



Committee on the Environment, Public Health and Food Safety
The Secretariat

Brussels, 19 December 2006

Summary Note

ENVI Committee delegation to Italy, 22-23 November 2006

1. Introduction: composition and objectives of the delegation

The main objective of the delegation was to study the state of implementation of EU Environmental legislation in Italy.

The delegation consisted of seven members: Ms Ria Oomen-Ruijten (EPP-ED, Netherlands), Mr Marcello Vernola (EPP-ED, Italy), Ms Edite Estrela (PES, Portugal), Mr Guido Sacconi (PES, Italy), Mr Vittorio Prodi (ALDE, Italy), Mr Roberto Musacchio (GUE/NGL, Italy) and Mr Umberto Guidoni (GUE/NGL, Italy). The delegation was accompanied by Andreas Huber and József Blaszauser (Environment Committee secretariat), Gian Paolo Meneghini (DG IPOL, Policy Department A) as well as by Tamara Miczki (ALDE staff) and Oriana Grasso (Assistant to Mr Prodi).

2. Preparatory meeting with the Commission

Before departure the delegation was briefed by the European Commission (Mr Marco Onida, DG Environment) about the situation in Italy with regard to the implementation of EU environmental legislation.

3. Programme: meetings and visits

Meeting with NGOs

The delegation visit began on 22 November with a meeting with environmental NGOs (Legambiente, WWF and LIPU/BirdLife-Italy: Lega Italiana Protezione Uccelli) who welcomed the opportunity to meet with MEPs and to be able to express their concerns about the

implementation of EU environmental legislation. It was stressed that Italy represents the Member State with the highest number of open infringement procedures with more than 60 cases in the environmental field caused generally by a delay or lack of transposition, by the fragmentation of administrative competences and the uneven enforcement of legislation at regional/local level.

Topics discussed were: Climate Change (delays and shortcomings in the implementation of the European Emissions Trading Scheme, Directive 2003/87/EC), renewable energies (incorrect implementation of Directive 2001/77/EC and in particular incentives given to incineration from non-biodegradable waste), waste (problems linked to waste definition and waste management, in particular, the large number of illegal waste dumps linked to organised crime, in certain regions of Italy), the need to protect the environment through European criminal law, implementation problems linked to, *inter alia*, the Birds Directive (79/409/EEC), the Habitats Directive (92/43/EEC), the Water Framework Directive (2000/60/EC) the Environmental Liability Directive (2004/35/EC), the Strategic Environmental Assessment Directive (2001/42/EC) and the IPPC Directive (91/61/EC), natural disasters and the future directive on Soil Protection. Some projects with a potential negative impact on the environment such as the bridge between Calabria and Sicily, the MO.S.E-project in Venice and the vast 'Euro-paradiso' holiday resort project in Crotona (Calabria), were also discussed.

Concerning the waste emergency situation in the Naples area, it was underlined that provisions of the framework legislation on waste were simply not fulfilled because of lack of implementation capacity of regional level authorities, huge problems linked to organised crime; and the general and endemic illegality present all over the region. The link between hazardous waste disposal and an increasing incidence of cancer and mortality was also stressed.

Meeting with Dr. Renato Profili, Prefect of Naples

The meeting was also attended by: Colonnello Massimo Contri (N.O.E.-Napoli, Nucleo operativo ecologico dell'Arma dei carabinieri), Dr Donato Ceglie (Public Prosecutor – in charge of environmental crimes – of the S. Maria Capua Vetere Tribunal), Generale Roberto Jucci (Commissario Delegato per l'Emergenza del Fiume Sarno) and Mr Michele Buonomo (Member of the Task Force 'Emergency Waste Campania' and President of Legambiente-Campania)

