

**Question for written answer E-003386/2017
to the Commission**

Rule 130

Izaskun Bilbao Barandica (ALDE)

Subject: Provisional authorisation for chlorine production plant using mercury cells

Commission Implementing Decision of 9 December 2013 establishing the best available techniques (BAT) conclusions, under Directive 2010/75/EU, for the production of chlor-alkali stipulates that mercury cells shall never be the best available technique (BAT) for this process. Mercury cell technology must, without exception, disappear from the EU's industrial landscape by 11 December 2017. This decree is extremely clear and consultations have been held with the sector to ensure widespread knowledge about it and set feasible deadlines for the industry concerned, while many firms have invested in order to comply with this environmental requirement. Despite all this, however, the Regional Government of Cantabria is prepared to grant a plant operating with mercury cells in Torrelavega a two-year extension to the deadline. Its executives claim there were administrative delays when the licence was reviewed and cite possible – and completely unsustainable – market supply problems as justification for their application for an extension.

1. Does the Commission know about the Cantabrian Regional Government's intentions in this matter and does it consider such action lawful?
2. Does the Commission believe that this extension will distort free competition in a sector whose members have invested heavily in adapting to the current laws?
3. What steps can the Commission take in this regard?