

**Question for written answer E-007480/2015
to the Commission**

Rule 130

Miguel Viegas (GUE/NGL)

Subject: Kaolin mining and environmental impact assessment

The mining of kaolin is acknowledged to have a negative impact on the environment. The management of the environmental impact is regulated by the transposition of Community Directive 85/337/EEC, as amended by Directive 97/11/EC. However, this directive does not set clear boundaries that determine the requirement for an environmental impact assessment. According to the transposition into Portuguese law, the limits for the open-cast mining industry correspond to operations of more than five hectares or production exceeding 150 000 tons per year.

However, these limits have been bypassed by the operating companies, who not only occupy much higher areas than the limits set, but break down the operation, creating a number of allegedly independent pits, so that no one pit exceeds the threshold, thus avoiding the environmental impact assessment and preventing public participation.

What is the Commission's assessment of this situation? Does the Commission consider that the principle of cumulative effect in Annex III of the Directive is sufficient to prevent this pernicious interpretation of the law? Is a review of the policy planned, in view of the recognition by the Commission itself of this fragmentation of operations (COM/2003/0334)?