterway	875	Coombs
		Pollution of a waterway	875	Dickson
		Areas near development to be kept clear	500	Denman Prospect
		Not Installing erosion and sediment controls measures	875	Denman Prospect
Orders	4	Pollute environment causing material environmental harm (Section 138 (3))	Rectify works	Holt
		Excessive Noise – air conditioning system (Residential)	Rectify works	O'Connor
		Assess Whether Land Contaminated (Section 91C)	Assess nature, extent and source of contamination	Charnwood
		Accepting stockpiled material for placement which contains anthropogenic inclusions	Comply with Environmental Authorisation	Majura

Enforcement action	Total	Offence	Penalty (\$)/ Action	Location of Offence
Total Enforcement Actions	19		\$10,925	

Complaint Handling

During 2019-2020, the Complaints Management Team (CMT) within Access Canberra received 2,529 complaints related to EPA matters, of which 1,862 (or 74 percent) related to noise.

The CMT referred 70 cases to the EPA for further action (Note: a case may include more than one complaint).

Table 10 and Figures 1, 2 and 3 provide a percentage breakdown of categories of EPA complaints received by the CMT for the past three years.

Table 10: Categories of EPA complaints received by CMT for 2017-2018, 2018-2019 & 2019-2020

Category	2017-2018	%	2018-2019	%	2019-2020	%
Noise pollution	2177	80	2282	80	1862	74
Air pollution	370	14	357	13	426	17
Waterways pollution	74	3	89	3	6	3
Land contamination	55	2	50	2	1	1
Light pollution	40	1	59	2	72	3
Authorised activity	1	0	7	0	0	0
Tree protection	1	0	-	0	0	0
Not yet processed	0	0	0	0	49	2
Total	2718 *	100	2844	100	2529	100

Note: Data represents a snapshot in time and some matters may be reclassified following more detailed consideration. This may result in small discrepancies from figures reported in the previous year.

