

Public submission from Miss Geraldine McClure to the  
'Parliamentary Inquiry into Health Impacts of Air Pollution in Victoria'



***I am making a submission to the inquiry because the inappropriate management of air pollution in Victoria is a danger to the health of the community and the government has a responsibility to act and rectify the problem. There is ample data on the health impacts of air pollution and yet there has not been any serious action from the government to implement standards and technologies which would protect the community's health. As a Latrobe Valley resident, who receives some of the worst pollution in the state, this is incredibly important to my health and my future.***

## Recommendations

I recommend that:

1. The government completes the 'Victorian Clean Air Strategy' which has been in progress since 2018 and yet has still not been completed.
2. The recommendations from the 'People's Clean Air strategy' created by Environmental Justice Australia be incorporated into the 'Victorian Clean Air Strategy'.
3. The government introduce laws which will mandate the coal-fired power stations, and other dangerous industries, reduce their heavy metal, SO<sub>x</sub>, NO<sub>x</sub>, PM<sub>2.5</sub> and PM<sub>10</sub> emissions in line with international best practice, particularly the standards used in the European Union.
4. That there should be an independent inquiry established by the Victorian government or an Auditor-General investigation into the EPA's failure to enforce emissions standards which are in line with international best practice despite stating that the objective of the Authority is to protect human health and the environment by reducing the harmful effects of pollution and waste'.<sup>1</sup>
5. The Latrobe Health Innovation Zone, which was put in place after the Hazelwood mine fires, be legislated and therefore given proper weight in the State Planning Scheme documents.
6. The Victorian government begins creating a just transition plan by the end of 2021, and plans to set aside appropriate long term funds, for the Latrobe Valley to move forward into a stable economy based on renewable and other clean sources of energy.
7. The government will introduce a comprehensive and facts based community education campaign regarding the sources of air pollution and the real impacts of this on people's health by the end of 2021.

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<sup>1</sup> [https://austlii.edu.au/cgi-bin/viewdoc/au/legis/vic/consol\\_act/epa2017284/s6.html](https://austlii.edu.au/cgi-bin/viewdoc/au/legis/vic/consol_act/epa2017284/s6.html)

## Comments on the Terms of reference

### **a. state-wide practical, real-time, cost-effective mitigation strategies;**

The government has not yet taken the initiative to instigate a conversation with industry and the community about a transition away from fossil fuels. However, this transition has been done well in many other countries with renewables sufficiently providing for the energy generation needs without unnecessarily impacting human health.<sup>2</sup> In the Latrobe Valley particularly, the announcement of the early closure for Yallourn North power station has brought the issue to a head and the lack of a transition plan has caused great anxiety amongst the community.<sup>3</sup> Despite the history of heavy industries there is now an opportunity to steer the future of Latrobe Valley in a new direction, however this has not been meaningfully backed by the government. Some options include geothermal power,<sup>4</sup> solar farms,<sup>5</sup> or wind farms.<sup>6</sup>

Although this transition has been inevitable for decades, a known factor since the power stations beginnings, the government has avoided having the 'transition conversation' with major stakeholders in advance. Instead the power stations have been left in the hands of private companies, who have focussed on making maximum profits at the expense of the community's health, whilst running the power stations into the ground. Because the government has allowed this to happen there is a lot of fear and uncertainty in the community, particularly with the early closure of Yallourn. I live in Latrobe Valley and there is a very high level of fear and uncertainty which affects the local population. People are fearful of how unemployment rates will rise, fearful of how the overall economy of Latrobe Valley will survive and fearful of how the state will maintain its current power generation needs in the future.

