



**To:** Mr Andrew Laming MP  
Chair, PSAS Sub-Committee  
Copy to committee members of the Inquiry into the management of PFAS contamination in and around Defence bases

Dear Andrew

### **Inquiry into the management of PFAS contamination in and around Defence bases**

As the public hearings for the inquiry into PFAS contamination (the Inquiry) concludes the Coalition Against PFAS (CAP) wanted to write personally to you and every committee member.

The Inquiry hearings held in Williamstown, Katherine and Oakey have afforded those communities a voice. As they conclude in Canberra this week, there is a sense of pessimism that the concerns those communities raised will, yet again, be ignored.

This pessimism is not directed at you but rather built up from years of Government inaction.

The very real fear is that, yet again, two bureaucratic blockades will be erected as an excuse for inaction.

These blockades can best be summarised as:

1. The claim that the polluter - the Department of Defence - has been managing the contamination in the best interests of the polluted communities.
2. That the health impacts from ongoing exposure to PFAS-related chemicals remain unknown or uncertain.

In this letter we seek to summarise how evidence to the Inquiry in recent months has highlighted both these assertions and excuses for inaction as demonstrably false.

### **Department of Defence management of PFAS contamination**

Our communities have lost confidence in the Department of Defence to manage PFAS contamination leaking from its bases. We understand the important role the bases play in our national security and local economy.

That is not a licence though for Defence to pollute their community.

Defence's actions from the outset of what can barely be called management of the contamination have been inexcusable.

- In Katherine, Defence commissioned, in 1987, a report that warned of the potential dangers of contamination leaking off the base. Despite knowing the potential risks, the community was not informed of the PFAS contamination until November 2016.
- In Oakey, based on its own reports, Defence was aware that contamination was coming off its base in at least 1991, PFAS contamination was found on Base in 2011, off Base testing didn't



begin until January 2013 and the residents weren't informed of the PFAS contamination until July 2014.

- In Williamstown, according to the independent review by Professor Mark Taylor for the NSW Government, Defence had grounds to believe PFAS was leaking off the base by at least 1999, and had data showing alarming levels in offsite groundwater by at least 2012. The majority of the community found out via a newspaper article in September 2015.

In his evidence presented at the Williamstown hearing, Department of Defence Deputy Secretary, Estate and Infrastructure, Mr Steven Grezeskowiak, told you the three-year delay in informing residents their properties were contaminated was the fault of State and local Government agencies

*“If the EPA or if Hunter Water or if the council, particularly the EPA, had said to us, ‘There is a big issue here. We need to inform the community,’ that’s exactly what would have happened straightaway.”*

Neither agency has any legislative control over Defence. Both were told by Defence to keep the information that chemicals were leaking from the base confidential. According to Prof Taylor’s review, Defence “insisted” on confidentiality, despite the EPA’s misgivings.<sup>1</sup>

Mr Grezeskowiak’s statement also ignores that Defence well-knew the dangers of a chemical whose manufacturer had advised should no longer be used well in advance of 2012.

Furthermore, we would draw your attention to the written Inquiry submissions from a Senior Minister in the Liberal Government of South Australia, and from the Government of Victoria. These highlight that, far from now wanting to inform the community “*straightaway*” as stated at the Inquiry, Defence continues to stonewall both South Australia and Victoria’s environmental protection agencies ongoing contamination investigation.

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<sup>1</sup> See the entry for 10 May 2012 in the chronology at [https://www.epa.nsw.gov.au/~/\\_/media/EPA/Corporate%20Site/resources/epa/152670-taylor-interim-report.ashx](https://www.epa.nsw.gov.au/~/_/media/EPA/Corporate%20Site/resources/epa/152670-taylor-interim-report.ashx)

“10 May 2012. Meeting between Defence and EPA where Defence gives verbal advice of potential groundwater contamination at RAAF Williamstown. Internal EPA email of 7 May 2012 indicates meeting was to take place at EPA Newcastle not at Williamstown. Three internal EPA emails (11 May 2012) indicate that:

- At the meeting Defence advised of the elevated levels of PFOS and PFOA in the stormwater on the base and in the groundwater in various locations under the base.
- Defence was planning a Phase 1 investigation and then Phase 2 sampling.
- Defence insisted on confidentiality.