Figure 1: Categories of EPA complaints received by CMT for 2017 - 2018

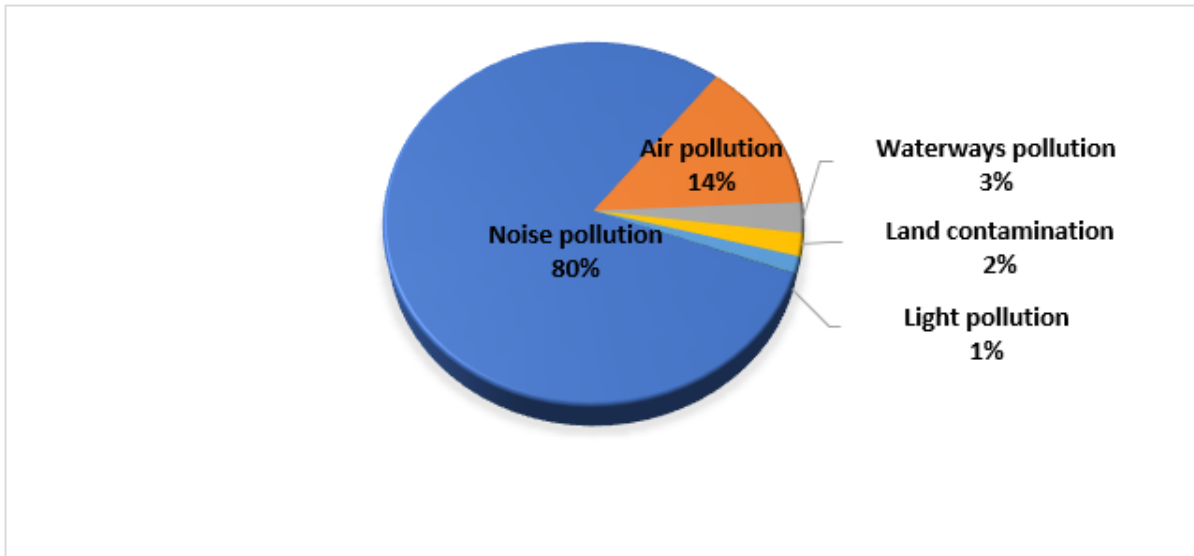


Figure 2: Categories of EPA complaints received by CMT for 2018 - 2019

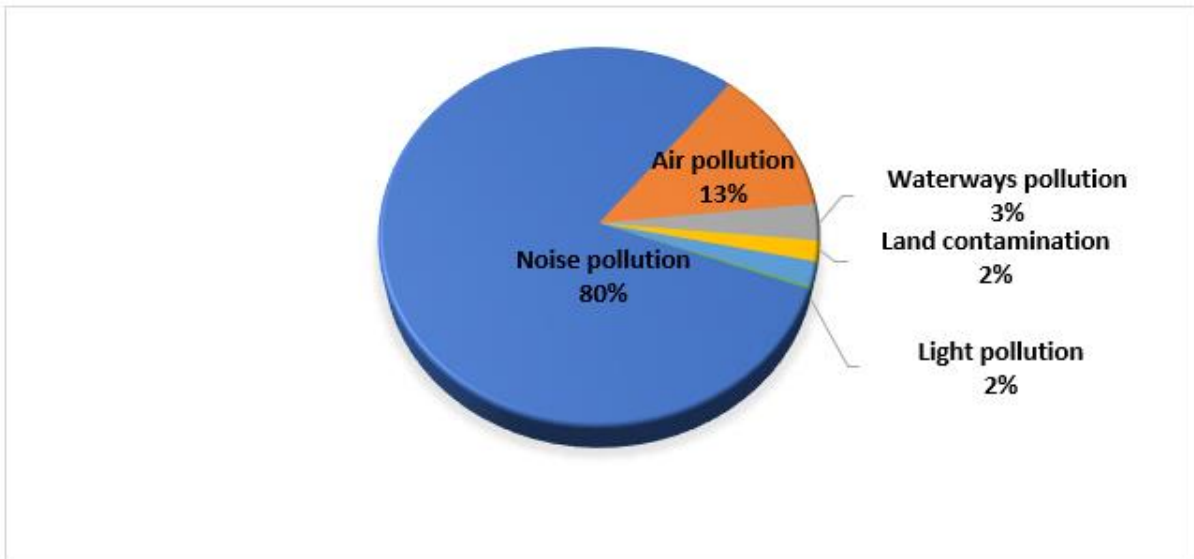


Figure 3: Categories of EPA complaints received by CMT for 2019 - 2020

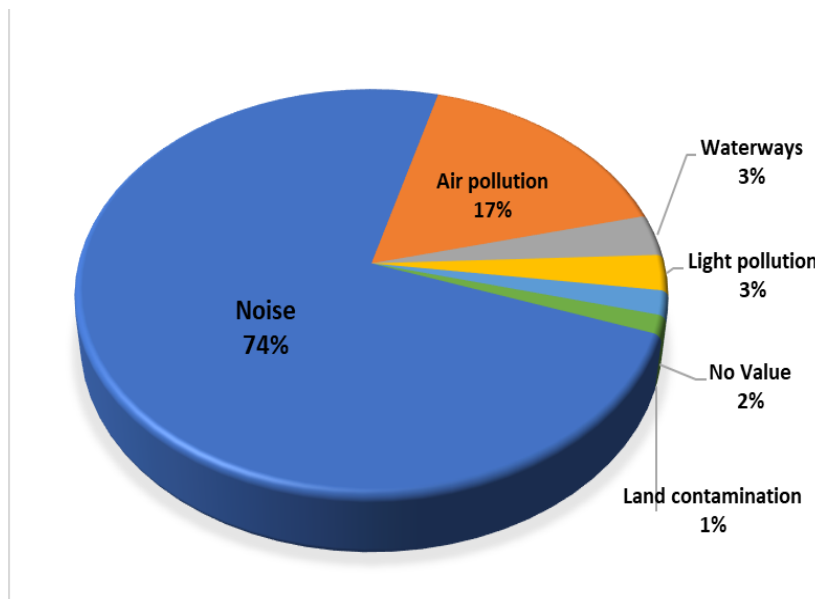


Table 11 shows noise complaints by category for comparison between 2017-2018, 2018-2019 and 2019-2020. Figures 3, 4 and 5 show a percentage breakdown of noise complaints by category for the past three financial years.