*The government has let the community down by avoiding having these conversations early on in the piece, and avoiding including the community stakeholders in them. The government needs to change this to raise community confidence and ensure that the transition away from fossil fuels is managed in a manner that protects the community, the workers, the economy and the environment.*

A positive example of government initiative can be seen in Taranaki where the New Zealand government led the transition conversation and therefore created some really good outcomes. The fact that the New Zealand government has invested heavily in leading the transition has raised community morale, secured future power generation and secured future employment. They have a very inclusive model which engages the private industries and all stakeholders in the community as can be seen through their website.<sup>7</sup>

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<sup>2</sup> <https://www.forbes.com/sites/jeffmcmahon/2019/07/03/4-reasons-renewables-will-continue-to-dominate-fossil-fuels/?sh=6688a9e6770a>

<sup>3</sup> [https://www.latrobe.vic.gov.au/news-and-media/Energy\\_Australia\\_announces\\_closure\\_of\\_Yallourn\\_power\\_station](https://www.latrobe.vic.gov.au/news-and-media/Energy_Australia_announces_closure_of_Yallourn_power_station)

<sup>4</sup> <https://www.abc.net.au/radionational/programs/scienceshow/geothermal-power-from-victorias-latrobe-valley/3105988>,  
<https://www.abc.net.au/radionational/programs/scienceshow/latrobe-valley-geothermal-could-power-new-industries/11617290>

<sup>5</sup> <https://southenergy.com.au/projects/frasers-solar-farm/>

<sup>6</sup> <https://www.latrobevalleyexpress.com.au/story/5978408/wind-farm-proposed-for-latrobe-valley/>

<sup>7</sup> <https://www.taranaki.co.nz/like-no-other/vision-and-strategy/taranaki-2050/>

**b. Ensuring that Victorian air quality continues to track towards meeting or exceeding current international best practice standards and is enforced;**

The EPA recently reviewed the licences of the three coal-fired power stations in Latrobe Valley and the outcomes have been a disappointment which has failed to protect the community.<sup>8</sup> The first failing was that the review took just over 3 years to complete, and considering the gravity of the issue this is not an acceptable time frame. The second failing was that once completed the recommendations and licence amendments were not sufficient to protect human health. There was an opportunity for the EPA to adjust the power station licences so they were in line with the international best standards and they failed to do so. This has left the community vulnerable to continued air pollution and the negative health impacts which come from this.

A report from Environmental Justice Australia stated that "There are no technological barriers to designing pollution control systems for the brown coals burned at the three plants. Significant reductions of major pollutants can only occur by using the best available technologies for post combustion pollution controls for major pollutants. This means using wet flue gas desulfurization (wet FGD) technology to remove 99.95% of SO<sub>2</sub> emissions; Selective Catalytic Reduction (SCR) to remove 95% of NO<sub>x</sub>; installation of a baghouse/fabric filter for 99.95% particulate matter removal (as opposed to less efficient electrostatic precipitator (ESP) technology); and the use of additional mercury controls, such as activated carbon injection, for removal of 90% of mercury."<sup>9</sup>

*Considering that the technology is available to significantly reduce the air pollution emissions from the power stations there is no adequate reason that the EPA did not mandate international best practice standards in their review of the power station licences.*

As seen in the below table which is taken from Environmental Justice Australia's 'Toxic and Terminal' report,<sup>10</sup> Latrobe Valley is significantly behind the best practice standards in the rest of the world and there is no excuse for this when the technology exists to rectify the problem. The only reason we are so far behind is because the EPA and the Australian government has been too weak to mandate the standards which would bring us in line with international best practice because they fear an economic backlash, which has been shown by example to be an unnecessary fear as renewable's out compete fossil fuels on a purely economic basis.<sup>11</sup>

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<sup>8</sup> <https://www.solarquotes.com.au/blog/victoria-coal-pollution-mb1908/>

<https://www.abc.net.au/news/2021-03-05/victoria-power-stations-pollution-epa-licence-review-released/13219060>

<sup>9</sup> <http://envirojustice.org.au/wp-content/uploads/2018/02/EJA-submission-to-EPA-power-station-licence-review-February-2018.pdf>.

