

**Question for written answer E-008361/2014
to the Commission**

Rule 130

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Subject: Bertolino distillery (Partinico, Italy): failure to enforce European environment law

The Bertolino distillery is a combustion plant with a heat output of more than 50 MW, and was granted an emissions permit under Director General's Decree (DDG) No 1140 of 4 November 2004. Under Article 281, paragraph 1, of Legislative Decree No 152/2006, an application for renewal of the permit should have been submitted by 31 December 2011. The application was submitted in early 2012 but the Assessorato regionale Territorio e Ambiente (regional planning and environment department) did not respond.

The distillery is currently operating without a permit, even though it should have launched the procedure provided for under former Article 281 of the Environment Act (TUA) (later amended by Presidential Decree (DPR) No 59 of 13 March 2013). On 6 August 2014, following several requests, the Assessorato (in its Note No 3702) confirmed that integrated environmental authorisation (AIA) should be applied for by 7 September 2014, but granted an extension for the plant to continue operating until the procedure was complete.

Given that the plant had a heat output of 60.33 MW in late 2011, can the Commission confirm that the plant already at that time needed integrated environmental authorisation in order to operate?

Can the Commission give its opinion as regards enforcement of Directive No 96/61/EC (and later amendments and additions) and on the Assessorato's failure to take action, allowing the plant to continue to operate without a permit from the beginning of 2012 to now?