Table 11: Noise complaints by category for 2017-2018, 2018-2019 & 2019-2020

Category	2017-2018	Percentage	2018-2019	Percentage	2019-2020	Percentage
Amplified	1208	55	1156	51	860	46
Construction	380	17	506	22	432	23
Air conditioner/fan/heater	146	7	146	6	NA*	N/A
Mechanical plants and equipment	74	3	143	6	175	10
Vehicles	97	4	113	5	114	6
People	99	5	80	4	94	5
Gym equipment	11	1	62	3	106	6
Alarms	40	2	35	2	44	2
Garden work	46	2	33	1	23	1
Waste collection	19	1	7	0	10	1
PA system	57	3	1	0	4	0
Total Noise pollution	2177	100	2282	100	1862	100

* Since 1 July 2019, this is no longer a category and is incorporated with Mechanical Plant & Equipment

Figure 3: Categories of noise complaints received by CMT for 2017 - 2018

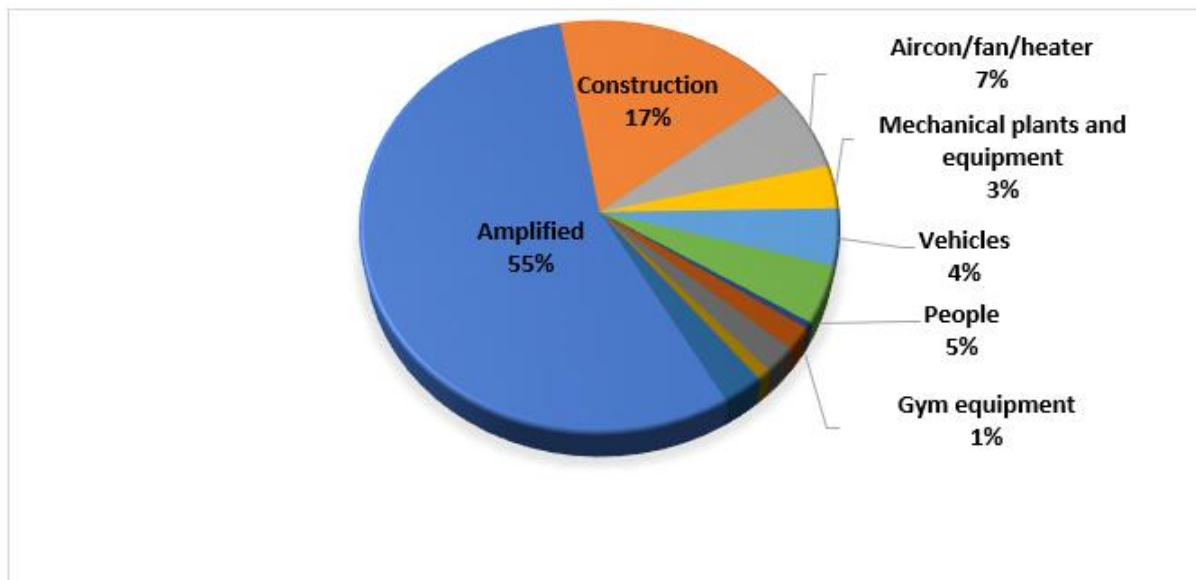


Figure 4: Categories of noise complaints received by CMT for 2018 - 2019

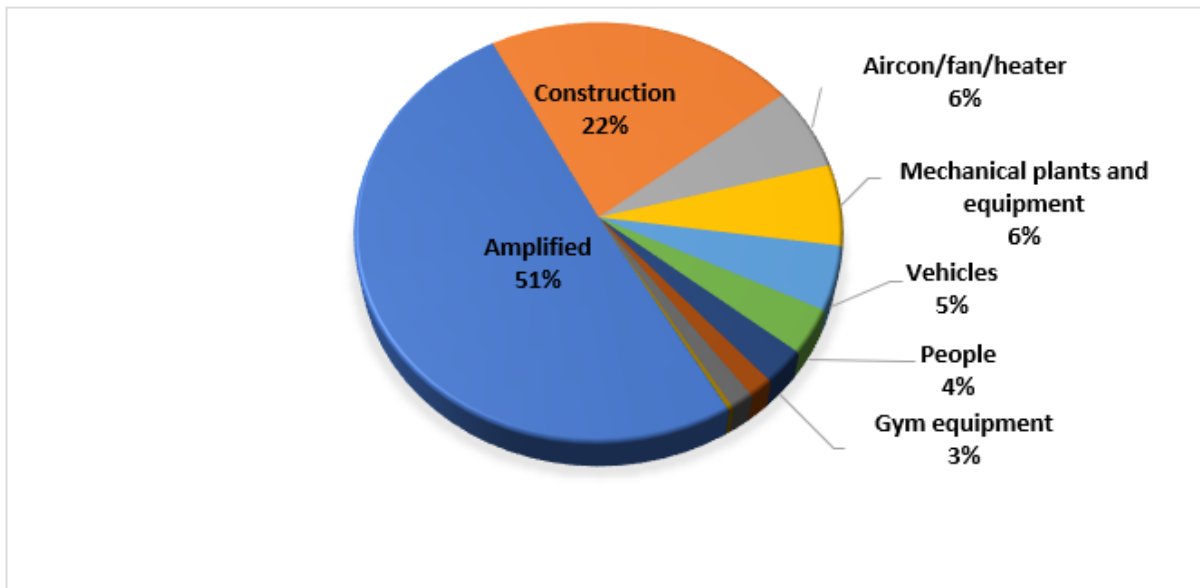
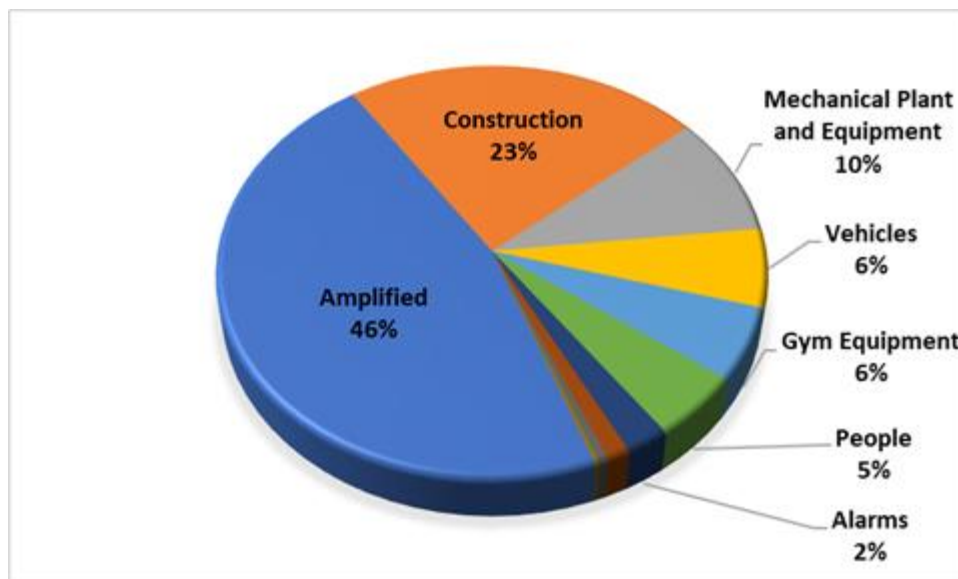


Figure 5: Categories of noise complaints received by CMT for 2019 - 2020



Water Resources Act 2007

The *Water Resources Act 2007* aims to ensure the use and management of the Territory's water resources are sustainable while protecting the ecosystems that depend on the waterways. It is also designed to protect waterways and aquifers from damage.

Under the *Water Resources Act 2007*, licences are issued for regulating potential harmful activities ranging from water abstraction, bore drilling and construction of dams or modification of waterways (rivers creeks and large stormwater drains).

Water Access Entitlements and Licences

The EPA administers around 230 licences comprising: Licences to Take Water; Recharge Licences;

Drillers Licences; Bore Work Licences and Waterway Work Licences. We also administer 315 Water Access Entitlements.

During 2019-2020, there were 181 active Licences to Take Water, with 3 new licences issued and no licences which expired or were cancelled because the extraction activity had ceased.

