

**Question for written answer P-004605/2013
to the Commission
Rule 117
Antonio Cancian (PPE)**

Subject: Breach of the right of establishment and of competition rules in Poland

Warmińsko-Mazurskie Province (Poland) has excluded from its regional waste management plan a landfill site located in Mażany (Kętrzyn) and managed by the Italian-owned company Amest Kętrzyn Sp. z o.o. The site meets all the criteria required under EU and Polish law, is located sufficiently far away from the Great Masurian Lakes, and would be able to manage the waste from the neighbouring municipalities (including the municipality of Giżycko), but it has been excluded because it is not in receipt of EU aid or of any other public aid, and the Province has decided to support and authorise only plants that are financed with public funds.

Does the Commission not believe that this constitutes a breach of the right of establishment and of competition rules?

Is it aware that European funds have been set aside for the construction of a new landfill site in Spytkowo/Świdry in the municipality of Giżycko in Poland (Warmińsko-Mazurskie Province), and if so, what is the amount of those funds?

Is it aware that the landfill site is located approximately 2 km from Lake Dargin and scarcely 1.5 km from Lake Skarz, and that it is situated directly above Poland's main water table (No 206)? Is it also aware that the central and regional bodies have refused to take into consideration expert technical opinions and assessments (in relation to the location of the Spytkowo/Świdry landfill) that have been submitted to them?

Does it intend to check whether the aforementioned landfill constitutes a danger to the environment and to human health, and is therefore contrary to the rules on prevention and environmental protection and to Directive 1999/31/EC?