



## **Submission**

In response to

**Inquiry into Health Impacts of Air Pollution in Victoria**

Prepared by

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## **About Stop AkzoNobel Pollution Action Group (SANPAG)**

The Stop AkzoNobel Pollution Action Group is a grassroots collective of concerned residents that live, work and go to school in proximity to the AkzoNobel factory at McIntyre Road, Sunshine North, Victoria 3020.

The group is comprised of a collection of ordinary people that have experienced negative health effects arising directly from breathing the toxic fumes emitted by the AkzoNobel factory. These effects include headaches, dizziness, blurred vision, nausea, and itching and burning eyes, throat and nose.

The group is not-for-profit, receives no funding and operates exclusively in the public interest and for those affected by AkzoNobel air pollution. The SANPAG is advocating for change to the levels of pollution being released by the factory, to the EPA's ability to enforce breaches by AkzoNobel and to the environmental laws that we believe currently fall short of protecting citizens from the harms associated with air pollution.

The members of SANPAG fundamentally believe that clean air is a human right that must be protected.

The SANPAG currently has 131 active members and hundreds of community supporters including Brimbank Councillors.

### **For further information on this submission please contact**

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Representative, SANPAG



## **Introduction**

On behalf of the SANPAG I welcome the opportunity to provide a submission to the Inquiry into Health Impacts of Air Pollution in Victoria. Our group has been advocating for change concerning the air pollution released from the AkzoNobel factory in Sunshine North for close to two years. This advocacy has involved direct communication with AkzoNobel as well as the EPA and Brimbank Council.

SANPAG was formed in response to residents ongoing complaints of a strong solvent smelling, chemical odour frequently filling the air in their local streets, parks and inside their own homes. The odour is an offensive, overwhelming and toxic by-product of the manufacturing of paints, resins and coatings from the AkzoNobel factory. The pollution has been reported by members of the SANPAG in Sunshine, Sunshine North, Sunshine West and as far as Albion at various points. AkzoNobel pollution travels kilometres from the source.

Prior to the forming of SANPAG, local residents have reported to our group that they have experienced the same pollution from this factory going back over 40 years. The AkzoNobel factory in Sunshine North currently operates 24 hours a day, 7 days a week.

## **The AkzoNobel pollution problem**

The health symptoms and effects experienced by residents that breathe the air pollution from AkzoNobel include itching, burning eyes, nose and throat, headaches, blurred vision, confusion, dizziness, coughing and exacerbation of existing lung conditions (asthma etc). The negative health consequences, including the long-term impacts have not yet been established and are of serious concern to our members. Many of our members frequently report that they can smell the pollution and will alter their routines, avoid exercise, prevent their children from playing outdoors, close their windows and generally avoid being outdoors at all. Our members also frequently report the negative mental health impacts this has on them including depression, anxiety and feelings of hopelessness and despair.

In recent history, SANPAG members have resolved to individually lodge EPA reports for odour pollution originating from AkzoNobel when it is observed, as consistently as possible. Over the last two years, hundreds of individual reports have been lodged by various residents that have observed the pollution, some residents having lodged in excess of 60 reports. Unfortunately, the ongoing nature of the pollution and history of inaction by the EPA has resulted in residents disengaging and simply tolerating the pollution as they see no possibility of change.

While SANPAG has been able to secure some form of direct consultation with AkzoNobel and the EPA via an independent facilitator (Kismet Forward), little progress has been made to address the pollution in the short term <sup>1</sup>. While SANPAG members welcome some of the remediation measures AkzoNobel has planned (improvements to the facilities and filtration equipment) this would not have occurred had the community not intensively advocated for

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<sup>1</sup> See: <https://www.epa.vic.gov.au/for-community/current-projects-issues/active-environmental-issues/western-metro/odour-issues-in-sunshine-north>

change. The current legislation does not go far enough to protect citizens from the harmful effects of air pollution, should a corporation decide to disengage from the undertakings recommended by EPA or community members, the only short-term risk they face is the possibility of an infringement. AkzoNobel is a global company with the financial resources to pay infringements raising questions for our community about the reality of financial penalties as a useful deterrent<sup>2 3</sup>. AkzoNobel has been penalised \$51.7 million dollars in penalties since 2000, with \$1.7 million specifically on environmental violations that we know of.

To date, EPA has advised us that AkzoNobel in Sunshine North has never received an infringement in Victoria despite the hundreds of reports that have been lodged.

