



30.1.2015

NOTICE TO MEMBERS

Subject: Petition 1209/2013 by Juan Berna Jose (Spanish), on a landfill in the region of Alicante (Spain)

1. Summary of petition

The petitioner briefly protests against the planned construction of a mega-landfill in the municipality of Albaterra in the Alicante region.

In his view, this future landfill would seriously jeopardise the environmental balance of the area. In addition, the petitioner states that the project has been implemented without consulting local residents and without the necessary transparency.

2. Admissibility

Declared admissible on 2 April 2014. Information requested from Commission under Rule 216(6).

3. Commission reply, received on 30 January 2015

The Commission would like to invite the Committee on Petitions to refer to the answer provided by the Commission to petition 253/2013 concerning the same case.

The conclusion is that, at this stage and on the basis of the available information, the Commission services are unable to establish any breach of EU legislation in this case.

“Commission reply Petition 0253/2013, received on 28 February 2014”

Decisions about the location of landfills shall be taken by the competent authorities in Member States. The Commission cannot interfere with such decisions provided that they

comply with relevant requirements in EU law, particularly the Directive 2008/98/EC on waste (the "Waste Framework Directive"), Directive 1999/31/EC on the landfill of waste (the "Landfill Directive") and Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the "EIA Directive"). The issues raised by the Petitioner (negative impact on neighbourhood, impact on protected sites etc.) shall be assessed by competent national authorities and, if the location of the landfill will be approved, the measures to address these risks shall be included in the relevant permits.

The landfill in question is in planning phase, an EIA has not yet been conducted, nor has the landfill received a permit. Therefore, at this stage and on the basis of the information available, the Commission is unable to identify any potential breach of EU legislation.