



24 4 2018

MISSION REPORT AND RECOMMENDATIONS

following the visit to Taranto on 18 and 19 July 2017

Committee on Petitions

Members of the mission:

Cecilia Wikström

(ALDE) (Head of the mission)

Josep-Maria Terricabras

(Greens/EFA)

Ángela Vallina

(GUE/NGL)

Accompanying Members:

Eleonora Evi

(EFDD)

Andrea Cozzolino

(S&D)

Introduction and objective of the mission

The mission was authorised on 15 May 2017 by the Bureau of the European Parliament, following the coordinators' decision on 22 and 23 March to schedule it for the following dates: from 17 to 19 July 2017. The mission should have taken place from 2 to 4 November 2016, but was postponed as the minimum number of official delegation members was not reached. Objective of the mission: To meet with the petitions' authors and the local citizens and NGOs who support them, along with the national, regional and local authorities responsible for environmental inspections and environmental protection, workers' health, and the health of the resident population; and to meet with managers and technicians from ILVA and ENI, the two companies that operate in and around Taranto in the steel sector and in oil and gas production and distribution respectively.

The delegation, as part of guided visits of the ILVA and ENI manufacturing plants, conducted an on-site assessment of the main ongoing processes that cause pollution and present health and safety issues for workers and residents including further future risks that can lead to worsen the overall situation in the concerned area. It then conducted the scheduled hearings at the Prefecture in the Palazzo del Governo, in order to obtain the factual and legal information needed to assess the emergency measures for cleaning and regenerating the area, the measures to progressively minimise environmental impact, as well as information on all the available industrial options for the implementation of a model able to fully safeguard citizens' health and environment as well as the socio-economic wellbeing of the Taranto area. .



Summary account of meetings

18 July 2017 (morning)

The delegation arrived at 9:00 at the gates of ILVA and was welcomed by: Antonio Bufalini, chief operations officer of the Taranto plant; Sergio Palmisano, head of health and safety, who outlined the various risks associated with the plant (chemical, thermal, noise, road traffic-related (50 km) and rail traffic-related (200 km)); Alessandro Labile, head of the environmental works and Integrated Environmental Authorisation (AIA) department; Salvatore De Felice, head of the pig iron department; Benedetto Valli, head of the metal rolling department; and Nicola Nicoletti, the extraordinary administration coordinator. The initial tour ended with a viewing of a scale model of the enormous plant (which covers 15 square kilometres, 4.5 x 3.5). The purpose of examining this model was, firstly, to familiarise the members with the main phases of the ‘combined’ production cycle, which begins with the unloading of raw materials (iron ores and hard coal) at the east pier (docks 2-4) and ends with finished steel; and secondly, to locate the various production units.

In the first phase, after the raw materials (arriving from Brazil, Australia, South Africa and northern Europe) are unloaded from the ships at the east pier, they are transported along large covered conveyor belts to vast open-air storage areas called ‘mineral parks’.

The next phase of the integrated cycle involves the production of coke in the 10 ‘coke oven batteries’, four of which are currently in operation.

The pig iron and the steel are alloys produced in blast furnaces¹. There are five blast furnaces, three of which (numbers 1, 2 and 4) are in operation, while the other two remain switched off. One of the latter, Furnace 5, is one of the largest of its kind in Europe and has been off since March 2015, awaiting extraordinary environmental clean-up and maintenance work in order to fully comply with the provisions of the integrated environmental authorisation; the other, Furnace 3, will soon be demolished, fully implementing environmental protection measures, including the removal and disposal of the asbestos therein located. In addition to pig iron, the furnaces also produce gases, which are reused to generate both electrical energy (in the plant’s two power generators) and liquid slag, which is then ground-granulated and used for manufacturing glass and cement.

There are two actual steel mills, built during the two main phases of the plant’s construction: it opened in 1964 and was then expanded to double the original size in the early 1970s, whose roughly 70-80% of the finished goods produced are shipped from the west piers to major ports in Europe, Turkey, North Africa and other overseas destinations².

¹ The coke, together with the agglomerate (granulated iron) is used as a chemical reducing agent for manufacturing pig iron (an iron-carbon alloy, with a carbon content between 1.9% and 5.5%) The steel is the same alloy but containing less than 2% carbon).

² Pig iron is transported to the steel mills by rail in wagons, where it is refined in converters via blasts of oxygen from above. The result is a low-carbon alloy, liquid steel, which is poured into large ladles to solidify through continuous casting moulds. There are five of these moulds in the two steel mills.

This forms semi-finished products called slabs, in the shape of parallelepipeds measuring 900 to 2 000 mm in width, up to 300 mm in depth and up to 11 m in length. The hot slabs are then transformed into finished steel in rolling mills. The temperature of the steel drops from about 1 300 °C to 900 °C, but this rapid cooling is compensated by the pressing it undergoes in the hot strip rolling mill (up to 1 250 °C, with rollers spaced apart at gradually decreasing distances). In this way, the thick semi-finished slab becomes thinner and thinner through successive passes, until the required thickness is achieved; this may be anywhere from 243 mm to 1.5 mm.

The rolling mills thus produce either rolled-up ‘coils’ or relatively thick ‘strips’ (different types of rolling mills are used for the two: in Taranto, there are two hot rolling trains to make coils and one to make strips). Strips may be sold directly for use in shipbuilding, for oil rig construction or other uses, or else sent to the plant’s pipe factories; the plant has three pipe factories, one of which produces electric resistance welding (ERW) pipes directly from the hot strips.

Rolled steel can also be coated with zinc (in hot or cold galvanising plants); in addition to Taranto, the company has two coating facilities in Genoa and one in Novi Ligure, which together employ around 3 000 people. More resistant to oxidation and corrosion, these coated products have a wide range of uses, from home appliances to automobiles.

During the visit to the plants, the aforementioned company managers (as well as Carmine Lezza, chief engineer of waste disposal) informed the delegation members in detail about some of the more problematic areas of the combined cycle.

- The control room of Furnace 1: upgraded as of August 2015 in a EUR 130 million renovation, it operates automatically and, with the exception of a few pouring manoeuvres, workers only intervene in the event of a malfunction;
- A panoramic view of the two largest mineral parks (for iron ores and coal), which features a working fog cannon used to neutralise particulate matter (part of an automatic dampening system, as prescribed in the environmental plan, installed atop a wind speed detection box, which above a certain threshold prompts the hydrants to open automatically);
- The steel slab line on the second coil rolling mill (measuring 1.5 km long and run by eight people, it produced six million tonnes in 2007), followed by the service shuttle that runs from the heating furnaces to the finishing mill. Six roughing stands progressively reduce the thickness, and with each step, the slab grows longer (up to over 1 km) and the speed at which it travels increases; then, once reduced in thickness to 40 mm, the slab is rapidly passed through seven finishing stands, undergoing huge blows like in Vulcan's forge, before passing under the cooling showers, until it is wrapped into a coil and ready for either direct sale or cold rolling;
- The limestone quarry area, with completely covered parks and open-air landfills with both hazardous and non-hazardous waste; all the waste is generated in the plant and, because it is inorganic, is not suitable for biogas production; nevertheless, in a puzzling bureaucratic decision made when the landfill was authorised, the Province of Taranto required ILVA to build a biogas plant, which is completely inactive.

On site, this general description of the plants was supplemented with information provided by ILVA's technicians, either on their own initiative or in response to members' questions. The most important details related to the provisions of the environmental plan:

- For the raw material unloading phases, in addition to the eco-friendly covered buckets required under the AIA plan, ILVA set up a new continuous ship unloader (CSU 1) that enables materials to be moved, without leakage or scattering, from ships' cargo holds to the conveyor belts that connect the pier to the production plant;
- In the next phase, where minerals are moved from the piers to the storage area, there is ongoing work to completely cover the conveyor belts and the sorting towers, so as to prevent particulate matter from being carried away by the wind (as of April 2017, 38.6 km of the 59 km of conveyor belts had been covered – about 65% of the total to be covered as per the AIA provisions);
- The most important action provided for in the environmental plan presented by AM Investco Italy (a joint venture 85% owned by ArcelorMittal and 15% owned by Marcegaglia), which acquired ILVA from the extraordinary commissioners, concerns demolishing Furnace 3. The company included decontamination of the subsoil in the plan. The three furnaces currently in operation are compliant with the provisions of the environmental plan (see below).

- For the steel mills, the plan provides for the creation of a system to vacuum/filter out particulates from the ceilings of the premises, by means of exhaust fans covering the converters and 20 m long filter sleeves to capture the fumes, as well as fabric filters, with an intake capacity of 3.3 million cubic metres per hour.
- Covering the main ‘mineral parks’ over a surface area of 500 m x 700 m (as per provision No 1 of the updated AIA¹, included in the acquiring company’s investment plan) by constructing an imposing double-arched structure similar to a hangar measuring about 700 m x 520 m x 80 m (an 80 m-high wall is roughly equivalent to a 25-storey building), which will be erected just behind the Tamburi district; this will be in addition to tree-lined ‘eco-friendly’ hills and Via Appia, which already act as ‘wind shields’ for the inhabited area. Even the smaller parks (slag, ‘homogenised’ agglomeration north and south) will be covered much like the two large limestone parks in the quarry area of the municipality of Statte, which are already covered.
- The 2014 environmental plan, approved under the Prime Ministerial Decree (DPCM) of 14 March 2014, provides for dampening the piles of raw materials using fog cannons, so as to reduce the risk of particulate matter becoming airborne until the parks are covered. Regarding a specific question on water recovery, ILVA pointed out that because the underlying soil is composed of thick clay, water does not penetrate into it, but the portion that does not evaporate is recovered in specifically designed settling tanks. A further important clarification was provided regarding the storage area modelling plan (to reconstruct the environmental contamination, which will facilitate works to make the site safe and/or clean it up): this has already been completed and has apparently yielded very encouraging results.
- The landfills/dumps are located within the perimeter of the areas conferred to the new owner; however, ILVA declined to reply to a question about new judicial investigations concerning the unauthorised dumping of hazardous waste, which some of the petitions’ authors had brought to light. In response to a question about the security forces that oversee the plant, ILVA stated that in addition to its 120 internal security staff, external police forces aided by video surveillance equipment are able to minimise the risk of intruders entering the area, which is two and a half times the size of the city of Taranto itself.

When the delegation asked for more details about the reclamation and the demolition timetable for Furnace 3, ILVA’s management replied that:

- the process is not straightforward; it is an organic decontamination process that involves the entire plant;
- Furnace 3, in the middle of the pig iron area, must be made safe; even though it no longer takes in raw materials to produce pig iron, it needs to remain stable, with its pipes sectioned off but still connected to the network;
- the entire pipe system needs to be cleaned out, to remove materials such as asbestos;
- once reclamation has been completed, it will be divided into parts based on the specifications prepared for the demolition works tender process;

¹ http://www.gruppoilva.com/sites/ilvacorp/files/document_attachments/all.dir_526_-_all.2_-_xvi_relazione_trimestrale_aia_547.pdf

- this tender process is currently in progress, at a very advanced stage. By 30 September 2017, the government is expected to approve changes to the environmental plan submitted by ArcelorMittal in a Prime Ministerial Decree, so the implementation procedure will speed up as from 1 October 2017;
- the technical estimate for the completion of the demolition works is 18 months once they begin on 1 October 2017;
- with respect to the timetable for works to cover the mineral parks, the company awarded the tender estimates that it will take 24 months from the time it receives the go-ahead.

President Wikström, on behalf of the delegation, underlined that the long, complex procedure described seems to ignore the costs of over a decade of human suffering in the surrounding populated areas (given that the first petition about alarming levels of dioxins was received back in 2007).