<sup>10</sup> <https://www.envirojustice.org.au/powerstations/>

<sup>11</sup> <https://www.forbes.com/sites/davidrvetter/2021/01/25/its-official-in-2020-renewable-energy-beat-fossil-fuels-across-europe/?sh=6375223360e8>

## Emissions limits for the Australian power stations compared to limits set in the United States, European Union and China

|                                                 | Particles                                                               | Sulfur dioxide                                                                                  | Nitrogen oxides       | Mercury                                                                 |
|-------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------|
| United States                                   | 125 mg/m <sup>3</sup>                                                   | 1517 mg/m <sup>3</sup>                                                                          | 875 mg/m <sup>3</sup> | 1.5 µg/m <sup>3</sup> (black coal)<br>14 µg/m <sup>3</sup> (brown coal) |
| European Union                                  | 50 mg/m <sup>3</sup> (black coal)<br>100 mg/m <sup>3</sup> (brown coal) | 400 mg/m <sup>3</sup>                                                                           | 200 mg/m <sup>3</sup> | 30 µg/m <sup>3</sup><br>(Germany only,<br>no EU standard)               |
| China                                           | 30 mg/m <sup>3</sup>                                                    | 200 mg/m <sup>3</sup><br>(400 mg/m <sup>3</sup> for four<br>provinces with high<br>sulfur coal) | 200 mg/m <sup>3</sup> | 30 µg/m <sup>3</sup>                                                    |
| <b>Victoria</b>                                 |                                                                         |                                                                                                 |                       |                                                                         |
| Loy Yang A<br>(2210 MW capacity,<br>brown coal) | 258 mg/m <sup>3</sup>                                                   | 2370 mg/m <sup>3</sup>                                                                          | 677 mg/m <sup>3</sup> | No limit in licence                                                     |
| Yallourn<br>(1480 MW capacity,<br>brown coal)   | 190 mg/m <sup>3</sup>                                                   | 820 mg/m <sup>3</sup>                                                                           | 407 mg/m <sup>3</sup> | No limit in licence                                                     |
| Loy Yang B<br>(953MW capacity,<br>brown coal)   | 149 mg/m <sup>3</sup>                                                   | 2692 mg/m <sup>3</sup>                                                                          | 678 mg/m <sup>3</sup> | No limit in licence                                                     |

Another example of the government failing to implement international best standards comes from Minister Wynne's decision to approve a Used Lead Acid Battery plant (secondary lead smelter) on New Year's Eve 2020.<sup>12</sup> Minister Wynne allowed Chunxing Corporation to do their own self-assessment against the DELWP criteria instead of getting an independent Environmental Impact Statement. The community then campaigned against the project and after deliberating for more than a year the local council declined the planning permit application. The company then challenged the council's decision at VCAT so they could bully their way into the region regardless. This is where Richard Wynne then overrode the democratic process by removing the case which was waiting to be heard from VCAT and approving the project without consideration to the air pollution this will create and without any reference or communication to those it would affect.

The EPA has approved Chunxing Corporation to release 54kg of lead each year from the chimney stacks along with other contaminants such as SO<sub>x</sub> and PM<sub>2.5</sub> particles. As seen in the Works Approval Application,<sup>13</sup> Chunxing's own documentation recognises that there is already an incredibly high emission rate of these chemicals present in Latrobe Valley from existing industries. I refer to the information they provide in Appendix 23 of the works approval application where Chunxing discuss the prevalence of childhood asthma in Latrobe Valley as being higher than the Victorian average. This information they have provided only highlights the fact that the people in the Valley already experience the effects of higher pollution loads, making them more vulnerable and making it more important to protect them from further pollution increases.

