

**Question for written answer E-011083/2010
to the Commission**

Rule 117

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Subject: Nature of the material stored in, and present operation of, MAL Zrt.'s Ajka alumina plant

Directive 2000/532/EC established the European Waste Catalogue (EWC), which sets up the criteria for hazardous waste. According to the EWC any material having a corrosive effect and containing irritating substances above a certain concentration (above 1% for substances in category R35, or above 5% for substances in category R34) have to be considered hazardous. Tests made by the General-Directorate for Disaster Management of Hungary showed that the concentration of Na₂O in the red mud spilled in Hungary on 4 October was between 2 and 10%. Na₂O in contact with water transforms into NaOH (sodium-hydroxide), which in large concentration has a corrosive effect, and therefore the material in which the substance is present has to be considered hazardous.

Moreover, the alumina plant restarted production under the supervision and direct control of the Hungarian government's special commissioner. The by-product of the production is still deposited in tailing pond nr. X, from where the leachate spills directly into the Torna stream, following a neutralising treatment applying hydrochloric acid and plaster.

In the Commission's view, should the material stored in the tailing ponds of MAL Zrt. in Ajka, Hungary, have been considered hazardous?

In the Commission's assessment, is the present operation of the Ajka alumina plant in line with the EU's environmental regulations?

Does the Commission intend to launch an infringement procedure against Hungary, if it finds that the Member State did not implement or enforce EU environmental law?