The response by ILVA technicians was as follows:

- The plant would be currently fully compliant with European and Italian regulations based on data collected by inspection bodies such as ARPA (the regional environmental protection agency), although some malfunctions in ordinary operations could emerge during the checks.
- The AIA plan itself provides for the management of abnormal and emergency situations, such as the tornado that hit ILVA on 28 November 2012, which did not damage Furnace 3 but was a factor in the decision to demolish it.
- Decontamination work would go very deep into the subsoil beneath Furnace 3, and would also involve removing waste accumulated over time (such as the railway sleepers, which were impounded back in 2009, and old tyres).
- The situation has not remained unchanged for ten years. For nearly four years, since the Prime Ministerial Decree issued on 14 March 2014, the environmental plan has been evolving and works have been completed (albeit after some delays) despite limited financial resources (the company has been registering net losses every year).
- The extraordinary commissioners have succeeded in obtaining funds through a deal with the Riva family (the former owners, responsible for the pollution) to the tune of over a billion euros in environmental damages. These funds will be used to speed up reclamation works for the benefit of the entire Taranto community.
- The total amount needed to complete the works in the environmental plan is over EUR 2.3 billion (EUR 1.15 billion to be borne by the company awarded the tender, and over a billion to be borne by the extraordinary administration thanks to the above agreement). Following the ownership change, all the right conditions are in place to enable these funds to produce useful effects by specified dates..
- The Italian Parliament introduced a regulatory amendment that extends the extraordinary administration's monitoring term to 2024 (corresponding with the end of the current business plan horizon). This would ensure that the new owner abides by its commitments to make the agreed investments, or otherwise relinquish ownership.

The delegation also contested the assertion that the plants are fully compliant with European legislation, citing the latest report by ISPRA published in May 2017, according to which not all the environmental provisions in the AIA plan have been met (ILVA replied that the report certifies 80% compliance). Delegation members furthermore expressed worries about meeting the timetable for complete coverage of the mineral parks, which has been postponed for years, leaving residents of nearby areas exposed to harmful particulate matter on windy days, the effects of which the members of the delegation experienced first-hand.

The delegation enquired if there were other options available for the conversion of production, such as using waste materials along the lines of a circular economy model, or completely converting the plants to renewable energy, so as to better reconcile work, health and the environment while still taking advantage of the area's specific assets. ILVA's management responded very cautiously.

ILVA rejected the radical solution of stopping steel production, but noted that the new owner is willing to experiment in Taranto with new **pre-reduced** technology, in which ArcelorMittal is the leading global manufacturer. It has the only factory in Europe (in Ghent, Belgium) where natural gas is used instead of coal as an input material. However, high production costs have discouraged this from being introduced elsewhere. Nevertheless, in this field the company intends to set up a research centre in Taranto, allocating EUR 30 million to hire 250 engineers. As for the circular economy idea, ILVA does apply it in the limestone quarries, where the material extracted is reused in the agglomeration/synthesis phase or transformed into mortar by internal furnaces, and the byproducts are put back into the quarry in the form of iron-free calcium carbonate.

Last but not least, it should be noted that at the moment ILVA has 11 000 while its employees and its subsidiary's 3 000 employees, who come from and live in the areas surrounding the plant.

18 July 2017 (afternoon session)

The delegation was welcomed to the Palazzo del Governo by the Prefect, Donato Cafagna, who informed the delegation of a permanent round table committee consisting of state, regional and local representatives to revamp the Taranto area with respect to the environment, industrial development and land renewal and reclamation. The first session of hearings then got underway with two experts representing ISPRA, Italy's national institute for environmental protection and research. These experts were in Taranto for an ordinary inspection pursuant to the framework established under Directive 2010/75/EU (which reformed the integrated authorisation system for industrial emissions control).

Mario Cirillo then introduced the Italian National Environmental Protection Network (SNPA), which was established in June 2016 and has been up and running since January 2017. ISPRA works in synergy with regional environmental agencies such as ARPA Puglia, forming two points of a triangle topped by the Ministry for the Environment. **Gaetano Battistella**, the head of inspections and environmental monitoring, discussed the quarterly routine inspections at the ILVA site. One such inspection is scheduled for the next three days, based on a periodic report by the maintenance manager about the implementation of best available techniques (BAT) on site, as indicated in reference materials drafted by the European Commission Joint Research Centre (JRC) in Seville. Normally, ISPRA carries out the inspections after having agreed on a

date with ILVA. In the event of serious accidents or malfunctions, however, ISPRA may perform inspections without a prior agreement with the manager. Details about the nature and extent of the inspections are not specified in notices provided to ILVA. ISPRA also reserves the right to check up on any unreported issues on site.

Among the members' questions following the morning's on-site reconnaissance at the plant, the thorniest is about the perception of ILVA as a steel giant with feet of clay, a symbol of old-fashioned heavy industry. According to the ISPRA experts, the plant is freeing itself from old technology and embracing the new, aiming to reduce waste and pollution. It is however a slow process, that requires investment and, above all, time.

The delegation remarked that two years ago, the covering of the mineral parks was understood to be imminent. Citing the latest ISPRA report – according to which not all the AIA provisions have been complied with – it raised the prospect of suspending the authorisation and closing the plants (pursuant to Article 29(i)(9)(c) of the Consolidated Environmental Law¹). It also asked for clarification regarding the baseline report (a key tool for granting or updating an AIA plan under Directive 2010/75/EU²).

Affirming that the source was incorrect regarding an ISPRA report published in May 2017 (as ILVA had claimed in the morning), Mr Battistella cited a series of recently completed inspections (18 protocols) and specified that the baseline report cited takes stock of only pertinent and hazardous pollutants, but does not delve deeply into the conditions of the soil where the pollution was identified (referring to the Ministry of Environment website for more details: <http://aia.minambiente.it/Ilva.aspx>).

In fact, current scientific knowledge is insufficient to investigate shifts in the layers of pollutants. He also mentioned the inspection reports, which can lead to administrative sanctions or fines if the plant operator fails to rectify the faults found in a previous inspection. As for the objection that the ten 'Save ILVA' laws (the latest of which was issued on 9 June 2016) have given the company free rein provided that it complies with roughly 80% of the AIA provisions, even if it does not abide by the remaining 20% (including No 1, which relates to covering the mineral parks), the ISPRA experts resorted to the argument that: minor issues are disregarded in the presence of more important ones (in this case, politics). As for President Wikström's criticism of ILVA's disregard for quality of life, or the 'sword of Damocles' hanging over the heads of all those living in the surrounding areas, the expert's opinion is that ILVA is only one of about 160 aging industrial sites in the country (90 power plants, 60 chemical factories, 12 refineries and a steel plant), which are subject to ISPRA monitoring because they are

¹ **Legislative Decree No152/2006 – 'Consolidated Environmental Law' – Article 29(i) (9c), as replaced by Article 7(9) of Legislative Decree No 46/2014.** See also the following notes from the Ministry of the Environment's website

<http://aia.minambiente.it/Documentazione.aspx> *For the ILVA plant in Taranto, which is recognised as a business of strategic national interest pursuant to Decree Law No 61 of 4 June 2013 (converted into law with amendments in Law No 89 of 3 August 2013) and Decree Law No 101 of 31 August 2013, the Ministry of the Environment has created this section to facilitate and encourage access to information and public participation in the process of granting, renewing, reviewing and updating the integrated environmental authorisation (AIA), in line with the principles of the Aarhus Convention and with the provisions of Legislative Decree No 152/2006. Specifically, the major documents regarding ongoing procedures for granting, renewing, reviewing and updating the AIA, as well as documents on compliance inspection procedures for the measures adopted, are available online.*

² **Commission Notice: Guidance concerning baseline reports under Article 22(2) of Directive 2010/75/EU on industrial emissions (2014/C 136/01)**

environmental hotspots and at the same time are strategically positioned as places that provide public services and an abundance of jobs. The current phase of transition from the extraordinary commissioners to multinational steel company ArcelorMittal has implications for raising production levels, which are currently reduced to six million tonnes per year. However, this transfer of control cannot change the specifications laid out in the preexisting environmental plan, where all authorisation requirements remain binding; unless the new owner moves into the positive realm of reconstruction and starts the emissions authorisation process from scratch, but even in this case, it would be subject to the environmental protection conditions of a new AIA.

Vera Corbelli, who for three years has been governing commissioner for the emergency reclamation works in Taranto, explained that her remit covers a physical environment much larger than just the ILVA industrial site, measuring 117 square kilometres (comprising 44 square kilometres of land and 73 square kilometres of sea). She briefly explained how, by assessing priority actions in four critical aspects of the urban and suburban areas (including the industrial site of national interest), a regeneration programme has been implemented over a broad spectrum of the population and land, comprising multiple generations (from upgrading and renovating schools to cleaning up the Tamburi district cemetery), shoreline areas (from the port and a former landfill site in the Statte industrial district, to conservation work in the ‘Mar Piccolo’ ecosystem and decontaminating the seabed). The programme’s approach combines science and technology with culture. This applies to the environmental rehabilitation of the ‘Mar Piccolo’ area, which preserves Taranto’s marine life, aiming not only to reduce pollution levels, but also to protect habitats. Actions include recording and reducing dumping by 50%, removing all types of bulky waste from the seabed, and monitoring and moving the most vulnerable local marine life (there are 6 000 different species, including noble pen shell molluscs and seahorses). This work is carried out in cooperation with the Navy, the Guardia di Finanza (Financial Police) and the Coast Guard. This complex and detailed work to redevelop the cultural, social and productive system aims to overcome the industrial legacy still burdening the city, and move it towards a future of sustainable growth, with the involvement of residents as well as ILVA and ENI.

Stefano Rossi, lawyer and managing director of the Local Healthcare Agency (ASL) for the province of Taranto, outlined the services managed by **Michele Conversano** (department of prevention and public hygiene), **Sante Minerba** (statistical epidemiology) and **Cosimo Scarnera** (workplace health and safety and injuries). He commented positively on the monitoring system for the food supply chain (from mussels to dairy and farms), on injury statistics (injuries have declined in recent years, unlike work-related illnesses), on the cancer register, which is the most up-to-date of its kind in the region of Puglia (to 2014), as well as on the specialist oncology services in hospitals. In particular, he cited an October 2016 cohort study on the effects of environmental and occupational exposures on disease and mortality rates in the resident population, which substantiates the existence of a cause-effect relationship between industrial emissions and impaired health¹.

¹ (This cohort study compared mortality rates and/or the rates of specific illnesses in different sets of exposed individuals). The most significant figures included a 24% higher rate of respiratory illnesses among children in the Tamburi district, and a 26% higher rate in the Paolo VI district. Exposure to industrial particulates led to a 5% higher rate of lung cancer deaths and a 10% higher rate of heart attack deaths; as a result of exposure to industrial SO₂ (sulphur dioxide): specifically, a 17% higher lung cancer death rate and 29% higher heart attack

Pressed by the members to answer questions about the alarming epidemiological data contained in the study, the ASL Taranto experts confirmed that there is an anomalous percentage of neuro-cognitive deficits in the younger generations of the local population, although the causes are not clear (whether pollution alone or combined with the low socioeconomic profile of the population). Dr Minerba briefly described studies conducted in his field, starting with descriptive studies that collected data on deaths linked to air pollution-related illnesses, then moving on to analytical studies into cause-effect relationships between risk factors and illnesses (including the cohort study). Over time, other healthcare statistics were added to the studies: hospital inpatient numbers and cancer registers.¹

The latter was created in 2012 for the province of Taranto; the latest edition, published in April 2016, reports data collected for the years 2006 to 2011. The data confirm an above-average cancer rate in the male population².

The aforementioned cohort study was conducted by the Region of Puglia and the Epidemiology Department of the Region of Lazio, on subjects residing in Taranto from 1998 to 2010. It concludes that an increase in industrial toxins including PM10 particles and sulphur dioxide is responsible not only for cancers, but also for cardiovascular and respiratory diseases. Regarding cancer rates in children under 14, the most authoritative study is the Istituto Superiore di Sanità (ISS) Sentieri study³, conducted in 2011 and 2014 (results of a third edition of the study will be published this year). The study observes excessive rates of: mortality from all causes (81 deaths), with a standard mortality ratio (SMR) of 121, or 21% above the regional average; hospitalisations for acute respiratory illnesses, with a standardised hospitalisation ratio (SHR) of 105 (5% above average), and tumours with a standardised incidence ratio (SIR) of 154 (54% above average, or seven more cases than average).

