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<Commission>{PETI}Committee on Petitions</Commission>

<Date>{29/06/2018}29.6.2018</Date>

<TitreType>NOTICE TO MEMBERS</TitreType>

Subject: <TITRE>Petition No 0335/2017 by Juan Cruz Garriz Ezcurra (Spanish) on the open-air unloading of bulk commodities in Alicante’s port</TITRE>

**1. Summary of petition**

The petitioner complains that dust particles are released into the air when certain types of bulk commodities are unloaded in the port of Alicante. He believes these particles are pollutants and dangerous to local residents’ health as the prevailing winds carry the particles into the south-east part of the city. He asks for these materials to be unloaded in closed bays, using protective measures. He asks for the legislation in force to be observed and procedures launched to penalise those carrying out these activities.

**2. Admissibility**

Declared admissible on 30 August 2017. Information requested from Commission under Rule 216(6).

**3. Commission reply**, received on 29 June 2018

The petitioners raise concerns that the activities carried out in the Port of Alicante (transport, loading and unloading of bulk goods in the open) infringe the Industrial Emissions Directive (IED)[[1]](#footnote-1) and the Air Quality Directive (AQD)[[2]](#footnote-2).

The IED lays down rules to prevent and, where that is not practicable, reduce the pollution arising from industrial activities. The Directive applies to a number of activities exhaustively listed therein. However, port activities are not covered by the Directive.

The AQD requires that Member States comply with the relevant limit values for different air pollutants from specified dates onwards. Once compliance achieved, levels must be kept below those limit values. The Commission observes that the latest available data for Air Quality Agglomeration ES1017 Alacant[[3]](#footnote-3), concerning 2016, do not show any exceedance of the limit values laid down in the Directive.

Conclusions

In view of the above, there is no indication of an infringement of EU law in this case and, consequently, the Commission does not intend to launch an investigation on the facts raised in this petition.

1. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) Text with EEA relevance – OJ L 334, 17.12.2010, p. 17–119 [↑](#footnote-ref-1)
2. Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe - OJ L 152 11.6.2008, p. 1 [↑](#footnote-ref-2)
3. http://www.alicante.es/sites/default/files/documentos/contenidos/calidad-del-aire/informe-calidad-del-aire-2016-es1017-aglomeracion-alacant.pdf [↑](#footnote-ref-3)