

Response from Environmental Goods and Product Safety Section within the Australian Border Force (ABF) - regarding Importation of Banned PFOS & ASBESTOS in Solar/Wind/BESS Components - 03/02/2026

FEEDBACK (IMMI-26-00117-1) [SEC=OFFICIAL] OFFICIAL

Dear

Thank you for your feedback (Ref: IMMI-26-00117-1) to the Department of Home Affairs Global Feedback Unit on 3 January 2026 concerning PFAS/PFOS, Bisphenol A and asbestos contained in imported goods by Renewable Energy Companies such as; solar panels, inverters, wind turbine components, electrical wiring and lithium ion batteries – and including the contamination caused by disposal of these products. Your feedback has been forwarded to my section, the Environmental Goods and Product Safety Section within the Australian Border Force (ABF) for a response and advice.

the Department of Climate Change, Energy, the Environment and Water (DCCEEW) is Australia's lead policy and regulatory agency for the management of hazardous industrial chemicals, which is implemented through the Industrial Chemicals Environmental Management Standard (IChEMS). IChEMS establishes nationally consistent standards for managing the import, export, manufacture, use and disposal of industrial chemicals to reduce impacts on the environment. While PFAS chemicals, including PFOA, are not yet prohibited at the Australian Border, they are listed in IChEMS as a high risk chemical group, and are regulated domestically within Australia. Bisphenol A is also listed in IChEMS and is being considered for scheduling by DCCEEW but is not a prohibited chemical at the Australian Border.

We have received the below advice from DCCEEW on the PFAS regulations for your consideration:

- The Australian Government expects that introducers, exporters and users of PFAS comply with the standards set out in IChEMS.
- Regulation, or enforcement, of standards is reliant on adoption by the Commonwealth, states and territories into their own environmental laws.
- Jurisdictions are at various stages of incorporating the IChEMS into their own regulatory frameworks.
- The Commonwealth is exploring its legislative options for enforcing the prohibitions and restrictions on importation and manufacture and use in Commonwealth areas as prescribed in the standards. The Commonwealth will work with introducers and users as it develops implementing legislation and considers the practicality and appropriateness of different operating models.
- Until new legislation is available there is a unique opportunity for industry to establish compliant supply arrangements and business practices without penalties applying.

For further information on what the Australian Government is doing in relation to managing and restricting the use, import, manufacture and disposal of PFAS containing products, please visit the DCCEEW website at Per- and poly-fluoroalkyl substances (PFASs) - DCCEEW. You may also

wish to contact DCCEEW by email at PFASstandards@dcceew.gov.au

In regard to your concerns for asbestos, the ABF is responsible for enforcing border controls for very high volumes of goods that cross the Australian Border every day, and every effort is made to identify and prevent goods containing asbestos from entering Australia.

- Australia is one of the few countries in the Asia-Pacific region that has a comprehensive ban on all six types of asbestos.
- In many countries, despite the known threat to human health, local standards allow manufacturers to use low levels of types of asbestos.
- Goods manufactured outside Australia might be labelled asbestos free and still contain low levels of asbestos.
- It is the responsibility of importers and exporters to ensure they do not import or export prohibited goods such as asbestos. The ABF must be assured that asbestos containing goods are not unlawfully crossing the border.

Regarding your concerns for unregulated and no accreditation body to determine the toxic public health and safety risks of renewable infrastructure and the contamination to the environment by the disposal of such renewable energy products, please also visit the DCCEEW website at the following links, for further information on how the Australian Government is managing these issues.

[Home - DCCEEW](#)

[Renewable energy developments and environmental protection - DCCEEW](#)

[Exporting, importing or transiting hazardous waste - DCCEEW](#)

Thank you for your feedback.

Joshua

Position number: [49000643](#)

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Our Assessment of the Response from Environmental Goods and Product Safety Section within the Australian Border Force (ABF) - regarding Importation of Banned PFOS & ASBESTOS in Solar/Wind/BESS Components:

What it confirms clearly

- There is no effective border-level prohibition on PFAS/PFOA or Bisphenol A in renewable energy components.
- The system relies on voluntary industry compliance and future legislation, not enforceable controls.
- Responsibility is fragmented and deflected between agencies (ABF → DCCEEW → states/territories).
- Importers are effectively given a regulatory grace period to “establish compliant practices” without penalties.

That last point is the most damning.

What the letter unintentionally admits

- Australia is knowingly allowing high-risk chemicals into the country while acknowledging their environmental and health risks.
- Enforcement is aspirational, not operational.
- The Commonwealth currently lacks the legal tools it claims are necessary, yet continues to permit imports.
- Renewable energy infrastructure is being treated as a regulatory exception zone.

This is classic regulatory capture by delay:

"We agree it's dangerous, but we'll act later."

Structural failure exposed

- No independent accreditation body for toxicological risk of renewable infrastructure.
- No lifecycle regulation (import → use → disposal).
- No precautionary principle applied, despite PFAS being globally recognised as persistent, bioaccumulative toxins.
- No mandatory disclosure requirements for chemical composition of components.

In plain terms:

The system is built to facilitate rollout first, and manage harm later, if ever.

Strategic value of this document

This is actually a strong piece of evidence for future use because:

- It documents official knowledge of risk.
- It establishes foreseeability of harm.
- It shows government awareness without enforcement.
- It weakens any future claim of "unanticipated consequences."

That makes it useful for:

- submissions,
- complaints,
- Senate inquiries,
- judicial review groundwork,
- and cumulative impact arguments.

Bottom line

The letter is polite, procedural, and calm — but substantively it is an admission of regulatory failure.

Not incompetence. Not ignorance.

Choice.