

WRITTEN QUESTION P-2559/10  
by János Áder (PPE)  
to the Commission

Subject: Proximity principle violated by the Austrian waste incineration plant planned for Heiligenkreuz industrial estate

An Austrian investor, BEGAS AG, wishes to build a plant suitable for incinerating the waste from 325 000 inhabitants and 40 000 tonnes of sewage sludge on the Austrian side of the St Gotthard-Heiligenkreuz industrial estate, a few hundred metres from the Hungarian border and from St Gotthard. The choice of location for the incineration plant cannot be justified on technical grounds, as the province of Burgenland produces a total of 35 000 tonnes of waste per annum; moreover, the province's waste management plan does not even mention it. According to Austrian experts, the country already has a waste incineration capacity which exceeds the quantity of waste available for incineration.

Evidently this venture, which is clearly being undertaken with the aim of producing energy, would obtain the waste which is to serve as the fuel - on market terms - from other provinces of Austria and/or other countries, so that, in addition to the pollution caused by incineration of the waste, pollution would also be caused in the area by transport of the waste.

It follows unambiguously from the above that one of the EU's most important waste management principles is being flouted, viz. the so-called 'principle of proximity', which is laid down in Article 16 of Directive 2008/98/EC<sup>1</sup> on waste and requires waste to be disposed of or recovered in one of the nearest appropriate installations.

The value of the planned investment is €130 m, part of which, it is proposed, should be provided by the European Union.

- Does the Commission intend to contribute Union financing to the above project? Does it know whether an application for this has already been received?
- As the deadline for transposition of the above Directive by the Member States is 12 December 2010, does the Commission consider that the building of such a waste incineration plant, which would operate with a capacity ten times greater than the amount of waste generated in the region, would be compatible with the Directive?
- If the Commission considers that such a project violates the proximity principle, how will it prevent its implementation, even before the deadline for transposition of the Directive, bearing in mind that the environmental permit procedure is already under way?

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<sup>1</sup> OJ L 312, 22.11.2008, p. 3.