This overall picture is based on a limited case history of only a few years; currently, in partnership with ISS, efforts are being made to corroborate statistics to broaden the data that is being collected. It was furthermore pointed out that in order to inform the local population of the epidemiological data, a touchscreen was installed in the oncology unit of Moscati Hospital, with the primary aim being to spread information about cancer rates in the various parts of Puglia, which is a crucial step towards individual and collective prevention measures. With particular regard to cancer rates among ILVA workers, the figures for one particular disease are very striking: pleural mesothelioma, a rare cancer caused by exposure to asbestos, which develops a long time after exposure. For this type of cancer, rates are four to five times above the expected level (with around 20 cases diagnosed per year instead of four or five cases, over

death rate; both pollutants are responsible for new lung cancer cases among residents (+29% for particulates, +42% for SO₂)

<https://www.sanita.puglia.it/.../asl-taranto/.../studio-di-coorte-sugli-e>. See especially:

<https://www.sanita.puglia.it/documents/890301/896208/Relazione+Finale+Studio+di+Coorte>

¹ <http://www.registri-tumori.it/cms/it/storia>

<http://www.registri-tumori.it/cms/RTTaranto>

² see conclusions attached

³ National epidemiological study on areas and settlements exposed to pollution risks. See abstract of the 2014 edition: <http://www.iss.it/pres/?id=1432&tipo=6>

a population of 200 000). For this reason, for the sake of future generations above all, it is essential that the asbestos be removed from the dumps linked to the industrial site.

Employee safety within the plant has improved considerably since 2005 thanks to new technology: the number of injuries has fallen by over 70%, from over a thousand to 115. The key factor in this trend, according to a study on the subject, is the vocational training given to the employees whose responsibilities expose them to the highest risk of injury. One example reported is that, following a fatal injury in June 2015 to a factory worker who was struck by molten metal during pouring operations in Furnace 2, all adjustments ordered by the competent authorities have recently been completed. Work-related illnesses, by contrast, have increased, with 950 over the five-year period from 2010-15, although only 200 were officially recognised. This is a worrying sign, and is partly due to a growing awareness among workplace physicians in diagnosing and reporting such illnesses. The majority of the illnesses have been related to the musculoskeletal system rather than to cancerous growths, which were previously more common.

Further clarification was provided about the ASL Taranto examinations of contaminants in the food supply chain, specifically persistent organic pollutants (POPs) that accumulate in the fat of living things and are found in the milk of animals (e.g. cows and goats) that eat contaminated plants and soil when they graze in the areas surrounding the plant. Analyses of the milk, liver and meat of slaughtered livestock have revealed higher percentages of dioxins in those that graze on uncultivated land in the area than in those that graze on ploughed pastures or pastures relatively far away from the industrial site. For this reason, the President of the Region of Puglia prohibited grazing on uncultivated land within 20 km of the site. Similarly for mollusc farming; after high quantities of contaminants were detected in mussels in the first circle of the 'Mar Piccolo', an ordinance was issued to shift mollusc cultivation to either the second circle of the 'Mar Piccolo' or to the 'Mar Grande' during the summer season (from 31 March) when filtration is greater. Finally, blood tests carried out on livestock farmers operating within 10 km of the plant showed anomalously high levels of dioxins, although this is not significant for the rest of the population, as these are small farms.

Vito Bruno, lawyer and managing director of the regional environmental protection agency (ARPA) for Puglia, introduced his delegation: **Nicola Ungaro**, scientific director, **Maria Spartera**, from the training and information department, **Roberto Giua**, from the air quality operating unit, and **Vittorio Esposito**, regional director. Supporting the environmental data already reported by ASL personnel, Mr Bruno confirmed that although the overall situation did improve in 2013 following the reduction in steel production, there is undeniable evidence of the causal relationship between steel production and the presence of pollutants in the city of Taranto. He pointed out that the network of regional environmental protection agencies (ARPAs), including ARPA Puglia, was established on 16 January 2016. ARPA Puglia coordinates its activities with those of ISPRA (see above), forming a dual monitoring system. It also provides support on environmental issues to ASL Taranto. In Taranto, air quality is monitored from 16 control units (10 are controlled by ARPA, 6 by ILVA). Although the emissions situation has been improving since 2013, actually falling to within the legal limits under European environmental legislation, emissions may have continued to have adverse effects on health, given the city's already adverse situation.

In this context, ARPA Puglia works as a monitoring and inspection body, in order to enable the competent authorities to make political decisions about managing industrial capacity at the

Taranto steelworks. The agency also takes appropriate action to ensure that the environment, health and jobs coexist in harmony for all. In this regard, the experts from ARPA confirmed that the agency issues warnings about windy days so that both the authorities and the industry can adopt the necessary precautionary measures to limit the damaging effects of the winds (e.g. as occurred on 3 July).

The delegation asked whether ARPA's negative opinion on plans to double the incinerator and landfill capacities can lead us to expect that the agency will also oppose the proposed increase in steel production by the new owners. The ARPA delegates replied that although there is no clear link between the health damages that would certainly be caused by doubling the incinerator and the hypothetical damages resulting from an increase in production, even if all environmental provisions in the current AIA for ILVA were implemented, there would definitely be an impact on public health. In the light of this, an increase in production is not foreseeable without further environmental provisions. More specifically, Dr Giua reiterated that the health damage assessment based on ARPA's tests concludes that even if all the provisions contained in the AIA review report for ILVA were to be applied (a scenario that seems highly unlikely given that the mineral parks are not yet covered), the health risks of increased production would still be unacceptable, for instance in terms of the risk of cancer in the areas neighbouring the plant. At this juncture, it is ARPA Puglia's non-binding opinion that if production were to rise well above the 8.5 million tonnes per year permitted under the AIA currently in force, the environmental situation would likely become even more critical than before, and the health situation would also deteriorate further.¹

On behalf of trade unions UILM, FIOM-CGIL and FIM-CISL, **Antonio Talo'**, **Giuseppe Romano** and **Biagio Prisciano** presented a range of demands 'to take back the future of our work, our environment and our health' as well as to reinforce the unitary path undertaken for the past five years, first with the extraordinary commissioners and the government, and now with the new owners, to whom the ILVA group was awarded by decree this past 5 June. Their constructive approach, which considers not only the interests of employees, but those of the entire area, is based on the premise of complete fulfilment of the environmental plan. This includes covering the mineral parks without the lengthy delay proposed in the AM Investco plan (23 August 2023).

On this issue, **Francesco Rizzo** of the USB union pointed out that the guided tour of the steelworks by ILVA's engineers and managers was arranged in such a way as to avoid the places where people suffer most and become ill (according to USB, the situation has become worse since the company entered extraordinary administration). He noted that as far back as five years ago, a government minister in Rome had promised that the parks would be covered within six

¹ On this issue, on 4 September 2017 ARPA Puglia also issued observations on the AIA application for new measures and changes to the planned environmental and health protection measures and activities approved by a Prime Ministerial Decree of 14 March 2014 for plant operation as well as, where necessary, extensions to the implementation deadlines of the related provisions. In its observations, the agency underlined that the environmental clean-up measures already provided for under the aforementioned Prime Ministerial Decree – for which the original deadline was June 2017, then extended to September 2017 – will not actually be completed until August 2023. **Because** the majority of these measures are necessary to comply with best available techniques (BAT) in the sector (see Commission Implementing Decision of 28 February 2012 establishing the BAT under Directive 2010/75/EU on industrial emissions for iron and steel production), it is reiterated that any delay in environmental clean-up at the plant would constitute an advantage for the company and a cost for the environment and public health. It should be pointed out that running the steel plant without implementing or only partially implementing BAT could constitute an infringement of EU law.

months. Since then, continued Mr Rizzo, in reality the only solution has been to shut the windows, keep children at home and pretend nothing is happening in the Tamburi district on days when the wind blows the wrong way. More generally, the union representatives stated that the environmental clean-up of the plant must be carried out in full, neglecting nothing, and starting with the urgent asbestos situation (there are over 4 000 tonnes of asbestos at the plant). Besides the environment, health is the primary concern of the unions. They demand that the government use the 1.1 billion euros recovered from the former owners (the Riva family) for transparent, effective clean-up projects to eliminate hazards to the health of employees and the public. As for the future of steel in Taranto, the business plan must bring innovation to the production process, while on the employment front, given the existing environmental and health damages, it would be adding insult to injury to go ahead with the redundancy plans AM Investco has floated. There have already been staff cuts, not just for ILVA employees, but also the thousands working under the tender contract and satellite companies. In Taranto, the entire economy revolves around the plant, so when ILVA workers were placed on temporary redundancy in 2008, over 3 000 businesses closed in the resulting crisis.

The delegation asked about the priorities of employees, and enquired as to whether they would accept alternative options for a different industrial future, namely converting the plants into renewable power plants or moving towards circular economy solutions. The reply from **Francesco Brigati** (FIOM) was clear: *we are not willing to accept ILVA unconditionally. The health damage assessment, especially for cancer risk (which despite having decreased is still extremely high for men, women and children alike) compels us to solve the work-health-environment dilemma. So, if the government and the new buyer ArcelorMittal were to force us to keep the same production model as before in order to ensure a high employment level (10 000), our response would be an absolute rejection*¹.

Vincenzo Cesareo, president of the Taranto chapter of Confindustria, expressed confidence in AM Investco's ability to produce steel in Taranto in an environmentally sound manner. In fact, some measures have already been carried out and, unlike the previous owner (the Riva family), who speculated on differences between raw material prices and the cost of finished goods, the new owner will quickly demonstrate that it knows how to produce effectively and efficiently through the integrated route. As for small- and medium-sized companies that survived the economic crisis, they are ready to build a complementary economy to the steel sector, through diversification, excellence in maintenance and plant-building, and innovation in a range of fields, such as aerospace, shipbuilding, outdoor LED lighting and the production of hydrogen fuel from renewable sources. Confindustria also pointed out that workers and the local population are not the only ones who have paid dearly for ILVA's environmental and legal woes. Many businesses also suffered damages to the tune of 150 to 180 million euros, in the form of receivables never paid, not even by the government after the company was placed under extraordinary administration. Confindustria therefore requests that these businesses should no longer be prevented from recovering what they are owed.

Luca Lazzaro, president of Confagricoltura Taranto, pointed out that many companies in the agricultural sector also suffered losses due to the environmental emergency, to such an extent that Confagricoltura stood as one of the plaintiffs in the criminal proceedings (dubbed the

¹ This position was reiterated on 5 September 2017 (the deadline to submit comments to the Ministry of the Environment on the new AIA proposal submitted by AM Investco in July) by the FIOM-CGIL representative, in these words: 'the proposal does not guarantee the protection of health either inside or outside of the plant.'

‘environment sell-off’ case), seeking compensation for direct damages to both livestock production (livestock had to be slaughtered due to contamination) and crop production (land could no longer be cultivated) in the area surrounding the plant. There were also indirect damages at provincial level, such as in dairy products and fruit and vegetables (the province of Taranto is the leading province in Europe in the production of grapes and clementines). Producers have struggled enormously to remain competitive despite having made significant investments in rural tourism (e.g. by renovating farmsteads). They are not even benefiting from rural development plan funds, because their land is either classified as an urban area or lies at the bottom of the rankings of municipalities in terms of access to regional funding. Similarly, funds are needed to invest in urgent promotional campaigns for local produce. To conclude on a positive note: employment in the province’s agri-food sector has risen by 9% (attributable to the size of the companies that have survived – they can hire up to 1 500 employees), while local products such as Primitivo di Manduria (Italy’s number one red wine, hailing from the eastern part of the province), are the crown jewels of the green economy.

