

Managing the Defence Portfolio of PFAS-Contaminated Sites in an Evolving Regulatory Environment

Luke McLeod (Luke.McLeod1@defence.gov.au), Garbis Avakian (Garbis.Avakian@defence.gov.au), and Chris Birrer (Chris.Birrer@defence.gov.au) (Australian Department of Defence)

Background. The Australian Department of Defence has established a program to investigate and manage per- and poly-fluoroalkyl substances (PFAS) on and near some Defence sites as a result of historical Aqueous Fire Fighting Foam (AFFF) use. Since the program inception in 2015, there have been a significant number of regulatory changes in response to the emerging nature of PFAS. These changes have required Defence to adapt its approach to the investigation and management of PFAS in order to ensure best practice and adherence with national guidance and frameworks. This paper will highlight the lessons learned from managing a large portfolio of sites within a changing regulatory environment.

Activities. Historically, there was no consistent approach to PFAS environmental regulation across Australia's States and Territories. Through the management of a national program of environmental investigations, Defence has learned to navigate a complex, varying and changing regulatory environment. Operating in this environment requires responsiveness and adaptability due to changes to regulations and policy direction in response to the emerging body of knowledge and research on PFAS.

The changing regulatory environment presents several challenges for Defence. Some changes have required significant re-working of scientific documentation in short time frames to provide updated information to regulators and the community. Changes to regulation and the associated guidance have also led to confusion and angst in some communities. The most significant regulatory change that has occurred to date was the introduction of nationally adopted toxicity values for PFOS and PFOA in 2017.

There has been some movement towards aligning and coordinating the response to PFAS in Australia. In 2017 the States and Territories agreed on a national framework for the assessment and management of PFAS and a federal taskforce has been established to coordinate the response to PFAS across all levels of Government.

Lessons Learned. Defence has been able to respond to the changing regulatory climate by adopting a whole of Government approach and collaborating closely with National, State and Territory regulators. This has enabled Defence to quickly adapt to changes and to communicate effectively with stakeholders and communities about what changes mean with respect to their individual exposure. In addition, Defence has been open and transparent with stakeholders to ensure that they have available information as it comes to hand as a result of changing regulatory frameworks.