

WRITTEN QUESTION E-6570/07

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to the Commission

Subject: Persistent infringements at the ILVA plant in Taranto (Italy)

Written Question P-3371/07 of 26 June 2007 asked the Commission to ascertain whether ILVA SpA's persistent failure to install equipment designed to control harmful emissions infringed Directive 2004/35/EC¹, Directive 96/62/EC² on air quality, the directives on industrial emissions, including Directive 84/360/EC³, and the directives on the protection of the marine environment and of bathing water, and could cause irreversible damage to water, soil and protected habitats. The question also asked the Commission to state what penalties could be imposed on Italy and the ILVA company if they were found to have failed to fulfil their responsibilities.

The Commission's reply of 7 August 2007 showed that, according to the estimated emission data reported to EPER (European Pollutant Emission Register) the 2004 emissions of dioxins and furans, lead, benzene and mercury to air from the ILVA SpA facility were by far the highest of all Italian installations subject to the IPPC (Integrated Pollution Prevention and Control) directive. The Commission reply stated that it would ask the Italian authorities to indicate the measures it had taken to ensure that ILVA met the requirements of the IPPC directive.

The Commission had also launched an infringement proceeding against the Italian authorities for failure to correctly transpose Directive 2000/60/EC⁴.

According to the abovementioned directive and related directives on pollution caused by hazardous substances release into the marine environment, the benchmark for monitoring water pollution is correct implementation of the IPPC directive (96/61/EC⁵), the instrument adopted by the EU for the purpose of carrying into effect the principles of industrial pollution prevention and control and the promotion of clean production methods, with the emphasis being placed on the concept of 'best available techniques' (BAT).

However, if this proves to be insufficient to attain the objectives laid down in Directive 2000/60/EC, namely the reduction of emissions of pollutants, Member States are required to put additional measures in place.

It should be pointed out that, to date, the Italian state has not adopted any measures to reduce emissions of pollutants.

This being so, could the Commission state what penalties could be imposed on Italy and on the company concerned, should they be found to be in breach of their environmental responsibilities, in accordance with the 'polluter pays' principle, with a view to combating and preventing unlawful industrial activities?

¹ OJ L 143, 30.4.2004, p. 56

² OJ L 296, 21.11.1996, p. 55

³ OJ L 188, 16.7.1984, p. 20

⁴ OJ L 327, 22.12.2000, p. 1

⁵ OJ L 257, 10.10.1996, p. 26