At 17.00, the hearings came to a climax when several of the petition signatories, along with citizens and representatives of the NGOs that support them, gave their testimony¹.

Ms **Violante Sion** submitted Petition 2207/13 in 2012. Citing Article 3 of the TEU, which states that one of the Union’s main objectives is ‘a high level of protection and improvement of the quality of the environment’, the petitioner explained: *That’s not what I was thinking about when I wrote the petition, because in Taranto, we’re dying! The steelworks constantly pollute the air, the soil and the subsoil. While we’re talking, discussing and thinking, people are falling ill and dying, especially children. Taranto’s children and all of its citizens have the right to life. In response to your invitation to give you some ‘suggestions’ about what could be done, I refer you to the ‘environment sell-off’ case, in which preliminary proceedings are confirming that it is impossible for life and steel to coexist in Taranto.*²

Ms **Antonia Battaglia**, representative of the Peacelink association and supporter of the first petition (760/2007), underlined the symbiotic relationship between the city of Taranto and ILVA, which should bring work and wealth to the citizens. She retraced the steps of the criminal investigations dating back to 2008, when Peacelink raised the issue of dioxins (found in tests on pecorino cheese). She condemned the fact that since the Commission launched the first infringement proceedings in September 2013 (followed by a reasoned opinion in October 2014 and further proceedings against Italy in January 2016 for illegal state aid³), the Commission departments have dawdled for three years while in the meantime Taranto has registered an excess of hospital admissions (a 24% increase) for respiratory illnesses among children in the Tamburi district, as well as deaths caused by cancers and cardiovascular diseases. In this regard, an update to the study coordinated by Dr Forastiere on mortality rates in Taranto has confirmed that an increase in particulates of industrial origin is causing health effects in the long term

¹ See Appendix II for the English version of all or part of the speeches given and documents provided.

² The ‘environment sell-off’ case resumed on 17 May 2016 and is currently in progress in the Taranto Criminal Court. It involves 44 people and three companies (Riva Fire, ILVA and Riva Forni Elettrici). Investigations for this case began in 2009, following allegations made by environmental associations in Taranto, including Peacelink, leading to the seizure of the steel plant in July 2012 (see Appendix III-A).

³ See: EC Press release on 21/12/17 “The European Commission has completed its in-depth investigation of support measures to steelmaker ILVA S.p.A. It has concluded that two loans granted by Italy in 2015 to support ILVA involved illegal State aid. Italy must now recover this undue benefit of about €84 million from ILVA.”

(cancers) and the immediate term (heart attacks). When the Italian courts ordered the preventative seizure of the plants in the hot area of the site, in July 2012, a few months later (in December 2012) the government reinstated the company's right to use the plants (in a decree known as the 'First Save ILVA Decree'). Since then, inspections by both Italian and European authorities have slowed, and this has allowed ILVA, decree after decree (there have been ten in all), to keep on producing, continuing to do what had been declared illegal.

The mineral parks have not been covered and flooring has not been installed for the whole plant. Updates to the ISPRA reports are published after substantial delays. As such, we call for: today's fact-finding visit delegation to draft a recommendation, in the form of a report to the Commission, to reestablish the rule of law; the legislation in force to be respected by the Italian state; the European Parliament to exercise its power of scrutiny over the Commission, by urging the Commission to carefully monitor the approval procedure for a new AIA authorisation based on ArcelorMittal's new environmental plan. We furthermore ask that, along the lines of the Comité du suivi created for ArcelorMittal's plants in Florange (in Lorraine, France), the public are represented in a committee that checks the reports and issues opinions on them. In this respect, we express reservations about the AM Investco business plan, which seeks to increase steel production up to eight million tonnes in 2024 and at the same time reduce the workforce via five to six thousand redundancies. We are also concerned about the environmental side of the plan, which is to be implemented over five years (ending in 2023) for the sum of EUR 1.14 billion; a scant amount considering the measures that need to be implemented: back in 2013, the courts estimated that the amount needed to put an end to environmental damages was EUR 8.1 billion.'

Fabio Millarte, President of WWF Taranto, was unequivocal: *saving ILVA, a nineteenth-century industry that still runs on coal, won't save Taranto*. He also condemned the fact that ILVA's employment crisis – in a city where there were 75 000 unemployed people, predominantly young adults, even when the factory was running at full strength – has pushed issues such as the city's lack of green space and, more generally, a decrease in the quality of life, into the background.

Lunetta Franco, President of Legambiente Taranto, condemned the complete lack of transparency in the sale of ILVA to the AM Investco joint venture: information about this process has only surfaced by means of press reports. Not only have the most substantial elements of the environmental plan been postponed to as late as 2023, but there is also no trace of a timetable in AM Investco's plans, which means there is a risk of waiting five years only to discover that no progress has been made. Moreover, nothing is known about the reclamation and decontamination plan, which will be managed by the government commissioners using money recovered from the previous owners (the Riva family). Legambiente is also concerned about how quickly the AIA procedure has been reopened; this will make it even more difficult for citizens and associations to be involved in the authorisation process. Legambiente therefore calls upon the Commission to act as spokesperson in urging Italy to ensure transparency in all ongoing procedures, keeping a particularly close watch on the new AIA, and also demands swift implementation of the most urgent measures: covering the mineral parks and refurbishing the coke factories.

Leo Corvace of Legambiente touched on the association's opposition to ENI's 'Tempa Rossa' project, which follows the no longer acceptable rationale of exploiting non-renewable resources and squandering natural resources. Specifically, this project entails an intolerable increase in

the risk of major accidents, which could be lethal due to both the dispersion of flammable gases and the proximity of the storage tank area to the railway.

Roberta Villa and Maria Teresa d'Amato espoused the core views of the Taranto Lider committee, founded in 2011: that heavy industry cannot be environmentally friendly; that the principle of utmost caution and prevention in healthcare should be applied; the need to move beyond the current industrial situation; that the polluting parts of the industrial site should be closed and the contaminated areas must be cleaned up; and finally, the need for economic and cultural change, with events such as concerts and performances. The committee has also become the standard-bearer for a media campaign on endometriosis, giving a voice to women. Endometriosis is an illness that can severely damage the female reproductive system, causing infertility in serious cases. Higher rates of endometriosis have been caused by ILVA's emissions of dioxins and PCBs in the Ionian region. The Taranto Lider committee consulted with legal experts in the 'environment sell-off' case in 2011; these experts recommended performing scientific tests on the potential impact of dioxins on reproductive health in the Taranto area. The committee is now equipped with updated studies such as the cohort study coordinated by Dr Forestieri (October 2016), which reports a 10% excess risk of endometriosis correlated with exposure to **SO₂ (sulphur dioxide)**, rising to 14% in the Paolo VI area. The committee therefore filed a petition on 12 January 2013 demanding the courts conduct investigations into injuries caused by gross negligence given the causal relationship between the illness in question and industrial pollution.

Meanwhile, the committee campaigned for draft regional legislation which would acknowledge endometriosis as a chronically debilitating illness, provide free psychological support as well as a hospital treatment unit for patients, and create a regional endometriosis register (an online petition supporting the campaign collected 1 700 signatures). Promulgated on 8 October 2014 as Regional Law No 40 'Provisions to support women affected by endometriosis', the committee is fighting to ensure that it will be implemented as soon as possible. On 23 February 2016, it succeeded in establishing the Regional Observatory for Endometriosis. In the meantime, other studies (e.g. IESIT and ISS bio-monitoring) have shown high concentrations of contaminants associated with a significantly increased risk for women aged 20-33 in the municipalities of Taranto and Statte. These concentrations are three and a half times the regional average, while for women in the 30-34 age bracket, the risk exceeds the regional standard by 27%.

The Taranto Lider committee is fighting on two fronts: first, to reverse the tide of female infertility; and second, to give young people job opportunities that no longer revolve around a huge steelworks, but instead are grounded in an awareness of real career choices in the Taranto area. Such opportunities would stimulate their entrepreneurial skills and help maximise the true value of the city's abundant historical, artistic, cultural and natural heritage. For this reason, projects geared at changing mentalities, as well as cultural and economic projects, have been set up. Starting in the classroom, these schemes have produced award-winning visual art and multimedia work, as well as communications and marketing ideas to create a Taranto brand, for a new economy based on tourism and traditional maritime trades. *There is more to Taranto than ILVA and ENI. The real Taranto, whose beauty is kept hidden, is so beautiful that it makes the*

heart ache¹, and the only way it can take back control of its future is by tapping into its past as a city of culture.

Marco De Bartolomeo, President of the ‘Taranto, Spartan City’ group, also took issue with Taranto’s reputation as the ‘city of ILVA and ENI’. He suggested that ILVA is merely a visitor, while the city itself is another thing entirely. He began by observing bitterly that in 2012, when ILVA had not yet been drawn into the mire of court investigations, the industrial sector accounted for 14% of the city’s GDP. However, the price for this was incalculable: the falling value of properties in the Tamburi district, the mussels ravaged by toxins in the ‘Mar Piccolo’, the healthcare costs of cancer treatments, and so on. The city’s GDP actually dropped by 20%, and the residents of the neighbourhoods adjacent to the factory were stigmatised. Faced with this situation, some turned to tourism as a solution. However, the city lacked basic infrastructure, accommodation was inadequate, and the attractions hard to appreciate amidst such a gloomy atmosphere.

This gave rise to the idea to launch a survey about Taranto, collecting responses from the four corners of the world: New York, Moscow, Sydney and Rio de Janeiro. Some mistook Taranto for Toronto, but for many others a clear idea came to mind as soon as they heard the term ‘Spartan’, because in ancient times Taranto was Sparta’s only colony. The Spartan brand is in fact so widespread that it has a potential five times greater than that of the Eiffel Tower. Across the world, there are 3 500 universities and businesses (whether in agriculture, manufacturing or service industries) that use the Spartan brand. From there, a project took shape to bring to Taranto for the first time, in October 2016, a ‘Spartan race’, the world’s most famous obstacle challenge. This race attracted 12 000 athletes and, for a regional investment of just EUR 35 000, generated record revenues over two days. The key to this success? The city’s Spartan heritage. The indomitable spirit of those who face challenges head on and keep the community tight and together, just like a Spartan phalanx.

At the end of the meeting, **Alessandro Marescotti**, President of Peacelink, submitted a dossier containing a series of scientific updates on many points in the ILVA case. This includes the high toxicity of current particulate matter in Taranto and its impact on the IQ of children in Tamburi, as well as the heightened risk of heart attacks and strokes on windy days (especially between 7:00 and 9:00 am), and the failure to apply sanctions for non-compliance with AIA provisions, for which the deadlines were extended by government decree.

19 July 2017 (morning)

The delegation was welcomed by Remo Pasquali, the head of the refinery, Francesco Manna, the head of institutional relations for ENI, and Eugenio Lopomo, the head of the Tempa Rossa project (an oilfield high in the Sauro region, in the heart of Basilicata). The virtual visit (all of the planned measures currently exist only on paper) was preceded by two short briefings on safety and environmental standards, the classification of the refinery within the region and the key points of the Tempa Rossa project.

¹ Poet Alda Merini expressed this idea in verse (in a poem entitled ‘Non vedro’ mai Taranto bella’): I will never see Taranto beautiful – I will never see the birches nor the marine forest: the wave is petrified and the octopus pulsate in my eyes.