Subsequent to the meeting:

- An EPA officer did a Wikipedia search of PFOS and PFOA.
- EPA expressed reservations internally about Defence’s insistence on confidentiality given ‘events in August last year in that part of the world’ and noted intention to instruct staff member to speak to HWC, stating ‘If there is a risk it may be better for early public communication, although at this point there is no indication it has moved offsite’ (Footnote: This contradicts the email from Defence dated 2 May 2012 that stated PFOS was detected ‘in the stormwater leaving the Base’).
- Internally, EPA stated ‘Now that we know we need to find out the possible ramifications for drinking water supply from HWC and NSW Health so would be good to follow this up quickly’.

EPA has advised the Review that at the 10 May 2012 meeting with Defence the EPA requested data and reports to be provided as soon as possible.”



From the South Australian Government submission:

*“The SA EPA is of the view that the PFAS investigations undertaken by Defence on Commonwealth land (RAAF Edinburgh Base) do not meet the SA EPA expectations in relation to adequate and timely information sharing as it relates to disclosure of potential human health and environmental risks.”*

And in the Victorian Government submission:

*“The Victorian Government was informed about any potential for livestock and other primary production impact via this PCG involvement. However, some of the resultant communication requirements to the public have not been proactively supported by DoD (Defence), which then required ad hoc, reactive collaboration with other state government departments and agencies (DHHS and EPA Victoria). Increased support by DoD of scientific activities to enable evidence-based decision making, and coordination of data sharing and collaboration between jurisdictional investigations, would also have been desirable.”*

How then can Defence tell a parliamentary Inquiry sitting in New South Wales that it has *“learnt from its mistakes”* and *“we try to be as open as we can”* when South Australia’s State Government is telling you that:

*“the SA EPA continues to be concerned with the degree/ depth and timeliness of information shared by Defence. I understand that sharing of factual information has often been limited.....”*

And the Victorian Government is telling you that:

*“In general, more clarity is required about roles and responsibilities associated with PFAS in relation to ongoing compliance, monitoring, sampling, remediation works and potential compensation claims.”*

The Inquiry also heard from residents and a former Base commander, as to the depth of anger and community disillusionment with Defence’s attempts to manage the contamination since it was pushed into the spotlight.

Rather than revisit this we would highlight Defence’s own admission that ongoing management and containment of contamination is effectively out of its control.

All evidence presented to the Inquiry highlighted that contamination continues to seep off Defence bases and into soil, waterways and private properties.

Again, Mr Grezeskowiak told the Inquiry:

*“If there was an appointed entity given authority to instruct Defence what to do next, I would have no problem with that at all,”*

The next time members of this Committee, a Defence or Shadow Defence Minister, or any political party are briefed by Defence and told the PFAS matter is “in-hand”, that sentence should ring in their ears.



## Medical evidence in regard to the health impacts of PFAS

The Inquiry Committee witnessed first-hand the deep psychological impact living in a contaminated community continues to have on residents. The uncertainty and stress from being told not to drink water or eat food from your property, but then having any health concerns dismissed or unanswered.

As CAP member Dr Peter Spafford highlighted to the Inquiry in Katherine, those questions remain unanswered even if you're the local GP trying to explain to patients the implications of PFAS levels in your blood that are among the highest in the world.

*“So I kept on asking the Department of Health, 'What do we do about these high levels?' I even tried to say, 'These are scary levels. If this was your child, how would you feel?' and I got no response from there. I inquired as to what was happening in Williamtown and Oakey and asked, 'Are they getting similar results, or are we alone here? Again, no feedback.”*

We commend the Committee though for coming to the communities to hear directly from residents who have been under years of unimaginable stress that has damaged both their mental and overall physical health.

The Government appointed members of the *Expert Health Panel for PFAS Report*, undertaken in late 201, did not visit **any, not one**, contaminated community in preparing its findings.

Instead it undertook a desktop report, that unwittingly served only to provide a propaganda platform for the Government. The Government announced just five hours after the report was published that, based on its finding, there would be no compensation for contaminated communities.