<sup>12</sup> <https://www.abc.net.au/news/2021-01-08/gippsland-lead-smelter-approved-ahead-of-vcat-hearing/13038946>  
<https://www.trfm.com.au/articles/lccs-ulab-disappointment/>

<sup>13</sup> <https://engage.vic.gov.au/epa-works-approvals/ulab>

This has once again put us far behind international best practice and endangered the long term health of the local community and the workers. As seen in the Works Approval Application Chunxing's ULAB does not have Wet Electrostatic Precipitators (WESP's), is not fully enclosed and is not required to monitor fugitive emissions. These substandard pollution controls will pose a health risk to the factory workers as well as the community members. In fact the Works Approval Application states that the average lead in blood levels of the workers in the China reference plant is 23.7µg/dL, but this exceeds the Safework Australia new recommended limit from July 2019 of 20µg/dL.<sup>14</sup>

There is solid evidence of similar ULAB plants polluting their local areas and a great example of this is the Quemetco plant in California. In comparison to Chunxing's ULAB Quemetco's ULAB plant releases, on average, lower than 11kgs of lead per year into the environment. The Quemetco plant has more the pollution controls than Chunxing Corporation will install and yet they have poisoned the local area and have been forced to test residential and public land up to 2.5kms away from their plant.<sup>15</sup> For reference in our local area this would include parts of Morwell's residential areas, the main shopping mall Mid Valley, a public lake and park Kernot Lake, Hazelwood North Primary School, private farmland, the new PineGro composting facility, the Council transfer station and a number of other businesses. In one report on the Quemetco plant the leading investigator stated: "the data suggests that recontamination does occur outside of the Facility and can increase lead concentrations above it C/I SL [concentrations of lead] in a span of only approximately four years. It is perhaps significant to note that these increases in lead occurred despite the installation of Quemetco's wet electrostatic precipitator (WESP) in 2008 and overall reductions in its metallic particulate emissions."<sup>16</sup>

Chunxing will be permitted by the EPA to release up to 54kgs of lead per year. Disturbingly there is evidence that even in areas where lead based industries have been regulated for decades, and where lead emissions are active but under current regulation, problems persist due to emissions despite these regulations being complied with.<sup>17</sup> Since the decision was made, the community along with some sympathetic politicians, have fought hard to lobby for the decision to be rescinded. Richard Wynne is not willing to do so. This is another example of how Victoria is willingly placing itself far behind the international best standards and practice.

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<sup>14</sup><https://www.safeworkaustralia.gov.au/topic/lead#:~:text=Lead%20risk%20work%20is%20any,for%20females%20of%20reproductive%20capacity.>

<sup>15</sup> <https://www.batteriesinternational.com/.../dtsc-orders.../>

<sup>16</sup> DTSC Memorandum Dec 14 2018 RCRA Facility Investigation Report by Tanya Brosnan P.G and Todd Wallbom P.G

<sup>17</sup> <http://www.abc.net.au/news/2020-06-02/port-pirie-mayor-work-needs-to-be-done-to-reduce-lead-levels/12311384> AND <https://www.sciencedirect.com/science/article/pii/S1875963714000226>

**c. The impact of economic and population growth on air pollution and health outcomes;**

For the last 14 years I have resided in the Latrobe Valley region where, for better and worse, I have made myself a home. However due to the current state of pollution, particularly air pollution in Latrobe Valley, I have decided that remaining here is hazardous to my long term health and am in the process of relocating.

*The final straw in my decision was not just the pollution but the continual evidence that the government does not consider the environmental impacts in decisions made for Latrobe Valley and are unwilling to put the health of the community first. They have demonstrated on multiple occasions that the priority is to let private companies set the standards based on what benefits their profits the most. The lack of leadership from our government, and the EPA, is disappointing and has led me to believe I must choose to protect myself as they have made clear they will not do it for me.*

Relocating my home is a difficult endeavour as I have limited income and it is also something which I find quite heartbreaking. I have spent 14 years building a life, building a home and becoming an integral part of the community. I have secured a permanent position, purchased a home and campaigned for the community with projects such as grants for safety lighting in my local park, creation of an off leash dog park and opposition to the Chunxing ULAB plant. I have started an annual fundraiser for animal welfare and created a Pain Education Group as a volunteer under the Australian Pain Management Association. I have learnt guitar with my local bluegrass community group and learnt to bobbin weave with the old ladies at the Neighbourhood House. I have got my dog accredited as a therapy dog and become a regular visitor at our local nursing home (COVID restrictions pending).