Dr. Profili explained that in the two densely populated areas around Salerno and Naples (3,5 Million inhabitants on 1500 km²), waste disposal has become a crucial and unresolved problem. The constantly increasing waste stream places a great burden on landfill facilities and ageing waste-processing plants. Many landfills today are working at full capacity and cannot process waste in accordance with environmental regulations. The whole area produces more waste than the local landfills and incinerators in the area can cope with, and organised crime has been turning illegal waste disposal into a lucrative business. Moreover, the regional strategic waste management plan has not been completed and consequently, not implemented. The fact that a number of municipalities do not sort the waste and that toxic waste is illegally imported also from other regions exacerbates the problem. The situation was considered to be so grave that special Commissioners have been appointed by the government. Out of eight planned waste incineration plants only the location of one incinerator has so far been approved (in Acerra), but the construction, which began in 2004, has been delayed as it has created some serious problems with the local and neighbouring populations. However, Mr Profili expressed his hope that this first incineration plant will be up and running from June 2007 and it will thus take care of parts of the daily waste-production as well as accumulated and untreated waste. Some participants expressed their doubts about this optimistic scenario and suggested the launch of a second incinerator.

The consequence of this bottleneck situation is that hundreds of tons of waste are currently littering the streets and the police have to patrol the legal waste management facilities in order to prevent organised gangs from disposing waste illegally.

Dr Ceglie explained that the illegal waste trade is a major problem with organised gangs being involved in illegal trafficking of toxic and dangerous waste in the whole province of Caserta. This goes on with the connivance of the local population as criminal organisations have various means of manipulating public opinion and intimidating people. He stressed that the epidemiological data connected with the illegally disposed waste were alarming (an increase of up to 400% in the incidence of some types of tumours). He also deplored the fact that although the law sets out the local and regional competences as regards waste management, the central government has in fact taken over.

Lieutenant-Colonel Contri underlined that there was only one piece of legislation against eco-mafia on illegal trafficking of waste and that the eco-mafia also involved companies, chemists and other areas as individuals collaborated in order to optimise their profits. He outlined the recent moves of the Carabinieri against the eco-mafia and explained that more severe criminal sanctions were needed in order to bring the eco-mafia to its knees. In his presentation he showed evidence and examples of illegal waste management activities on the territory and called upon the delegation to take appropriate action.

Finally, Mr Buonomo deplored the permanent nature of this emergency situation in the region and explained the frustration and anger felt among citizens that the local/regional authorities seem to have lost control over the situation. Increased transparency, more flexible and regularly updated programmes, well-targeted funding with multi-annual programming as well as the promotion of differentiated waste sorting are possible solutions to alleviate the problem. It was also felt that a future EU directive on environmental crime would be a useful tool for the authorities.

Regarding the other major environmental problem in the region of Naples, the heavily polluted Sarno river, General Jucci, Commissioner, gave an extensive overview of the state of play of the cleansing works on the river. He told the delegation that the original cleansing plan had to be revised because of archaeological findings. The plan contains three filtering units and four water collecting units on the river. Although the realisation of this plan is progressing well, with one of the filtering units (this one was later visited by the delegation) already being operational, with the two others to be operational by next year, the plan on sludge/slurry is still not set up because of disagreement between the national, regional and local authorities. He also raised the many administrative and technical problems linked to the building of the sewage network. However, he expressed confidence that the sewage network will be fully operational by 2008.

A press conference with the regional and local media was held at the end of the meeting.

Visit: water filtering plant on the Sarno river

The delegation had the opportunity to visit one of the filtering units which is part of the cleansing plan of the Sarno river and which is now fully operational. This state-of-the-art plant is operated by highly qualified, locally or regionally recruited staff and it works thanks to a natural, biological process and provides clean water to up to 300.000 people. It treats up to 70 tons of sludge per

day and produces bricks made of fried sludge.

Meeting with Mr Alfonso Pecoraro Scanio, Minister for Environment and the Protection of Territory and Sea

The Minister gave an extensive overview of the steps taken by the Italian Government in order to improve the state of implementation of environmental legislations and to reduce the high number of current infringement cases. He stressed the importance of the recently created Observatory (Osservatorio per gli Affari Comunitari ed Internazionali) in charge of monitoring infringements of EU legislation and other international commitments.

The Minister stressed the importance of making the difference between environmental crime and organised crime and expressed his concern about illegal cross-border hunting and suggested the introduction of Community legislation on cross-border nature reserve parks.

