

WRITTEN QUESTION P-6374/08
by Claudio Fava (PSE)
to the Commission

Subject: Discovery of toxic waste at Chiaiano (Naples)

According to press reports (*La Repubblica* of 3 November 2008 and subsequent days), in the course of excavations in preparation for the construction of a landfill site at Chiaiano some 10 000 tonnes of loose waste containing asbestos fibres and other toxic waste contained in plastic bags, some marked 'Enel', were found. It is reported that the mechanical diggers used on the site ripped open some of the bags and the dangerous fibres are now present in the air.

On 23 May 2008 the Italian Government, against which infringement proceedings had been brought at Community level because of the waste management situation in Campania, issued a decree law introducing special measures to tackle the waste disposal crisis in the Campania region. The decree was subsequently amended in the light of the Commission's instructions concerning those sections of the decree which explicitly allowed derogations from much national legislation implementing Community directives, particularly as regards environmental impact assessment, waste, landfill sites, emissions and information for members of the public affected in accordance with the Aarhus Convention (Directive 2003/4/EC¹ of 28 January 2003 and Directive 2003/35/EC² of 26 May 2003).

In view of the need to monitor the actual implementation of the decree law, as amended by the Italian Chamber of Deputies and Senate in line with Commission advice, what action does the Commission intend to take vis-à-vis the Italian Government, bearing in mind that the toxic waste referred to above has only just been discovered, despite the fact that the core samples which have been extracted over the last few months had supposedly shown that the Chiaiano site was suitable for the construction of a landfill site?

Moreover, does the Commission not regard as contrary to Community law, following the discovery of this toxic waste, the new decree law No 172 of 6 November 2008 which allows derogations from existing legislation on the removal and transport of hazardous waste and the location of sites to be used for the temporary storage of such waste (Article 2)?

¹ OJ L 41, 14.2.2003, p. 26.

² OJ L 156, 25.6.2003, p. 17.