

**Priority question for written answer P-003441/2022
to the Commission**

Rule 138

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Subject: Modica biogas plant in Contrada Bellamagna: no EIA, no impact studies, and below threshold declarations

In 2019, Biometano Ibleo submitted plans for a biogas plant to be built in the Municipality of Modica, a stone's throw from a built-up area.

Local institutions, residents and associations have complained that the permit issued by the Municipality of Modica is unlawful. The company declared the plant would have a production capacity of 499 m³/h – just 1 m³ below the threshold set in the environmental impact assessment (EIA), but the municipality then decided, even though its landscape plan provides for it, to relieve the project of that requirement when it gave it the green light.

Thus, no assessment has been carried out of how much odour pollution the plant is likely to emit, its impact on nearby households, or the cumulative impact of the plant and another existing biogas plant a few kilometres away.

It is possible that artificially 'below threshold' declarations could be used as a loophole to get out of EIAs. According to independent assessments, the plant could realistically produce quantities of gas above the declared threshold. What is more, the plant is in an area of 'high archaeological risk', but no environmental landscape compatibility study, required by the Landscape Plan, appears to have been performed.

In the light of the above:

1. Is the permit issued by the Municipality of Modica in line with Directive 2011/92/EU?
2. How likely is it that the EIA could be sidestepped by means of artificially below threshold declarations?
3. Can an assessment be requested from the Region of Sicily's Specialised Technical Commission for Environmental Authorisations?