### **Risks to human health**

VOCs, particulate matter and odour have serious detrimental effects on human health. VOCs have a major effect on amenity and wellbeing due to the gaseous chemicals which stimulate the sense of smell in an unpleasant way. This makes spending time outdoors uncomfortable as well as affecting breathing, sleep and concentration<sup>4</sup>. Different VOCs have different health effects, they range from those that are highly toxic to those with unknown (or unstudied) health effects. Worryingly, breathing low levels of VOCs for longer periods of time may increase people's risk of health problems<sup>5</sup>.

AkzoNobel has operated in Sunshine North for approximately 60 years, currently running 24 hours, 7 days a week. The level of air pollution is consistent and has been for decades, posing a significant risk to the amenity of the area as well as the mental and physical wellbeing of residents. Frustratingly, through community forums AkzoNobel has repeatedly stated they do not believe their emissions are hazardous to human health. Residents remain unconvinced by these statements.

The economic cost of premature death attributed to ambient air pollution in Australia has been estimated at up to \$24 billion per year<sup>6</sup>.

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<sup>2</sup> See: <https://violationtracker.goodjobsfirst.org/parent/akzo-nobel>

<sup>3</sup> See: <https://violationtracker.goodjobsfirst.org/violation-tracker/il-akzo-nobelinternational-paint>

<sup>4</sup> See : Inner West Air Quality Community Reference Group - Figure 2.2 "Key Air Pollutants, sources and health effects" pp.8  
[https://www.environment.vic.gov.au/data/assets/pdf\\_file/0029/486506/IWAQCRGReportFINAL.pdf](https://www.environment.vic.gov.au/data/assets/pdf_file/0029/486506/IWAQCRGReportFINAL.pdf)

<sup>5</sup> See: <https://soe.environment.gov.au/theme/ambient-air-quality/topic/2016/volatile-organic-compounds>

<sup>6</sup> See: Australian Institute of Health and Welfare (AIHW) (2016). Australian burden of disease study: impact and causes of illness and death in Australia 2011, AIHW, Canberra; Begg, S. (2007). The burden of disease and injury in Australia 2003, PHE 82, AIHW, Canberra; Access Economics (2008). The health of nations: the value of a statistical life, Australian Safety and Compensation Council, Australian Government Department of Education, Employment and Workplace Relations, Canberra.

Studies have shown children and the elderly are the most vulnerable to the health impacts of air pollution<sup>7</sup>. The demographic of Sunshine North and surrounds is of families with young children and older residents. Census data shows that 18% of Sunshine North residents are under 14 and 32% of residents aged are over 50<sup>8</sup>. Therefore, a combined 50% of Sunshine North is statistically considered to be more vulnerable to air pollution.

AkzoNobel operates within close proximity to 9 primary schools with the closest being Albion North Primary School and St Bernadette's Primary School. The SANPAG has several concerned members that are parents of children at these schools and often observe the air pollution during pick-ups and drop off times. The children that attend these schools are exposed to this air pollution on a full time basis which will likely have detrimental effects to their health and schooling in the long term.

The other schools within a 5km radius of the source of the pollution are:

Furlong Park School for Deaf Children – Sunshine North  
Sunshine North Primary School – Sunshine North  
Sunshine Primary School - Sunshine  
Sunshine Harvester Primary School - Sunshine  
Albion Primary School - Albion  
Saint Theresa's Primary School - Albion  
St Pauls Primary School - Albion

### **Current environmental legislation and enforcement is not protecting us from harm**

Currently, private industrial corporations such as AkzoNobel are only required under the law to self-report their emissions. This places the onus on residents to report offensive odours and air pollution to the EPA. The EPA does not always investigate reports of air pollution in real time and in the case of VOCs if the EPA does inspect days or weeks later, the pollutants released by the factory have already been carried away by the wind leaving no observable evidence for enforcement. The EPA does not routinely conduct inspections of sites such as AkzoNobel even when community pressure grows and hundreds of odour pollution reports have been made. When community pressure was too much to ignore the EPA engaged with SANPAG and AkzoNobel in 2020, the EPA advised that the emissions would be tested so that the community had clarity on what the chemical makeup of the pollution was and whether it exceeded the NPI substance thresholds. This testing was outsourced to a private organisation paid for by AkzoNobel, the polluter. The members of SANPAG felt that the EPA should be equipped with the ability to conduct rigorous testing and also be the enforcement agency. It has since become clear that the EPA has struggled to take effective and decisive action against AkzoNobel despite the community concern fluctuating on this issue for

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<sup>7</sup> See: <https://www.theguardian.com/commentisfree/2018/oct/27/air-pollution-is-the-new-tobacco-time-to-tackle-this-epidemic>

<sup>8</sup> See: [https://quickstats.censusdata.abs.gov.au/census\\_services/getproduct/census/2016/quickstat/SSC22384?opendocument](https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC22384?opendocument)

decades. Additionally, it should not take hundreds of individual reports to the EPA for enforcement action to take place – air pollution should be considered serious enough that a single report of a *strong smelling chemical odour that is causing health symptoms* be investigated thoroughly.