Regarding the refinery:

- The relevant areas occupy approximately 275 hectares in the industrial zone, divided into two sections by state highway 106: the plants are in the north, and the storage park for crude, semi-finished and finished products is in the south. The factory is located on the same site as ILVA, which has been classified as an industrial site of national interest;
- the area bordering the sea, composed of a dock, is managed under a government concession; it has four berths: the internal berths are reserved for ships of up to fifteen thousand tonnes, while the external berths accommodate ships of up to thirty thousand tonnes;
- the refinery transforms crude oil, transported via ship from fields outside of Europe, or via a pipeline from Val d'Agri, in Basilicata; it has a park of 135 storage tanks for crude oil, semi-finished and finished products;
- it has a capacity of 6.5 million tonnes per year; this will remain unchanged when the Tempa Rossa project has been completed; the main products are: propane, butane, blended LPG fuel, motor fuel (petrol), gas oils, jet fuels, combustible oils and bitumen;
- the plant is ISO14001 certified and has obtained EMAS registration in accordance with Regulation (EC) No 761/2001 and Regulation (EC) No 196/06;

Key statistical data:

- 433 ENI employees (data updated on 30 June) with up to 600 auxiliary workers per day, a number that can exceed 1 000 during 'general shutdowns' for maintenance (e.g. 1 500, two months ago for 50 days);
- investments during the 2011-14 period: EUR 150 million; and for the 2015-18 period, an additional EUR 102 million, excluding Tempa Rossa.

Introduction to the Tempa Rossa project (TR):

The Tempa Rossa oil field was discovered in 1989 by Fina, a Belgian company that was later acquired by the French company Total; in 2002, Total obtained a 25% stake in the Gorgoglione concession held by ENI. The concession is named for the municipality in which Tempa Rossa is based, in the Lucania (now Basilicata) region, once the home of bandits. The crude oil extracted from the concession is therefore owned by Total (50%), Shell (25%) and the Japanese company Mitsui (25%). The Val d'Agri crude oil is delivered to Taranto's refinery via an existing 136 km oil pipeline (96 km in Basilicata) owned by S.O.M., a company owned by ENI (70%) and Shell (30%). Total will build an 8 km link from the TR oil centre to the oil pipeline. The Taranto refinery was built in 1964 by Shell Italiana, which ran it until 1975, when management passed to Agip Petrol. Agip Petrol became ENI S.p.A. in 2003.

The TR project is a logistical project only, and does not affect the refinery's normal cycle. In broad terms, it is composed of:

- The construction of two new storage tanks with a total capacity of 180 000 m³ (120 000 and 60 000 m³ respectively) and the extension of the existing 2 km dock by 515 m.ca, with the construction of a loading platform for oil tankers;
- Other ancillary works: a new pump room for transporting crude oil, new transport lines from the tanks to the dock, a treatment and recovery system for vapour that is released when ships are loaded, and a crude oil pre-cooling plant (the temperature of the oil, which is held at 60° in the refinery, must be reduced in order to be stored in the tanks);
- The project is compliant with the Italian Inter-Ministerial Committee for Economic Planning (CIPE) Decision No 121 of 21 December 2001 approving the TR oil field, and with the regional energy and environmental plan (PEAR). It is also EMAS and ISO 14001 certified.
- The project has all of the necessary environmental and security authorisations. The environmental impact analysis (EIA) procedure ended in 2011 with the integrated environmental authorisation (AIA) decree issued by the Italian Ministry of the Environment (MATTM), with five provisions, all of which were met before construction began. The Ministry of Economic Development (MISE)* has been developing the single authorisation (AUA) since June 2015; in 2013, the project received a positive opinion on the issuing of the feasibility clearance from the Regional Technical Committee (CTR)¹;
- other pending authorisation procedures: the state concession for extending the dock, permission to construct ‘utilities’ that has so far been rejected by the Municipality of Taranto’s one-stop shop for productive activities (SUAP);
- the main aspects of the environmental compatibility and mitigation measures, for air emissions: application of the best available techniques (BAT), particularly in regard to double seals on pumps and floating roofs for oil storage tanks, the new vapour recovery plant with a final combustion system leading to a 99.5% reduction of volatile organic compounds (VOC) and the integration of the ambient air monitoring plan, as well as the ozone monitoring network with ARPA Puglia²; with respect to the protection of water resources, the following measures are planned: closed-loop cooling systems, to avoid seawater extraction; collecting and recovering rainwater from the new platform; connecting the drainage system to the refinery’s treatment plant; for the soil and the subsoil, clean-up operations and the construction of double-bottomed storage tanks; for sediments

¹ The AUA is a single order relating to environmental matters, introduced by Law No 35/12 and by Presidential Decree No 59 of 13 March 2013. It incorporates a number of different environmental authorisations provided for under sectoral legislation, such as Legislative Decree No 152/06, into one permit. The CTR, established under the Regional Directorate of Fire Brigades, Public Assistance and Civil Defence, is a regional advisory body on fire prevention issues. In particular, it assesses projects that come under the scope of the procedures for issuing fire prevention certificates for industrial sites. It was established by Legislative Decree No 334/99, which transposed Directive 96/82/EC (known as Seveso II) on the prevention and control of major accident hazards. Legislative Decree 105/2015, implementing Directive No 2012/18/EU (Seveso III), repealed Legislative Decree No 334/99 in July 2015.

² In compliance with the EIA AIA of 27 October 2011, not only will emissions equal to 36 tonnes per year be offset, as provided for in the initial design for Tempa Rossa’s storage and loading facilities, but also, through the use of innovative technologies for the recovery of hydrocarbon vapours applicable to tanker loading, the final balance of VOC emissions from the refinery will be 28 tonnes per year lower than the ante-operam situation, for a total abatement of 64 tonnes per year.

and the marine ecosystem, a series of ante-operam, in progress and post-operam measures; sound emission minimisation to combat noise pollution, e.g. while driving piles for the dock;

- A specific monitoring plan is provided for with respect to the habitat and species in the area surrounding the refinery, which are included in the Natura 2000 network; with respect protecting the landscape, the floors of the new storage tanks will be lowered, no vapour will be permitted to escape from the towers of the cooling plants, and works will be undertaken to mitigate the visual impact and to redevelop the landscaping;
- The investment cost will be EUR 300 million, allocated as follows: EUR 30 million for engineering, EUR 105 million for materials and EUR 165 million for construction works;
- Once the AUA has been issued, the work will take approximately 24 months to complete and will employ 250 work units per day, with a peak of 460 work units
- Four compensation schemes have been proposed: the purchase of methane-fuelled buses and the installation of photovoltaic panels on buildings in the city of Taranto; the development and promotion of MarTa (National Archaeological Museum of Taranto); and the securing and redevelopment of the Palazzo di Governo (Prefecture) and the Paisiello music institute.

At the end of the presentation, F. Manna reiterated that ENI has all of the required authorisations and opinions from the technical bodies of all of the competent authorities, and that the lack of the AUA is solely due to the political stance taken by the Puglia region, which has not confirmed the agreement.¹

During the visit, operational details emerged relating to the major plants, such as ‘thermal cracking’ (a thermal decomposition process used for heavy gas oils); or, as part of the hydrogen process, the Claus unit for converting hydrogen sulphide (H₂S) into elemental sulphur, and the ‘molecular sieves’, which purify hydrogen from the refinery’s fuel gas; or the refinery’s torches (three in Taranto). In the event of an emergency, these torches burn off waste gases from the refinery and some of the crude oil storage tanks (channelled by the oil pipeline or by the offshore pipeline connected to the tankers in the Mar Grande). The topography of the existing plants, which are separated from the storage tank park by state highway 106, has been better illustrated,

¹ *The government has taken on the Tempa Rossa dossier after failing to reach an agreement with the Region, which rejected the part of the project located in the Taranto area, following a vote by the Regional Council, on the grounds that it would aggravate the environmental impact in a city already affected by ILVA’s presence. Total, which jointly manages the Basilicata field with Shell and Mitsui, has asked for authorisation to cease transporting extracted crude oil to the Taranto refinery via the Val d’Agri oil pipeline, and instead to transport it via dozens of tankers per day to the plants located in Rome and Falconara Marittima. See articles in Il Sole 24 Ore dated 2 September 2017 and 12 September 2017. One year after the Puglia Region’s final ‘no’ regarding transporting crude oil from Basilicata to the Taranto refinery, Raffineria di Roma SpA, a subsidiary of TotalErg, submitted an application to the Ministry of the Environment to obtain its consent to the transport of crude oil from Corleto Perticari to Rome via tankers, to a logistics centre whose refining activity has been decommissioned since 2012 and which is currently actively used only for storing finished petroleum products. The oil arriving in Rome would then be transported via the existing oil pipeline to the loading buoy connected to the Reparto Costiero di Fiumicino (Fiumicino Coastal Division). To do this, Raffineria di Roma S.p.A. has prepared a preliminary environmental study to demonstrate that the project will not have significant environmental impacts and that it will not require an EIA procedure. See article in the Gazzetta del Mezzogiorno dated 1 September 2017*

in particular the trajectory of the underground pipeline, which crosses a hill and descends into a web of pipes in the valley that radiate out to bring the crude oil to the storage tanks. The roadmap for the measures to be taken to implement the TR project has been clarified. With the exception of the ongoing cleanup of the soil, these measures still exist only on paper. These include, in particular, the new structures for: a crude oil transport pipeline, pump room and cooling plant, storage tanks with a similar structure to those that are already visible (containment dam, floating roof, double bottom, foam shut-off system), as well as the future platform equipped for ships of up to 46 000 tonnes deadweight (which, added to the increase in loading speeds – from 1 000 to 3 000 m³/hour – will reduce the loading/unloading time and the risks for ships docked in the port of Taranto). Similarly, the new vapour recovery plan will use the best available technologies, ultimately reducing vapour discharge by 99.5%.

Lastly, in terms of logistics, Taranto's lack of access to railway sidings or alternative pipelines is highly relevant. In terms of the refinery product distribution circuit, this implies that there is only one alternative to transport via ship: road transport, using tankers. This possibility appears to have been gaining ground recently, if the Ministry of Economic Development (MISE) welcomes the request submitted by the 'Gorgoglione' joint venture to transport all of the crude oil produced at TR each day, using 250 tankers per day, to the ENI depots in Pomezia (Lazio) or Calabria. This was discussed during a recent meeting in Rome (18 July 2017) between the Prime Minister's Office and ENI's senior managers, who are expecting to start exploiting TR's deposits from Q2 2018 (although the Basilicata Region, which opposes this, has asked MATTM for a specific EIA¹). In fact, the Taranto refinery is already loading approximately 600 tankers per day with finished products for distribution to all of the oil companies in southern Italy (Puglia, Basilicata, Campania, Calabria and Molise).

Final round of hearings at the Prefecture.

Daniela Spera, the author of two petitions on the TR project, focused her contribution on Petition No 1107/2011, filed on behalf of the **Legamjonici** committee. In particular, it concentrates on the final CM (the 6th) of 30 June 2017, in which the Commission reiterates its leitmotif that *'under the present circumstances, although no violation of directives No 2012/18/EU (Seveso), 2010/75/EU (industrial emissions), 2001/42/EC (strategic environmental assessment) or 2011/92/EU (environmental impact assessment) has been found', it will continue to monitor the situation.*

Referring to the on-site reconnaissance performed by the delegation, the petitioner emphasised that: *'It is quite clear that these storage tanks, which are on a very busy road, are dangerous to the population. We have reported this to the Commission within the framework of compliance with the Seveso directive. We have learned that the only measure that Italy is required to implement in the event of an incident is to install a specific type of electronic panel. The fundamental issue is in fact the respect for safety distances, which remains an inconsistent element in European legislation. Just as maritime traffic in the Port of Taranto (the TR project provides for an annual increase of 90 tankers) will lead to an increase in pollution of both the Mar Grande and the Mar Piccolo, it will also affect the power that is supplied by ILVA's pumping station.*

The Seveso Directive provides that the operator must provide the Regional Technical Committee (CTR) with the final safety report for the plant at least 6 months prior to the start of

¹See *La Repubblica* dated 3 October 2017

http://napoli.repubblica.it/cronaca/2017/10/03/news/potenza_stop_della_region_basilicata_alle_autobotti_del_petrolio_da_tempe_rossa_a_roma-177289422/

the works. At this time, the CTR continues to tell us that ENI has not provided this report and that it is not obligatory. Given that at least two confirmed episodes of major tornadoes have occurred in Taranto, we have calculated that the plants would not withstand wind speeds greater than 97.2 km/h , (a grade F2 tornado has a wind speed of 180/250 km/h) – and this is by no means a far-fetched possibility!