The only time the head of the Expert Health Panel actually fronted an impacted community was post the report's release, in Katherine. He was then reported as telling Katherine residents that:

*“Somehow I got dragged into doing this expert panel. I was asked to chair this panel and I said, 'surely you could get someone better qualified um, so, but they insisted I do this. And I come to this with a – no background in doing PFAS research, so I just want to make that clear.’<sup>2</sup>*

We ask the Inquiry committee to compare that statement to the testimony in the Oakey hearing of Dr Andrew Jeremijenko, who has advised Woodside and BP among other multi-nationals on the dangers and possible health impacts of the toxic firefighting foam, the same firefighting foam that is also responsible for the contamination around Defence bases.

He was incredulous at why these and other corporations had heeded the warnings of the dangers posed by these foams when our own Government had not.

*“Defence doctors have to tell Defence, 'You're idiots. You've left it too long'. PFOS was listed on the Stockholm Convention in 2009. We have not ratified that Stockholm Convention. I have no idea why. I'd love to talk to people to find out why Australia is one of the last seven countries.....to ratify the Stockholm Convention—the listing of this chemical in the Stockholm Convention. It doesn't make sense to me. All these other countries that we are allies with have moved over and ratified the convention. Why hasn't Australia?”*

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<sup>2</sup> Sydney Morning Herald, 24<sup>th</sup> July 2018



Dr Jeremijenko set out that in England the expert advice is that the chemical leaking from Defence bases may cause cancer. The American advice associates it with kidney and testicular cancer. It's associated with liver effects, it's associated with high cholesterol. He added:

*"The only reason the expert panel said it doesn't cause disease is because, like smoking, it takes 20 years to prove that it causes cancer. It's associated with cancer first and then it causes cancer later. It's just epidemiological semantics where you can't really say it's causation. You have to say it's association."*

We note that not one member of the *PFAS Expert Health Panel* has either through written submission, or in person, appeared before the committee to explain or defend its findings.

Given this is the expert body the Government is basing its health advice on and refusal to pay compensation for toxic chemicals leaking from Defence bases – that is nothing short of a disgrace.

The Committee then should instead consider the Inquiry submission from the Royal Australasian College of Physicians which states:

*In light of the uncertainty in relation to health effects raised by US EPA, HBM and Public Health England's advice and while definite adverse health effects are not known, the precautionary principle should be applied in relation to human exposure.*

*The precautionary principle has four central components: taking preventive action in the face of uncertainty; shifting the burden of proof to the proponents of an activity; exploring a wide range of alternatives to possibly harmful actions; and increasing public participation in decision making. All these principles lend themselves to action on PFAS and an alteration of the status quo with respect to both the health advice and the use of these substances.*

Or alternatively, the Committee can contact the US EPA, HBM (German Biomonitoring Commission), Public Health England, and other global subject matter experts such as the US ATSDR and European Food Standards Authority and ask them to share their conclusions.

## **Conclusion**

In community testimony to the Inquiry you heard deep frustration and raw anger from impacted communities.

That anger is born of years of inaction. Of having to time and again knock on doors and seek a response to one of the largest known community contamination events seen since asbestos.

Of fear, of what the stain of contamination may do to house prices, businesses or community reputation.

In the wider Australian community there is still limited but growing awareness of just how wide-spread PFAS contamination is across the country.

That is and will slowly change as the more than 90 contaminated sites so far identified grows along with the body of international medical evidence as to the harm of these chemicals.

This Committee then has the opportunity to stand on the right side of history. It has the chance to ditch political expediency or fear as to the consequences of telling the truth about PFAS contamination and take genuine steps to address this issue now.



The most important of those is to acknowledge that the Department of Defence, and by association the wider Government, has lost control of managing PFAS contamination.

And in acknowledging this, that there is a genuine and immediate threat to public health in contaminated communities that must be addressed now.

Any action short of that is not only to once again betray the communities who have put their trust in you but also future generations - who will inevitably have to deal with a legacy of contamination and health issues that were wilfully ignored.

Sincere regards

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**President, Coalition Against PFAS**

**Dianne Priddle**  
**Oakey, Queensland**  
**CAP Representative**

**Dr Peter John "PJ" Spafford**  
**Katherine, Northern Territory**  
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