In 2019-2020, the EPA issued:

- > 3 Bore Works licences;
- > 1 Waterway Works licence;
- > 16 Drillers licences; and
- > 2 Water Access Entitlements.

Table 12 indicates licensing activity by number of new licences and entitlements issued compared to the previous three financial years.

Table 12: Number of Licences per type issued under the Water Resources Act 2007

Licence Type	2017-2018	2018-2019	2019-2020
Bore Works	2	2	3
Drillers	5	7	16
Waterways Works	4	-	1
Take Water (new)	2	2	3
Water Access Entitlements	3	5	2

Assessment of Water Use and Protection of Environmental Flows

Water use by licence holders is assessed to ensure that extraction does not reach a level that negatively impacts our aquatic ecosystems and that users pay a reasonable price for using the resource. Water use by licence holders (including Icon Water) was below the volume of water held in entitlements and there were no detections of non-compliance with licence conditions.

Metering of Water Use

All licenced water use in the ACT is metered and the inspection regime aims to have each meter inspected at least once every three years. The number of meter inspections performed and type of meter inspected for 2019-2020 are listed in Table 13.

For transparency and to assist compliance, the ACT will ensure that meters are identified using a unique serial number, most commonly located on the face of the meter. This is referred to as the meter number which is also kept on a customer’s licence file. The information is publicly available upon request by contacting the EPA by emailing environment.protection@act.gov.au.

The ACT’s metering requirements, which have been in place since 2003, meets the Murray Darling Basin Compliance Compact (which was introduced in 2018). ACT licences have conditions mandating the installation of a meter as well as requiring meter maintenance and data reporting. The *ACT EPA Water Meter Installation, Maintenance and Replacement Guideline 2015* details metering standards that apply to various scenarios and aligns with the Compliance Compact and other states.

In 2019-2020, there were 181 active Licences to Take Water with 331 meters in use. Inspections of meters was limited compared to previous years because of the restrictions of poor air quality from bushfires during December 2019 and January 2020, as well as from the impacts of COVID-19 pandemic restrictions between March to June 2020.

Table 13: Details of ACT non-utility network water meter fleet and inspections in 2019-2020

Activity Type	Total	Groundwater	Surface Water
Licences	181	N/A	N/A
Meters	331	199	132
Meter Inspections (Need Heath's Input)	22	16	6
New Meters (Need Heath's Input)	0	0	0

Lakes Act 1976

The Delegate of Lakes is responsible for administering provisions of the *Lakes Act 1976* including works approval on the lakes, licences for boats operating faster than 10 knots, lake warnings and closures due to pollution incidents.

During 2019-2020:

- > 6 new powerboat licences were issued. This brings the total number of powerboat licences that regulate the use of powerboats for specific purposes, such as training; hire boats; water quality sampling; foreshore maintenance and charter fishing on ACT waterways to 26;
- > there were 18 active licences for use on the Molonglo River water ski area ('the area'): 10 for sport and competition purposes, 3 for marine sales and repair businesses; 2 for monitoring organisations to conduct testing; 1 for an individual to test their motor; 1 for charter fishing; and 1 for river maintenance operations; and
- > The area was closed off for competition events for a total of 8 days. An approval for the temporary installation of a slalom course on the area was issued 9 December 2019 to the ACT Waterski Association. The slalom course was permitted to be setup on days when the area was closed for competition events.

Clinical Waste Act 1990

The *Clinical Waste Act 1990* provides for the transport, treatment and disposal of wastes resulting from the treatment and care of people and animals, including such things as needles, fluids and specimens.

In 2019-2020, a total of 5 company and 22 vehicle licences were renewed in compliance with the Act.

Commonwealth Government Commitments

Air Quality Monitoring Report

The EPA produces an annual Air Quality Monitoring Report as part of its compliance with the Ambient Air Quality (AAQ) National Environment Protection Measure (NEPM). Historical monitoring

results indicate that the only AAQ NEPM pollutant of concern in the ACT air shed is particulate matter, which increases significantly during winter because of emissions from domestic wood heaters. This is especially so in the Tuggeranong Valley where levels are exacerbated by the topography of the valley, which is subject to temperature inversions and poor pollution dispersion.