Regarding fishery products, and mussels in particular, we have asked the Commission to investigate national measures in the event of fish contamination, and we have also asked whether its departments can confirm that the ordinance on the destruction of bivalve molluscs in the Mar Piccolo was fully implemented. We have received evasive responses on the first point, as the Commission appears to be more concerned with pollution, which is in itself unacceptable, than with the market repercussions in terms of product marketing. On the second point, our suspicions have been confirmed by the statements of public officials on the ‘environment sell-off’ case, according to which only 141 tonnes of the 20 000 mussels contaminated with dioxin and PCB appear to have definitely been destroyed¹.

Last but not least, the public’s right to access health and environmental information. On several occasions, we have asked the Taranto ASL (Department of Prevention) for a copy of the test reports and the results of the analyses of samples carried out on mussels prior to 2008 and during the 2014-15 two-year period. We received the first report only after asking the Commission for mediation, and we are still waiting for the second. We therefore call on the EP’s Committee on Petitions to shine a spotlight on this chronic failure by the authorities responsible for providing this information to the public, which in our view constitutes a systematic violation of the Aarhus Convention.²

Antonina Battagliapresented the aspects of the ENI TR project that **Peacelink** has been monitoring continuously since 2015, providing the European Commission – in conjunction with **COVA Contro** (a volunteer environmental association in the Basilicata region) – with a series of data proving that there is already contamination of the groundwater and the food chain in Basilicata. The response from the Brussels Executive has, unfortunately, thus far been quite elusive. In the face of the Commission’s excessive caution in acknowledging possible environmental and health violations by the ENI oil centre, Peacelink and COVA Contro have sent new material to shed light on a number of pending environmental issues.

Luciano Manna (Peacelink) further reiterated the lack of publicity and transparency on the results of the tests carried out on the ENI sites by the ISPRA/ARPA network system. In particular, the most recent *ISPRA inspection, conducted in May 2016, was not published on the Ministry’s site until 13 months later: on 2 July 2017! And this delay is symptomatic of an entire series of failures to comply. In fact, the questions raised by ISPRA during the inspection in May were only registered in November 2016. Following ENI’s response, ISPRA sent its findings to ARPA (which was responsible for drafting the report) on 22 December 2016. The ARPA report revealed significant deficiencies and contradictions. To the question: how many safety valves are supplied to prevent spills from the storage tanks? ENI’s response was: 23 for 130 tanks. ARPA also noted the complete absence of ‘socks’ on the floating roof system for the tanks,*

¹ See the *Gazzetta del Mezzogiorno* dated 28 June 2017

<http://www.lagazzettadelmezzogiorno.it/news/taranto/904872/cozze-alla-diossina-il-giallo-su-20mila-tonnellate-fantasma.html>

² See also the written communication from the Legamjonici Committee to the Committee on Petitions of 19 July 2017

which are used to block odorous emissions. Similarly, the docks where ships are loaded and unloaded lack warning systems for H2S and other VOC emissions, which are very common when vessels are docked. With respect to groundwater, which must be extracted and purified before being discharged into the sea, the discrepancy between the ARPA report and the ENI declarations is enormous. ARPA found pollutants in the water discharged into the sea, while ENI responded that its own plants were functioning perfectly on the same date and at the same time as the ISPRA checks took place. Yet the Ministry reiterated that the source of the pollutants was unequivocally the discharge from the refinery.

Angelo Cannata, President of **Le Sciaje**, emphasised that his cultural association is seeking to create tools for active participation within the city's internal governance structure, focusing not only on mussel farming (there are 30 Taranto companies active in the Mar Piccolo), but more generally on quality of life, the redistribution of wealth linked to the city's resources, and on the problem of employment. Employment does not revolve exclusively around the iron and steel industry, given that data on undeclared work shows an excessive number of undeclared workers being paid 'under the table'. *Although Taranto is located halfway between Lecce and Matera, it is described as an urban community in the midst of a full-blown urban crisis, without taking into consideration the fact that the crisis has also affected the city in terms of culture and tourism. The regional associations are therefore asking the Committee on Petitions to support not only a sanctions-based approach, but also to support the development of practical ways of developing the green and social economies, which match the interests of the local community, rather than obeying the logic of national and multinational investments in the steel industry.*

At the end of the day dedicated to ENI, the head of the refinery, Remo Pasquali, together with Carlo Guarrata, the CEO, and Francesco Manna, the head of institutional relations, responded to the delegation's requests for clarifications and explanations regarding the data and information provided by citizens. In this respect, it is necessary to distinguish between the existing refinery, pipeline and dock installations and the future Tempa Rossa logistics project.

Introduction to maritime traffic in the port of Taranto: a study carried out in 2015 reported the presence of 730 ships, while a 2016 study recorded only 350 ships, a decline of 50%.

Refinery plant

Ordinary AIA site inspections for the existing plant, which take place on an annual basis (November 2015, May 2016, Q3 2017 – date not yet known) have never issued significant environmental warnings. Instead, they have made suggestions for safety enhancements that ENI has carried out on its own, for example by conforming to the regulations for large combustion plants (with effect from 1 January 2016).

With respect to the delegation's allegations regarding a series of deficiencies and non-compliance issues that emerged during the most recent ISPRA inspection visit, ENI's top management replied that:

- These visits relate to AIA updates to the refinery and not the TR project. An AIA review is currently in progress, so ENI is waiting for the services conference provided for under the Italian law on administrative simplification to be convened;
- ISPRA's findings are only suggestions for improvements, which ENI is preparing to

incorporate with the help of new technologies;

- For example, with respect to the ‘socks’ (devices designed to reduce VOC emissions from the tops of the tanks’ floating roofs), three years ago ENI independently initiated a programme to equip all of the tanks with socks; this programme is 75% complete and will be completed by 2018;
- Regarding the safety valves (designed to avoid overpressure), these have been fully installed. The reported deficiency relates to automatic valves that channel rainwater by draining it into the drainage system (preventing the floating roof from sinking). ENI began equipping the tanks with automatic valves 18 months ago, and all of the tanks are now equipped. It is not a requirement, but rather a recommendation to implement a programme on a voluntary basis.
- With regard to the capacity to capture emissions during loading/unloading at the dock, this is fully guaranteed; the issue raised by ISPRA refers to the ability to automatically record emissions released into the atmosphere at the S6 emission point (a vapour recovery plant at the loading dock), which is activated only in the event that a refinery is shut down. Under these conditions, the refinery would be unable to recover the vapour from the ship being loaded using the refinery’s own ‘blow down’ system (provisions are in place for this to occur up to a maximum of 40 days per year). During the past three years, the refinery has never been in this condition. Finally, under normal conditions, the S6 emission point is blocked with a special ‘blind flange’ as a precautionary measure. Activating it requires the intervention of an operator. This is carried out in accordance with a specific procedure that details the monitoring and registration operations required by the authorisations currently in force. In addition, a new dockside vapour recovery system for the refinery is in the planning stages. Once this system is in operation, it will supersede the current methods of managing vapour recovery during the loading of products and Val d’Agri crude oil.
- With respect to the risks of oil spills from docked ships or due to collisions between these ships, both of these risks are minimal: on the one hand, because the ships are continually assisted, in addition to the prevention system (fire brigades), by specialist third-party companies, who have the people and the equipment to supervise that part of the sea and to deal with any emergency; and on the other, because the port authority and the harbour master’s office, which oversee all of the traffic in the Mar Grande harbour, are extremely strict in blocking access or unberthing ships if weather conditions are unsuitable, regardless of the needs of the refinery;
- The refinery, as a high-risk plant, requires an AIA as well as external and internal emergency plans, in accordance with the Seveso Directive. These documents are a snapshot of the moment in time in which they come into force and therefore require continuous updates. For this purpose, Italian legislation requires a long review process that concludes with a new AIA and other emergency plans. If new options for improving environmental performance emerge during inspections, the monitoring authority gives ENI suggestions in the form of recommendations from the appropriate BAT, which are only converted into new AIA requirements at the end of the review process. An ISPRA recommendation thus does not equal an AIA requirement (although public opinion is led to confuse one with the other).

- The current external emergency plan was drawn up on the basis of the 2012 security report, under the aegis of the Prefecture, which coordinates all of the monitoring authorities. The 2015 security report is in the process of being completed and analysed, and at the end of this phase, the Prefecture will organise the reissue of the emergency plan¹

The Tempa Rossa logistics project

- In relation to the statement on maritime traffic:

While it is true that the TR project would involve an increase of a maximum of 90 vessels, it also provides for an increase in the capacity of both the closed-loop vapour capture for the oil tankers, and of the loading/unloading operations, leading to a significant reduction in time at dock (-30%), and therefore of the risk of harmful emissions.

- With regard to safety:

Some requirements have emerged from the preliminary safety plan, with which ENI undertakes to comply at the detailed phase; once the plant has been built, the regional technical committee will be convened to analyse the definitive safety plan. The plant will not be able to start operations until that plan has been approved. All of the requirements under the preliminary plan, approved with feasibility clearance, are being incorporated during the engineering phase and will be implemented during the construction phase.

- With regard to the alleged fragmentation of authorisations for the project:

This is due to a misinterpretation of the process of improving the refinery's vapour recovery plant. In order for the refinery to use the technology proposed for the TR project, a separate application to use the same technology must be made, like BAT, for the traditional refinery. In this way, the estimated abatement of 36 tonnes/year for the TR project (in practice, there will be zero emissions once it is operational, as required by the authorisation decree) will indeed be increased by an additional abatement of 28 tonnes/year for the refinery, for a total abatement of 64 tonnes/year. However, the two plants, which are applying the same technology, are physically distinct, in that the first is used for the TR project's storage purposes, and the second for those of the refinery. This is why there are two applications, with two separate results, carried out at different times.

Another misunderstanding has arisen from the fact that the TR project will use the existing pipeline (144 km) which transports crude oil from Viggiano (Basilicata) to Taranto. The joint venture with Total, the concession holder, has asked the national and regional authorities for permission to construct a new oil centre and an 8 km pipeline that would connect to the existing pipeline, under the name of the TR project. However, in this case as well, the applications submitted by Total in Basilicata and ENI in Taranto are issued by separate entities and have different institutional interlocutors for the process in different

¹ In Italy, this was a period of discontinuity, as Legislative Decree 105/2015, which implements Directive 2012/18 (known as 'Seveso III') entered into force and repealed Legislative Decree 334/99, which previously regulated the sector. See <http://www.replegal.it/it/ambiente-e-energia2/item/179-il-d-lgs-n-105-2015-la-seveso>

regions, and so they cannot be covered by a single authorisation.

Regarding the delegation's questions about ENI's approach towards the citizens and the people who live in the vicinity of the refinery, who seem to be excluded from the industrial development plans: although regaining their trust must be the company's first priority, ENI's managers have stated that while it is a multifaceted situation, it is ENI's firm intention, in compliance with the Aarhus Convention on access to environmental information, to continue to provide the public with information about the TR project via a number of initiatives, from media campaigns to public meetings, without, however, providing details.

Regarding the delegation's final question, on whether ENI thinks that it is anachronistic to invest more than one billion euros in projects that focus on coal rather than renewable energy and biofuels, Francesco Manna replied that the company aims to reduce CO₂ emissions by 80% in 5 years (half of this target has already been achieved) and points to the example of a green refinery in Gela that uses vegetable oils. While the goal is still to transform the relationship with energy resources and privilege those that lead towards a different future, ENI must also manage the transition (EUR 1 billion of demand, not for ENI, but for Total & Co).

