

20 September 2011

The Secretariat
Asbestos Management Review
asbestosmanagementreview@deewr.gov.au

Dear Mr Bankins

ACOR Submission on the Asbestos Management Review Issues Paper

The Australian Council of Recycling (ACOR) welcomes the opportunity to comment on the issues paper and to assist the Commonwealth Government in making a significant policy reform to move the management of asbestos onto a sustainable footing in the management of its resources.

INTRODUCTION

ACOR is the peak national industry body for the recycling industry in Australia.

Its overarching mission is to advocate for improved levels of resource efficiency at the national and state levels and represent all businesses in the value chain of resource recovery and recycling. Its core business is to engage with and advise governments on the practical implications of policy and regulation to promote delivery the business infrastructure necessary to achieve major improvements in the recovery and reapplication of resources, particularly material resources, into the productive economy.

ACOR seeks to support governments and the community to make the transformation from an inefficient, wasteful linear economic system (where products and materials are disposed of at the end of their productive life) to a closed loop sustainable materials economy.

With resource recovery as the desired goal, then the policy, legislative and regulatory settings that direct how to deal with resources that are the by-products of production and consumption must serve an overarching goal of ecological sustainability. This entails a number of core principles:

- 1 That all resources are inherently limited and should be conserved by making the most efficient use of the resource necessary to provide the product or service for which the resource is deployed
- 2 The by-products of the production and use of such products and services both before and after consumption should not be wasted but recovered for reuse or recycling within the productive economy, and
- 3 There must be a presumption that every by-product is a resource (to be redeployed) rather than a 'waste' (to be disposed of) until all economic options for making use of the resource are exhausted.

BEST PRACTICE SUSTAINABLE RESOURCE MANAGEMENT

It is recognised that Issues Paper does not purport to resolve every detail of the implementation of national strategic plan or the abolition of asbestos from the community.

However the development of new policy is likely to be hampered to the extent that it does not reflect best practice regulatory design of systems to achieve improved resource efficiency, of which construction and demolition recycling is a key component.

More specifically, ACOR recommends incorporating the following principles into new policy:

- Reduction and eventual elimination of asbestos related disease in Australia must be the overriding aim of the national strategic plan.
- The location of Asbestos Containing Material (ACM) must be identified in a continually growing database prior to the material being disturbed by new building works. Some form of audit may be useful to commence this process.
- Regulatory frameworks must not financially penalise the proper disposal process for small construction and demolition (C&D) operators and homeowners.
- In spite of the best efforts of operators in the C&D recycling industry to distance themselves from this pervasive material, minute quantities of legacy and orphan asbestos wastes can sometimes be found even in recovery streams thought certain to be clean.
- Recyclers are often unknowingly recipients of asbestos not directed to proper disposal and should not be penalised for reporting and managing the presence of asbestos.
- A National Industry Standard for the processing of inert C&D waste should be developed and implemented. This will assist the Recycling Industry to manage this waste stream while effectively minimising the risk of asbestos inclusion in finished products.
- Developers must be held accountable for the disposal of asbestos materials during the demolition process.
- Careful consideration needs to be given to the asbestos disposal supply chain and the costs that government impose (e.g waste levies, landfill operators). The higher the cost, the higher the margins disposal companies charge, leaving limited avenues for cost effective disposal and the development of illegal disposal pathways.
- Every reportable event in the life of a property should be seen as an opportunity to check for the presence and condition of ACM.
- A standard risk management approach as it applies in the context of public health is the proper basis on which to commence the development of asbestos management practices which drive the elimination or minimisation of asbestos related disease in Australia.
- Ongoing community and industry education is essential due to the pervasiveness of ACM
- Home renovators should receive free advice and a permit as a cost effective means of safely managing removal of ACM in domestic premises
- Disposal fees for asbestos are typically more than double the cost of general waste. The structuring of disposal fees for general waste is based to an extent on the desire to discourage generation of waste. This is not a relevant consideration in the case of ACM since the generation phase has effectively ceased. Small quantities are charged a minimum fee making the rate per tonne very high. GST (and waste levy in some

areas) is charged in addition to the disposal fee, providing a motivation for illegal dumping.

- All asbestos disposal and storage sites whether legal or illegal should be disclosed. An amnesty for persons or companies reporting illegal storage or disposal may need to be considered.

CONCLUSION

ACOR commends the Commonwealth Government on the consultative policy process as a positive move towards a healthier and sustainable Australia and stands ready to assist and advise Government on the formulation of effective policy. We look forward to the opportunity to contribute to the enhanced formulation of the new Energy from Waste Policy in due course.

Yours sincerely

Rod Welford

Rod Welford
Chief Executive