The year 2019 will go down on record as one of our worst years for air pollution due to the ACT being impacted by smoke from the bushfires burning in south-eastern New South Wales which started in November 2019 and continued into early 2020.

Monitoring results in 2019 showed that air quality in the ACT was generally good in the first ten months of the year. However, it was severely impacted in November and December 2019 by the unprecedented bushfire activity in south eastern Australia; particle pollution (both PM₁₀ and PM_{2.5}) increased dramatically during the bushfire crisis, which peaked in December 2019.

Bureau of Meteorology data shows that rainfall was well below average and daytime maximum temperatures were well above average in 2019. The record-breaking drought conditions also led to an increase in widespread dust events throughout the year.

Ironically, these warmer temperatures resulted in one of the best winters the ACT has experienced for wood heater pollution with only two PM_{2.5} exceedance days related to emissions from domestic wood heaters.

National Pollutant Inventory

The National Pollutant Inventory (NPI) is a joint program between the Commonwealth Government and all participating States and Territories. The legislative framework underpinning this is the NPI National Environment Protection Measure, which was originally made in 1998 and varied in November 2008. Section 159A of the *Environment Protection Act 1997* establishes reporting requirements for industrial facilities in the ACT.

During 2019-2020, the EPA received, validated and approved 22 industry reports for the reporting year 2018-2019 (*please note that NPI reporting is a year in arrears due to reporting deadlines*).

In November 2019, the ACT Government signed off the Memorandum of Understanding between the Australian Government and the ACT for the ongoing implementation of the NPI in 2019-2020.

The NPI Review has been postponed due to budget constraints and COVID-19 pandemic. As this Review will have a significant effect on the future operations of the NPI, the outcomes will be of interest to stakeholders from government, industry, non-government organisations and the public who use data from and/or contribute data to the NPI. The ACT Government will continue actively participating in the review process once it resumes.

Per and poly-fluoralkyl substances (PFAS)

In February 2018, all jurisdictions in Australia adopted the framework for per- and poly-fluoralkyl substances (PFAS) management through the *Intergovernmental Agreement on a National Framework for Responding to PFAS Contamination* (February 2018) (IGA). The IGA is unpinning by the *PFAS National Environment Management Plan* (NEMP), which was first developed in February 2018 and was updated on 3 March 2020 with the NEMP version 2.

The EPA has developed an ACT PFAS Action Plan in accordance with the IGA and NEMP. The Action Plan includes activities such as the development of a PFAS inventory and a monitoring and sampling program. The Action Plan can be accessed via the Access Canberra website (www.accesscanberra.act.gov.au) by entering “PFAS” into the search field.

Controlled Waste

Controlled waste is the most hazardous category of waste and includes those wastes that exhibit toxicity, chemical or biological reactivity, environmental persistence, or the ability to bio-accumulate or enter the food chain. These wastes need to be carefully managed and are closely regulated because of their potential to adversely impact human health and the environment. Some controlled wastes, such as tyres, are not strictly hazardous but they may also need special management.

The EPA has a statutory duty to protect the environment from the effects of controlled waste. Its powers range from requiring organisations to submit controlled waste data reports to enforcing the relevant provisions of the *Environment Protection Act 1997* and other relevant legislation.

National Environment Protection (Movement of Controlled Waste between States and Territories) Measure 1998 (NEPM) is an intergovernmental agreement made on 1 May 1992 to assist in achieving desired environmental outcomes. It provides a basis for ensuring that controlled wastes which are to be moved between States and Territories are properly identified, transported, and otherwise handled in ways which are consistent with environmentally sound practices for the management of these wastes.

This Measure is to provide a national framework for developing and integration State and Territory systems for the management of the movement of controlled wastes between States and Territories originating from commercial, trade industrial or business activities. The desired environmental outcomes of this Measure are to minimise the potential for adverse impacts associated with the movement of controlled waste on the environment and human health.

Further Information can be obtained from:

Narelle Sargent

Environment Protection Authority

Phone: 13 22 81

Email: environment.protection@act.gov.au

www.accesscanberra.act.gov.au