Conclusions

Ten years after the submission of the first petition (760/2007) warning of dioxins in the air in Taranto, the arrival of a Committee on Petitions delegation should signal a shift towards the effective participation of citizens, social partners and civil society in the strategic choices made by the Italian government, the Region of Puglia, and local authorities, to be implemented in synergy with ILVA and ENI, including all other economic and social actors, in outlining a shared future and a well-being for Taranto; one that is no longer entirely dependent on heavy industry and increasing productive activity. Europe's institutions and citizens are in agreement about the opportunity to achieve a model of sustainable, participatory urban development that can reconcile the city's history and living environment with its recent industrial past.

The delegation of European deputies has completed an intensive programme of site visits and hearings that has received a great deal of attention, not only from the petitioners and the media, but also from social partners and everyone else who is active in civil society. The on-site checks of the principal visible facilities and services within the ILVA and ENI installations, which cover an industrial area and port area 2.5 times the size of the city, were conducted with professionalism, openness and a sense of hospitality by the two companies' administrative and technical managers. During the checks, the members of the delegation became aware of the extreme complexity of the past and present industrial and technological processes. They also experienced a strong physical and psychological impact: from the air that they breathed, to the odours that wafted into the population centres adjacent to the plants on windy days, to the awareness of the pressure that is invading the lives of the residents of the Tamburi neighbourhood, who are in daily contact with the fumes of the factories' chimneys, despite the so-called ecological hills, and when walking along the road that runs through the multitude of oil storage tanks. Accordingly, the most spontaneous reaction to this permanent state of siege in their own homes has been repeated invitations to company stakeholders to end this climate of impersonal relations between industry leaders and the affected population, as well as with the workforce, because only through initiating dialogue, a constant flow of information, and citizen participation in decisions that affect the quality of everyday life will it become possible to build a future on a sound and sustainable basis that fosters resilient behaviours. The EU

acceded to the Aarhus Convention¹ with Decision 2005/370/EC of 17 February 2005. It is no coincidence that this convention has been cited on multiple occasions during the hearings with institutional and corporate stakeholders with regard to the rights of the public to access environmental information

in parallel to the empathy felt by the members of the delegation for the local citizens, whose petitions are one of the key pillars of the Union's institution of citizenship, under Article 20 TFEU, the members' attention has constantly been drawn to the two points of the dilemma which Taranto has been debating for 20 years (since 1995, when ILVA – then in public hands, under the aegis of IRI – was privatised²): the urgent situation with regard to the environment, health, and employment, and the industrial revitalisation and environmental remediation plans, initially launched by the extraordinary commissioners and now being taken on by the new owners. And depending on their individual political leanings, regional knowledge and socio-economic mission, or on the comparison with other industrial realities in the steel sector that are managed in a sustainable and resilient manner, during the site visits each participant has listened to and compared opinions and proposals, all skilfully and often passionately expressed, and has developed their own vision of the potential future of the city, its inhabitants and administrators, the employees of ILVA, ENI and auxiliary workers, as well as agriculture, fishing and tourism. In its simplest terms, the starting point for cementing an agreement between the opposing parties is: balanced decision-making and sharing responsibility for a three-pronged development model: environmental – social – economic, without subordinating the first two elements to the third, while drawing lessons from the mistakes of the past.

With respect to ILVA, for example, it has been stressed that the current situation is no longer static as it was ten years ago; since the approval of the 2014 environmental plan (Prime Ministerial Decree of 14 March 2014), a series of measures have been implemented, bringing compliance with the environmental requirements of the most recent AIA to 80%. Nevertheless, the failure to cover the primary parks (the number one requirement), which heavily affects air quality, has been overlooked. Its deadline is continuing to slide, if it is indeed the case that the new owner, AM Investco, is committed to completing the works within 24 months (p. 6), or 36 months, or – according to other sources – in accordance with a timetable which is in reality indefinite, as well as excessively long, as indicated (31 December 2016) in the summary table of the AIA of 26 October 2012. The pessimism of Dr Giua from ARPA Puglia therefore appears to be entirely justified. According to him, 'even with 100% application of the AIA review report's provisions, the cancer risk situation in the areas adjacent to ILVA would remain at an unacceptable level' (p. 11). Furthermore, although ARPA Puglia's observations (provided in 14 critical points) on the request for a new AIA procedure, submitted to MATTM by AM Investco, were only published on 5 September, we cannot ignore what they say: *'The modifications or additions to the plan of measures and of environmental and health protection activities or of other authorised activities that are necessary for the operation of the plant allow for an extension of the timetable for carrying out such interventions. Inevitably, under these*

¹ . The EP has also adopted Directive 2003/4/EC with the Council on public access to environmental information.

² ILVA was founded in Genoa on 1 January 1905. It passed into public hands with the creation of IRI in 1933. In 1961, with the construction of a new steel centre in Taranto, ILVA's name became ITALSIDER. When ITALSIDER was liquidated in 1988, it re-adopted the ILVA name. After 20 years under the ownership of the Riva family, it was placed under extraordinary administration by ministerial decree on 21 January 2015. This ended on 5 June 2017, when ownership was transferred to the joint venture AM Investco Italy through an international tender.

circumstances the environmental protection standards as defined in the provisions of the 2011 and 2012 AIA and in the plan approved under the Prime Ministerial Decree issued on 14 March 2014 cannot be guaranteed, at least during the transition period.’ And furthermore: ‘Operating the steel plant without implementing or only partially implementing the BAT could constitute an infringement of EU law; a situation that is even more critical in view of a planned increased in production, which cannot be permitted to prevent the implementation of all of the BAT and/or planned environmental measures’¹

In addition, the range of demands submitted by the trade unions to the delegation on 18 July 2017 (p. 12) for the environmental and industrial plan does not seem to have achieved the hoped-for effects in terms of remuneration and redundancies, if it is true that the new owner has not complied with the commitments made with the Italian government, at the time of the sale, regarding collective bargaining².

During the visit to the ENI refinery and the hearings on the TR project, the delegation identified similar delays or gaps in the documents sent to citizens, as well as discrepancies in the assessment of the facts by the petitioners compared to the version provided by the company’s top management (D. Spera and L. Manna, p. 22). Other ‘unknowns’ were also noted, such as the safety distance between the crude oil storage zone and the public road, and the contamination of bivalve molluscs that, despite the destruction order, appear to have largely remained on the market. Finally, the delegation has experienced the same vicious circle of one-sided and apparently incomplete information that citizens have complained about. The most recent inspection carried out by ARPA and ISPRA at the Taranto ENI plant in May 2016 revealed a series of concerns, with the result that MATTM has issued a warning notice to ENI (dated 5 July 2017) for non-compliance with the provisions of the authorisation. The management must respond to this warning by proving that they have taken action to resolve these concerns; and if the concerns persist, the warning may lead to a suspension of the authorised activity as well as to the revocation of the AIA and the closure of the plant, pursuant to Art. 29(i)(9) of the environmental code of Legislative Decree No 152 of 3 April 2006.³ This information was provided to the secretariat at the initiative of the Peacelink committee; by contrast, neither the management nor the competent departments of the Commission have made the effort to send it to the Committee on Petitions, even belatedly.

Lastly, from the complexity of the facts and the many unanswered questions that remain, the delegation is convinced that thus far, the system of checks, including those of the European executive, on compliance with Community legislation on the environment, health and safety of the industrial plants in question has not functioned as it should, with the result that the citizens of Taranto feel that they have been left alone to ‘tilt at windmills’.

¹For details, see the ARPA website: http://www.arpa.puglia.it/web/guest/articolo/-journal_content/56_INSTANCE_NZzi/13879/1721608

² <http://www.rainews.it/dl/rainews/articoli/Ilva-il-piano-di-rilancio-prevede-4mila-esuberi-5928080a-50db-48ff-83ec-b8ad5d293966.html> <http://www.lastampa.it/2017/10/06/economia/ilva-il-piano-am-investo-ai-sindacati-mila-esuberi-restano-in-mila-abXhr4SBBqGL0lhqivvzdI/pagina.html>

³ Integrated Environmental Authorisation (AIA) reference No DVA/DEC/2010/273 of 24 May 2010 as subsequently amended for the operation of the ENI S.p.A. Refinery of Taranto. First warning notice pursuant to Article 29(i)(9) of Legislative Decree No 152/06 as subsequently amended for non-compliance with the authorisation provisions set out in the ISPRA note reference No 31737 of 27 June 2017. See email from L. Manna of 13 September 2017

Recommendations

In the light of the foregoing, the Committee on Petitions presents the following recommendations to the Commission and to the national, regional and local authorities:

1. Regrets the repetitive and elusive nature and the abstract and inadequate communications of the Executive to the members (nine relating to the environmental pollution caused by ILA and six on the ENI Tempa Rossa project). In particular, since October 2014, when a reasoned opinion was issued with reference to an infringement procedure (2013/2177) relating to the Industrial Emissions Directive (2010/75), and since January 2016, when a procedure was initiated pursuant to Article 108(2) TFEU concerning unlawful State aid to ILVA (2016/C 142/04), the Committee on Petitions has not been kept informed of the outcomes, the timing or the unresolved issues for either of the pending procedures. Consequently, the delegation was unable to make use of the relevant facts and elements to fully carry out its investigative tasks. (In this regard, attention is drawn to the obligations arising from paragraphs 10 and 11 of the resolution on the activities of the Committee on Petitions of 2015, approved on 2 December 2016, which have been entirely disregarded¹);
2. Observes that the national, regional and local authorities with decision-making power or control over the application of existing legislation on the environment, health and public security, can and must restore citizens' trust in their environmental plans and the industrial projects in which the senior managers of ILVA and ENI are involved, and to that end must take coherent steps without delay with a view to fully protecting health, public security, and the environment. Recommends to them that they: act with complete transparency, initiate dialogue, disseminate information on a non-unilateral basis and effectively involve citizens in all decisions affecting the quality of ordinary life, in full compliance with the obligations arising from the Aarhus Convention and from Directive 2003/4/EC on public access to environmental information;
3. Emphasises the urgent need and obligation to comply with all of the provisions of the integrated environmental authorisation; therefore urges the Commission to demand that ILVA complies with all of the provisions of its decision of 28 February 2012 on the best available techniques (BAT) for iron and steel production pursuant to Directive 2010/75/EC, and as further set out in the review report of 26 October 2012, as well as to evaluate without delay whether the operation of the plants without fulfilling or partially fulfilling BAT for the sector already constitutes an infraction at Community level;
4. Notes, however, the assertion of the local environmental and health authorities that, even

¹ **(2016/2146(INI)) para.10.** Considers that in its role as guardian of the treaties, particularly when it comes to environmental matters, the Commission should go beyond a mere formal examination of procedural compliance and focus more on the actual content of the core issue; recalls the precautionary principle and the ultimate spirit of the EU environmental legislation of preventing irreversible damage to ecologically sensitive areas, and urges the Commission to adopt an approach that allows it to make use of its powers and prerogatives on an ex-ante basis; **Para. 11.** Will take greater care in future to ensure that the Commission reports regularly to Parliament on the progress of infringement proceedings which have been brought against individual Member States, in order to facilitate better cooperation and to make it possible to inform the petitioners concerned about progress at an early stage.

if 100% of the environmental protection standards defined in the 2011 and 2012 AIA had been implemented, as well as those of the plan approved under the Prime Ministerial Decree issued on 14 March 2014, the enduring cancer risk, the increase in heart attacks and strokes on windy days, and the tumours, infant disabilities and female infertility in the population centres in the area surrounding ILVA would remain at an unacceptable level;