Figure 1. Demonstrates the more recent history of air and odour pollution reports to the EPA concerning AkzoNobel and the ‘proportionate’ enforcement response EPA is using.

Figure 1.



Figure 1. Reports spike in 2012, 2015, 2019 and onwards. Reports in previous years have not been cumulative or significant enough for EPA to take effective action leaving the community exposed to unacceptable health risk.

Concerningly, SANPAG members initially utilised EPAs AirWatch website to determine if the air quality in Sunshine North was acceptable, after noting the air quality was consistently referred to as ‘good’, it was revealed that the closest air monitoring station was in West Footscray, nowhere near close enough to accurately detect industrial pollution in Sunshine North. This absence of reliable data should not be represented on the EPA website as an indication of ‘good’ air quality as this misleads the community.

## Current air quality at Footscray

6:00 pm - 7:00 pm, Fri 23rd April

**!** From January 2021, EPA AirWatch is reporting air quality using new, nationally consistent categories and health advice messages. The Australian Health Protection Principal Committee has endorsed these.

### Good

Based on PM<sub>2.5</sub>  
Air quality at this site is good

#### What this means:

- No change needed to your normal outdoor activities.

The air quality where you are might not be the same as the air quality at this site.  
If you see or smell smoke near you **follow these steps**.

Figure 2. EPA AirWatch Website when searching Sunshine North

Further, the Victorian Auditor General's Office audit of EPA air monitoring obligations found that the EPA does not currently produce a reliable or representative measure of air quality across the state, hasn't implemented the requisite monitoring required under the NEPM (monitoring plan) and does not collect information on air quality for most of the state despite being required to do so under the current legislation <sup>9</sup>.

<sup>9</sup> See: <https://www.audit.vic.gov.au/report/improving-victorias-air-quality?section=>

## Recommendations

1. Commit to reducing air pollution in all forms to as close to zero as possible.
2. Odour emissions must strictly be treated at the source and contained within site boundaries. There should be no acceptable level of industrial air pollution (VOCs, ethylbenzenes, xylenes etc.) that leaves an industrial site.
3. Increase air quality monitoring stations in Victoria with a focus on densely populated suburbs and areas with mixed industrial and residential zoning. Inner city suburbs with industrial histories that have become predominately residential must be prioritised.
4. Urgently improve access to monitoring data to ensure air pollution monitoring is open and accessible to all.
5. Undertake an urgent health risk assessment of the public health impacts to residents exposed to air pollution from private industrial sources such as factories and landfills.
6. Lower the legal enforcement thresholds for the discharge of dangerous substances such as Ethylbenzenes, VOCs, Toluene and Xylenes.
7. EPA must increase its inspections and responsiveness to community complaints with regard to air pollution rather than relying so heavily on community reporting.
8. Consider the cumulative impacts of historic community exposure to air pollution in post-industrial suburbs such as Sunshine North and make every attempt to lower exposure to air pollution especially from private sector industrial sources.
9. EPA must increase its community consultation and education on current air pollution concerns through leaflets, forums and webinars so that community members are able to engage in an accessible manner.
10. Implement the People's Clean Air Action Plan <sup>10 11</sup>
11. Implement the Victorian Air Quality Strategy, including strong and robust measures to reduce industrial pollution to zero or as close to zero as possible <sup>12</sup>.
12. Introduce legislation that prevents and controls industrial pollution such as VOCs from being released within a 10 KM radius of institutions such as primary schools and aged care facilities.

**Sarah Haar**

**20 April, 2021**

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<sup>10</sup> See: <https://www.envirojustice.org.au/projects/clean-air-action>

<sup>11</sup> See: [https://www.envirojustice.org.au/wp-content/uploads/2021/02/PCAAP\\_VIC\\_summary\\_web.pdf](https://www.envirojustice.org.au/wp-content/uploads/2021/02/PCAAP_VIC_summary_web.pdf)

<sup>12</sup> See: <https://www.environment.vic.gov.au/sustainability/clean-air-for-all-victorians>