Now I have to leave my home, my friends, my church, my dog club and relocate to what feels like an alien land. I cannot express how much my heart has broken over this decision and when I first made it I experienced a period of clinical depression symptoms which affected my employment as I was not able to function well enough to do my job satisfactorily. After recovering from the worst of the distress I have resigned myself to the fact that to safeguard my long term health I must leave my home. To be clear, it is not because I want to leave but as seen through the examples I have already mentioned it has become clear that the government is not willing to protect my health and so I am forced to take action myself by leaving my home. It is breaking my heart on a daily basis as I navigate the logistics and finance of finding a suitable place to relocate. I should not have to choose between my home and ensuring my health. The government has ample resources and opportunities to ensure the safety of Victorians by reducing air pollution and have monumentally failed us.

The Latrobe Valley is well known for being a polluted area and has a reputation as the dumping ground of Victoria. A clear representation of this is the fact that property prices in the Latrobe Valley are significantly lower than areas which are geographically quite close. According to realestate.com.au as of the 11<sup>th</sup> March 2021 the median price of purchasing a property in Trafalgar was \$435,000 but in Moe it was \$262,500. For reference it is important to know that according to Google Maps the distance between these two towns is an 11 minute trip by car, but Moe is considered part of Latrobe Valley. This is an indication of the poor reputation Latrobe Valley already has and this reputation will only be exacerbated as the current pollution continues to be emitted unchecked. As you drive towards the Latrobe Valley from Melbourne you can often see the pollution sitting over the valley.

Due to the decreased property prices which are caused by the air pollution Latrobe Valley also has a different social demographic. According to the Australian Bureau of Statistics in 2016 the median household income in Morwell was \$806, whilst the average in Victoria was \$1,419. Also for the same time period those who worked unemployed in Morwell was 14.5% as compared to 6.6% in the rest of Victoria.<sup>18</sup> These demographics are well known and they will prevent the positive growth of the area, particularly by making it less preferable to those who have a high level of income and therefore are able to bolster the area economically.

I know that I am one of many people who are leaving/have left the Latrobe Valley due to the high level of pollution. As an example of this Hazelwood North Primary School has already lost 2 families (which is 5 students and \$45,000 in school fees) due to the impending ULAB plant, and once it has begun building there are many more who have indicated they will also leave. This information is true and reliable considering it came directly from the principal of Hazelwood North Primary school during a community meeting regarding the ULAB plant. Considering the small size of the primary school, the proximity to the ULAB plant and the number of parents and teachers who have already indicated they will leave it is unlikely that the school will survive long term despite its 125 year history. This will further impact on the economic and population growth of the local area.

Another example comes from a friend that I have been talking with and who has given me permission to share their story in the parliamentary enquiry. Jane (name changed for privacy) is an overweight 20 something year old who has sleep apnoea and will often wake up in the night feeling like she is suffocating and find it hard to breath. Considering her weight and illness she has always considered that this was the cause of the distressing incidents. However she recently went away on holidays outside of Victoria and found that the situation improved completely and she no longer woke up feeling like she was suffocating. She was still overweight and she still had sleep apnoea, but once she was outside the area of Victoria the feeling of suffocation went away. Since this incident she has realised the impact that air pollution is having on her specifically and has considered the possibility of leaving the area.