5. Emphasises that the ILVA plant has largely failed to meet the environmental obligations with which it must comply in order to drastically reduce its environmental impact on the region, as no significant measures have been taken to protect human health, such as, for example, covering the mineral parks; notes that local health authorities have highlighted that even if ILVA were to meet these environmental obligations in full, the risks to human health will remain at unacceptable levels in the region due to the nature of the industrial activities of the ILVA plant; highlights that a multitude of epidemiological studies have found that the incidences of serious cancers, cardiovascular and respiratory diseases are significantly higher in Taranto than in the rest of the region, and that the onset of some of these diseases is directly attributable to the nature of ILVA's industrial activities;
6. Shares the concerns of citizens, social partners and civil society representatives about the planned increase in production and the timetable for completing the environmental plan, scheduled for 23 August 2023, in the request for a new AIA for ILVA presented by AM Investco Italy on 5 July 2017. Considers that such a request, under these circumstances, is irreconcilable with the four principles set out in Article 191 TFEU on EU environmental policy: that of precaution, preventative action and rectification of environmental damage and its cause at source as a priority, noting that the polluter should pay. In this regard, therefore, urges that: on the one hand, the national authorities consider all of the risks and consequences of a possible favourable decision regarding the request for a new AIA¹; on the other hand, the competent departments of the Commission monitor and, if necessary, intervene with the national authorities, to ensure, with due regard for the requirements of form and substance, the provision of information to and the participation of the public in the procedure initiated on 1 August 2017, as well as in compliance with the comments made by ARPA Puglia on 5 September 2017²;
7. Notes that the DPCM of 29 September 2017, which has, if only in part, taken into account the comments submitted by authorities, organisations, and trade unions, includes the following provisions:
 - As a transitional measure, an annual steel production ceiling of 6 million tonnes, until such time as the planned measures have been completed, in order to ensure that environmental impact, which is undoubtedly lower than it has been in the past, can be maintained at the current level and within the set Italian and European limits, particularly as regards air quality, as measured by public and private networks in the Taranto area;

¹ In this regard, with the Prime Ministerial Decree of 29 September 2017, amendments were made to the environmental and health protection plan initially approved under the Prime Ministerial Decree of 14 March 2014 with the aim of achieving the full implementation of the provisions of the integrated environmental authorisation (AIA) for *ILVA S.p.a. of Taranto*

² See footnote 1 on p. 28 and the CM of 5 July 2017 with respect to the fact-finding mission, in particular subparagraphs b and c.

- The deadline for the implementation requirement applying to many measures has been set before 2023, and in some cases as early as the end of 2018, for example for the complete shut-down of the conveyor belts, the complete closure of the buildings, special dredging of the drainage channels, treatment of the dangerous waste water at the foot of each individual plant, installation of hoods in the GRF (ferrous scrap management) area, work on the cokeries, new filters for the sintering plant, and disposal of the backlog of waste on the site;
 - Takeover by AM Investco Italy of all the plan and programme commitments entered into under extraordinary administration for the purpose of removing asbestos from the site, without prejudice to the obligations laid down by Italian law;
 - A ‘Permanent Environmental Plan Implementation Observatory’, jointly run by all the proper central and local institutions and authorities. Once produced, observatory documents are made directly available to the public via the official website of the Ministry of the Environment and Protection of Land and Sea¹. The new body started work on 8 March 2018 by making a detailed initial assessment of the situation, describing how operations were progressing during the transition from extraordinary administration to AM Investco Italy;
 - The extraordinary administration is to remain responsible for carrying out work needed to make premises secure, and for the necessary environmental rehabilitation and clean-up operations, on properties that will not be transferred to AM Investco Italy;
8. Considers it particularly welcome that, as can be seen from the work of the permanent observatory, the construction work necessary to cover the material parks has got under way and is accordingly due to be completed as early as the first months of 2020, in the case of the mineral park, or immediately afterwards, in the case of the fossil park, that is to say, ahead of the schedule set out in the September 2017 DPCM;
 9. Also welcomes, and hopes for a successful outcome to, the possibility of a formal agreement currently being considered by the Italian Government, Puglia Region, the municipality of Taranto, and other stakeholders with a view to strengthening the cooperation arrangements under the recent DPCM in order to better protect health and the environment while enabling the AIA and rehabilitation operations to be completed more swiftly;
 10. Calls on the Commission’s anti-trust departments to report on the timing and outcome of the assessment procedure on ArcelorMittal’s potentially dominant position on the European steel market (dossier No 8444)² following the acquisition of ILVA by the joint venture AM Investco Italy, and, accordingly, invites the Italian authorities to clarify whether and to what extent, pending this procedure, the interventions under a new AIA decree will be implemented by the extraordinary commissioners, to whom the mandate was extended;
 11. Deplores the fact that, irrespective of the lack of an agreement with the Puglia region, which has in fact suspended the single authorisation procedure for ENI’s logistical and

¹ <http://aia.minambiente.it/Documentazione.aspx>.

² http://ec.europa.eu/competition/elojade/iseif/case_details.cfm?proc_code=2_M_8444

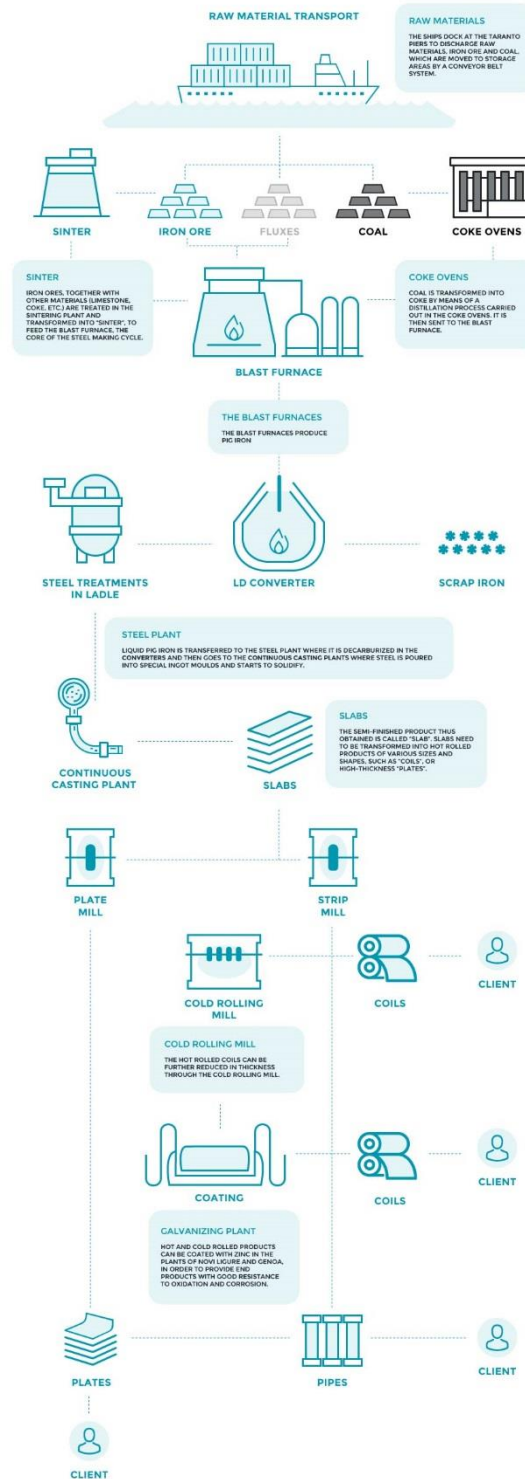
plant modification project for the storage of crude oil from the Tempa Rossa oil fields, a period of 13 months elapsed between the inspection of the ENI oil refinery in Taranto, in May 2016, and the publication, in July 2017, of the final report on the Ministry of the Environment website; notes that this delay is a revealing indication of the inadequate and non-transparent communications to the public by the national, regional and local bodies responsible for environmental and health checks with respect to the procedure for approving the relevant documents, such as the final safety report for the Tempa Rossa project;

12. Invites the Commission departments to provide a detailed update of the latest CMs submitted on 28 February 2017 and 30 June 2017. This update should include not only the missing data and information – which has emerged, in more than one circumstance, from the comparison of the version of the facts provided by the petitions’ authors and the citizens’ associations on the one hand, and by ENI’s technical and administrative managers on the other, both of whom were present at the hearing of 19 July 2017 – but also the acts of investigation and any provisions that have been put in place, such as the warning notice issued to ENI on 5 July 2017;
13. Welcomes the resumption of negotiations with ArcelorMittal, under the Italian government’s initiative to safeguard employment and adequate wage levels for both ILVA employees and auxiliary workers, but urges the parties to overcome the dilemma between work, on the one hand, and health and the environment, on the other, carrying out an environmental rehabilitation plan that also reduces health risks, such as the risks of lung cancer resulting from the asbestos produced in the factory;
14. Recommends to the national, regional and local authorities, as well as to the EU institutions in the sectors where the subsidiarity principle applies, to take into account not only the most innovative and eco-compatible industrial technology developed by ArcelorMittal, such as the use of pre-reduced ore as a raw material for steel production, but also to support, encourage and coordinate initiatives put forward by citizens’ associations, small and medium-sized enterprises, and local entities involved in agri-tourism, traditional maritime trades and occupations, sport and culture; encourages all local social and economic actors and regional entities to continue developing regional vocations, which are essential to enable Taranto to take a different path, drawing from its thousands of years of history to build a future centred on the environment, health and quality of life and based on the needs of the city and the people who live there;
15. Calls for an assessment to be made with a view to promoting a complementary economic model, based on the full production and use of renewable energy, as well as on the appropriate enhancement of the economic and productive system in the cultural, tourism and agri-food sectors in the Taranto area, which might help employment levels to recover and improve the socio-economic, health, and environmental conditions in Taranto;
16. Finds that – as a last resort – the severe issues that have profoundly affected public health and the environment for many years must lead to the abandonment of the polluting industrial models operating in the Taranto area without further delay; points out that the environmental clean-up must be fully completed and that the industrial conversion of the existing plants must start immediately, by implementing an economic model that focuses

on the production and use of renewable energies and on the promotion of the cultural, tourism and agri-food sectors in the Taranto area.

17. Calls for the application of compensation schemes under national law to be guaranteed – without prejudice to the rules of bankruptcy law, as regards meeting creditors’ claims– in order to compensate for such damage suffered by the residents of Taranto and the workers of the ILVA and ENI plants and provide economic coverage for those people with already diagnosed illnesses, as well as for their relatives in case of death; considers that this measure would grant an economic support to those affected while at the same time providing an incentive for companies to reduce the environmental, health and safety impact of their activities.

Annex 1



INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	24.04.2018
Result of final vote	+: 25 -: 2 0: 0
Members present for the final vote	Beatriz Becerra Basterrechea, Soledad Cabezón Ruiz, Andrea Cozzolino, Pál Csáky, Rosa Estaràs Ferragut Eleonora Evi, Peter Jahr, Rikke-Louise Karlsson, Jude Kirton-Darling, Svetoslav Hristov Malinov, Lukas Mandl, Notis Marias, Roberta Metsola, Miroslavs Mitrofanovs, Marlene Mizzi, Gabriele Preuß, Virginie Rozière, Yana Toom, Jarosław Wałęsa, Cecilia Wikström.
Substitutes present for the final vote	Elisabetta Gardini, Kostadinka Kuneva, Sven Schulze, Ángela Vallina
Substitutes under Rule 200(2) present for the final vote	D'Amato Rosa, Pascal Durand, Remo Sernagiotto

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

25	+
ALDE	Beatriz Becerra Basterrechea, Yana Toom, Cecilia Wikström
ECR	Notis Marias, Remo Sernagiotto
GUE/NGL	Kostadinka Kuneva, Ángela Vallina
NI	Rikke-Louise Karlsson
PPE	Pál Csáky, Rosa Estaràs Ferragut, Elisabetta Gardini, Peter Jahr, Svetoslav Hristov Malinov, Lukas Mandl, Roberta Metsola, Sven Schulze, Jarosław Wałęsa
S&D	Soledad Cabezón Ruiz, Andrea Cozzolino, Jude Kirton-Darling, Marlene Mizzi, Gabriele Preuß, Virginie Rozière
VERST/ALE	Pascal Durand, Miroslavs Mitrofanovs

2	-
EFDD	Eleonora Evi, Rosa D'Amato

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention