

**Question for written answer E-001619/2014
to the Commission**

Rule 117

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Subject: Urban waste incineration in the Azores

In June 2013, Quercus, the Portuguese National Association for the Conservation of Nature, submitted to the Commission a complaint against the Portuguese state for infringement of the Environmental Impact Assessment Directive in the case of the urban waste incinerator project being carried out by the Association of Municipalities of the Island of São Miguel (AMISM) in the Azores, and a further complaint about infringement of the Waste Directive (submitted in July 2013).

Although the complaints only refer to the incinerator project in São Miguel, another incinerator project is under way on the island of Terceira, with the first contract already being awarded. It is worth noting that the incineration infrastructure in São Miguel alone may be as much as EUR 94 million, of which the AMISM estimates it needs to put up EUR 10 million, with the remainder being provided by Community funds.

The complaints presented by Quercus, which we endorse, refer to two specific infringements:

- (a) failure to comply with recycling rates: the regional government's environmental impact declaration requires the AMISM to recycle 50 % of recyclable material and 50 % of organic waste until 2020, but the incinerator's environmental impact assessment states that the association will only recycle 30 % of recyclable material and 13.4 % of organic waste up to this date.
- (b) inversion of the waste management hierarchy (in which recycling should take place ahead of energy recovery): such inversion is only valid if a study analysing the life-cycle has been carried out and approved, which is not so in this case, making it an infringement of the Waste Management Directive.

Despite several warnings from Quercus, appeals from the Bloco de Esquerda-Azores and the presentation of alternative projects such as the construction of mechanical and biological treatment centres and organic waste processing plants (which would be significantly more economical and environmentally-friendly) which furthermore received a favourable opinion in an internal report by the regional government of the Azores, nothing seems to deter those seeking to implement the incinerator projects.

We therefore ask the Commission:

1. Is it aware of the complaints submitted by Quercus? If so, what stage has been reached in addressing them?
2. Will it allow Community funds to be used to finance this project, which violates Portuguese national law and European directives? Will it block funding for the project if the infringements are confirmed to have taken place?
3. Will the Commission take action within its competences vis-à-vis the Portuguese Government, in order to determine responsibilities and ensure that all legal requirements are met?
4. Given the policies it is currently promoting with regard to the environment, and in the knowledge that viable alternatives exist, does the Commission agree with/support the construction of these incineration plants?