*Although these are just scattered stories they are also unfortunately a common story. The economic and population growth of Latrobe Valley is heavily impacted by pollution, and due to the prominence of the power stations particularly impacted by air pollution.*

A related example of the economic impact of air pollution comes from the ULAB plant in Exide, Vernon, California. The Exide plant has contaminated a vast region of the surrounding community and been linked to high lead in blood levels of children. It is estimated that the cost of clean-up for the state will reach \$650 MILLION.<sup>19</sup> This is only one example of remediation costs but when considered in the context of Latrobe Valley should be a scary one! In Latrobe Valley we not only have a ULAB plant but 3 coal fired power stations, 3 open cut mines, a paper mill, a planned waste to energy facility, a planned magnesium smelter and a number of other dangerous industries which are all contributing to the pollution. So if the long term health burden and environmental clean-up costs were calculated for all these industries the monetary value would be staggering!

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<sup>18</sup> [https://quickstats.censusdata.abs.gov.au/census\\_services/getproduct/census/2016/quickstat/SSC21757](https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC21757)

<sup>19</sup> <https://apnews.com/.../recycling-california...>

The Australian Conservation Foundation includes the Latrobe Valley as one of Australia's most polluted post codes.<sup>20</sup> Given the already existing elevated levels of sulphur dioxide pollution in the Latrobe Valley it is difficult to understand why we would even be considering allowing a project which will only further worsen things further! When considering emission levels it should be taken into consideration that you are not starting with a blank canvas. It is well known that heavy metals are cumulative in the environment, and our bodies. It needs to be factored in that in the Latrobe Valley these supposedly "safe emissions" are being released into an environment, and into a people that are already saturated with pollution, so the accumulative effect will only be increased. Latrobe Valley already has poorer health outcomes when compared to the rest of Victoria.<sup>21</sup>

*Companies see the opportunity to make a quick dollar in our area regardless of the cost to the residents, and so far the government has let them get away with this. However when the environmental clean-up costs and the long term burden of health care are considered the choice no longer looks as good. The air pollution which has been allowed to continue has a significant cost to the community, and in the long run, to the government.*

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<sup>20</sup>[https://www.caha.org.au/the\\_dirty\\_truth\\_polluted\\_postcodes#:~:text=Of%20the%20five%20most%20polluted,no%20binding%20air%20pollution%20standards.](https://www.caha.org.au/the_dirty_truth_polluted_postcodes#:~:text=Of%20the%20five%20most%20polluted,no%20binding%20air%20pollution%20standards.)

<sup>21</sup> file:///C:/Users/paris/Downloads/Latrobe\_external%20-%20PDF.pdf

<https://www.gphn.org.au/wp-content/uploads/2014/02/Latrobe-FINAL.pdf>

## (d) Strengthening commitments across all Victorian Government portfolios to reduce air pollution and minimise the impact on health

As previously stated I believe that the EPA are not competent in managing air pollution in Victoria and there should be an investigation into this. The EPA is meant to be the 'watchdog' for human and environmental health and so if they are not capable of carrying out this role then the government needs to act. When new works approvals are considered by the EPA the new facility is considered in isolation rather than what is already in the area or other planning approvals already given, which is another failing in how they carry out their role, and has led to so much harm in Latrobe Valley. I will provide a number of examples to demonstrate how the EPA are not fulfilling their stated function and why the government needs to act in rectifying this.

As seen in an article published in Latrobe Valley Express on the 14th December 2020 regarding the HARA ash pond the EPA has not been effective. The HARA ash pond on the floor of Hazelwood mine has been known to be polluting groundwater since 2005, a fact that Environmental Justice Australia lawyers discovered through sourcing communication under the Freedom of Information act. The EPA requested mine owner ENGIE to investigate potential pollution and provide remediation details to the EPA. However, after 15 years, the EPA has only requested for ENGIE to complete audits on the problem and has not mandated that the issue be resolved. This is not good enough from the body who is meant to be regulating the industries to protect human and environmental health.

# Clean-up notice issued to ENGIE over coal ash pond

By MICHELLE SLATER

THE Victorian environmental watchdog has issued ENGIE with a clean-up notice over longstanding leaching from a coal ash pond into groundwater.

An Environmental Protection Agency notice stated the HARA ash pond on the floor of Hazelwood mine has been known to be polluting groundwater since 2005. The notice, obtained by environment groups under a Freedom of Information request, was issued to ENGIE in October.

The notice is requiring ENGIE to investigate any potential pollution or contamination and provide remediation details to the EPA, overseen by an appointed auditor to be completed next year.

Environmental Justice Australia lawyer Bronya Lipski said ENGIE should be forced to remove the contamination and remediate the site before any plans to fill the mine with water took place.

"The EPA has known about this contamination risk for at least 15 years and appears to have done nothing. All the clean-up notice requires is for ENGIE to undertake another audit," she said.

"This raises serious concerns about a risk to water quality if the pit lake scenario is pursued, and the EPA's commitment to requiring large polluters to clean up their contamination."

Ms Lipski said issue highlighted the lack of regulation around ash ponds, which she said was "failing the Latrobe Valley community".

"We know ash ponds are not designed to stop toxic chemicals from leaching into the ground and waterways," she said.

"In order to safeguard community and environmental health associated with contamination at Hazelwood, these ash dumps must be cleaned up, not left to sit at the bottom of a water-filled mine."

An ENGIE spokesman said it was common practice for the EPA to issue clean-up notices after the closure of large industrial sites such as Hazelwood.

He said the notice identified a potential contamination source, "which must be better understood and managed, through a statutory audit of the mine void".

"This audit is underway, and ENGIE Hazelwood will complete any required remediation works in the mine void before any commencement of filling," the spokesman said.

"ENGIE Hazelwood remains very focused on commencing the mine void fill so that our continued investment in the rehabilitation program can proceed."

An EPA spokesman confirmed the authority was "addressing contamination and pollution issues associated with the Hazelwood Power Station, mine and associated ash landfills".

"EPA has issued regulatory notices which will guide clean up and ongoing management of the site," the spokesman said.

Another example was regarding the West Gate Tunnel project and problems caused by dumping 3 million tonnes of soil contaminated with chemicals known as PFAS. After being taken to court the EPA admitted that it had overstepped its powers in giving its environmental sign-off to the landfills without waiting to receive key information that it had requested of the landfills before approving their environment management plans. The EPA has now revoked the previous approvals given and the project is apparently running over by \$3 million dollars due to the delays. This has been described by The Age as a “monumental stuff up [that has] shattered the public's faith in the regulator”<sup>22</sup> and I agree with this statement wholeheartedly. The consultants responsible for the Independent health report in regard to the West Gate Tunnel (who said that PFAS was not a safety issue) are the same company that have been assigned to do the independent report for Chunxing’s proposed ULAB plant in Latrobe Valley. An example of the EPA not checking these reports sufficiently enough. In the EPA I see a consistent bias towards approving projects connected to large amounts of money and investment regardless of the health and environmental outcomes.

Another example comes from where the EPA failed to protect the community from a massive fire spewing toxic smoke into the community at the West Footscray fire in 2020. There is evidence to show that the EPA had repeated warnings about the stockpiling of chemicals up to two years before the fire occurred and yet failed to act on them. The stockpiling of chemicals is said to be “tens of millions of litres of waste at 14 warehouses in Melbourne and on a rural property close to the South Australian border,”<sup>23</sup> and yet the EPA did nothing to act on the tips they received to manage the waste appropriately and thus put the community in danger once again.

Yet another avenue to strengthen Government portfolios is to properly legislate the Health Innovation Zone into the State Planning Scheme. The Hazelwood mine fire of 2014 was the largest and longest burning mine fire that has occurred in the Latrobe Valley to date. It was a traumatic event for everyone involved – whether local resident, business owner or emergency services personnel. From the Inquiry into the Hazelwood mine fire it was recommended that Latrobe Valley should be made a Health Innovation Zone (HIZ) to “improve significantly the health of the Latrobe Valley community by coordinating and integrating health services with responses which tackle the broader social and environmental determinants of health.”<sup>24</sup> However, through the discussions around the recent ULAB plant proposal by Chunxing Corporation it has become clear that the HIZ is yet another avenue of ‘lip service’ which has no real value to the local residents. Despite the grand words about its mission, because the HIZ was never properly legislated it has not been incorporated into the State Planning Scheme. This has meant that it has no legal weight and also that the Planning Ministers are not required to consider it before making any decisions that affect Latrobe Valley residents. Without being incorporated into the State Planning Scheme, and therefore being required for the Planning Ministers to take it into account when making decisions, the HIZ is completely useless to protect the health of the community. This must be changed.

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<sup>22</sup> <https://www.theage.com.au/national/victoria/epa-quashes-all-west-gate-tunnel-landfill-approvals-20201210-p56mdn.html?fbclid=IwAR1Tc5Y6KxTzzFy0DXUWzPnOBgwUBxhCaiVrITWtvASE8WhHrMI8h8YarKE>

<sup>23</sup> <https://www.theage.com.au/politics/victoria/epa-slammed-over-failures-to-halt-toxic-waste-dumping-operation-20200522-p54vme.html>

<sup>24</sup> <http://report.hazelwoodinquiry.vic.gov.au/executive-summary-2/future-proposals.html>

I could continue to list the many examples of ineffectual regulation, but I will summarise with the fact that these examples are part of a long list of instances where the EPA has failed to adequately protect the health of the community and environment. Considering that the EPA is the government body appointed as the environment and health 'watchdog' this track record is not acceptable.

*There is consistent evidence over a long period of time that the EPA have repeatedly failed to implement the best possible emissions standards and so have compromised the health of the community and the local environment. They should be held accountable for the fact that they have not worked to protect the environment and human health from the impacts of pollution and waste”<sup>25</sup> as they are mandated to do.*

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<sup>25</sup> <https://www.epa.vic.gov.au/about-epa/what-we-do/protecting-human-health>

### **(e) Any other related matters**

There is a general lack of education around air pollution and this contributes to the problem in Victoria. Because of a lack of knowledge around the causes and effects of air pollution the community does not always advocate for the things which are negatively impacting them. For lasting change this needs to be addressed. There is clear evidence of what air pollution impacts have on health but it is something most people do not understand and it is not talked about. There are a lot of myths among citizens of Latrobe Valley that the air pollution is “not that bad” and does no damage to our health. “Why are you wasting our time with this nonsense - don’t you know that only steam comes out of those stacks?” is a comment I have heard numerous times about the power station emissions.

*An important factor in change is making sure that the community itself is educated about the surrounding industries so that they have an informed choice about where they live. How do we start making communities aware of the health impacts from the air we breathe?*

The Victorian Council of Social Service, Hazelwood health study and other agencies have done regular health reports regarding the health of the Latrobe Valley community. Evidence shows that even low levels of air pollution cause a myriad of physical ailments and poor outcomes. Even the EPA report on air pollution in Victoria in 2018 states:<sup>26</sup> “There is a large body of evidence that demonstrates that air pollution, even at concentrations below the current air quality standards, is associated with adverse health effects. At an individual level, the health impacts from air pollutants can vary considerably, depending on an individual’s susceptibility to its effects. People generally more susceptible to experiencing health effects are those who have existing lung or heart disease, the young and those over 65. Internationally, particulate matter is the individual pollutant estimated to be responsible for the largest burden of disease from outdoor air pollution. Evidence shows a clear association between increases in daily average PM2.5, and effects on the respiratory and cardiovascular system, and premature mortality. However, there is now also evidence emerging of associations with adverse birth outcomes and diabetes.” However, despite these facts the poor outcomes in Latrobe Valley are often blamed on the factors which come from the low socio-economic environment. Too often the victim of air pollution is blamed for causing the issues through eating the wrong food or doing the wrong thing. This narrative needs to be changed so that the blame, and therefore the remedy, is focussed on the correct party.

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<sup>26</sup> <https://www.epa.vic.gov.au/-/media/epa/files/publications/1709.pdf>