Speaking about the Kyoto Protocol and the post-2012 period, he emphasised the recent change in the Italian position. Since 2006 the Italian Government is in favour of binding measures and targets within the Protocol, he also stressed the need to promote state-of-the-art technologies without harmful emissions in order to progressively replace old technologies.

As regards air pollution, there are plans to reduce the number of old cars/motors on the roads with the help of financial incentives, by retrofitting the heating systems in buildings and by promoting research on alternative transport fuels.. He drew attention to the unsatisfactory implementation of the air quality legislation and the worrying public health data (respiratory diseases) related to air pollution. He also mentioned the prevalence of criminal gangs active in illegal trafficking of toxic waste and the problem of shipment of and burning of toxic waste in African countries.

The following subjects were also mentioned and discussed: A Community initiative on environmental crimes, continuous monitoring of the infringement cases especially on the Birds' and Habitats directives, the problem of uneven implementation of EU legislation at regional and central government level, the strengthening of ARPA (Agenzia Regionale Protezione Ambientale) the national and regional environmental protection agencies, more attention to be given to the collection of data for monitoring implementation, the solving of the waste problem in Campania by fighting organised crime, (end of 2007 given as a deadline to the special Commissioner to deal with the waste emergency in Campania), the need for a well-implemented differentiated waste collection and re-education of local authorities by giving them the necessary back-up in order to handle the issue of waste management), the consideration of possible future implementation problems already at the stage of drafting new legislation, implementation of environmental impact assessments in Italy, and the involvement of citizens.

Several participants expressed their wish to improve coordination and communication between the Italian Permanent Representation and Italian MEPs.

Meeting with the Italian Department for Civil Protection

The delegation visited the Centre of the Italian Department of Civil Protection and received very valuable and comprehensive information on the organisation of civil protection in Italy. The delegation was accompanied and briefed by Mr Bernardo De Bernardinis (Director of the

planification, evaluation and risk prevention office, Department of Civil Protection) and by other specialised officials of the Centre.

With the Act n° 225 of 24 February 1992, Italy has organised civil protection as a “National Service” which consists of central and peripheral State administrations, Regions, Provinces, municipalities, national and territorial public agencies. The President of the Council of Ministers provides for the co-ordination of the National Service and the promotion of civil protection activities through the Civil Protection Department.

The system that has been set up is based upon the principle of subsidiarity. In each Municipality, the first person responsible for civil protection is the Mayor, who organises municipal resources according to pre-established plans, made to cope with specific risks in his territory. When a disaster occurs, the Civil Protection National Service is able, in a very short time, to define the scale of the event and assess whether local resources are sufficient to tackle the situation. If necessary, the support of Provinces, of Regions and the assistance of peripheral State administrations is guaranteed and co-ordinated by the Prefects. In the most serious situations, national integration takes place to meet the needs effectively. It is crucial to clearly define who takes the decisions in an emergency situation: who chooses the means, who assumes the responsibility of the interventions to be carried out. In cases of national emergency, this role rests with the Civil Protection Department, whereas the President of the Council of Ministers assumes the political responsibility.

The activities of the Civil Protection National Service include dealing with emergencies, forecasting and prevention of disasters, such as earthquakes, eruptions of volcanoes, floods, landslides, landslips and coastal erosion, forest fires or those linked to industrial activities. However, they also intervene in a number of other events and situations such as heat waves, the waste emergency situation in Campania, blackouts, major events (e.g. funeral ceremony of the Pope, youth festivals) and they are also engaged in international cooperation (e.g. Tsunami in South-East Asia in December 2004, Hurricane Katrina in the U.S.A. in September 2005 etc.)

Meeting with the Committee on Environment from the Italian Parliament (Chamber of Deputies)

The delegation participated in a meeting with the Environment Committee of the Italian Chamber of Deputies, co-chaired by Mr Guido Sacconi, member of the EP delegation and Mr Ermete Realacci, Chairman of the Italian committee.

The following subjects were, *inter alia*, discussed: the post-2012 period and the outcome of the COP-12 held in Nairobi, shortfalls of the current Emissions Trading Scheme, the future REACH legislation, creation of an integrated European Civil Protection Force with common teams for prevention and intervention, promotion of genuinely renewable energy sources, the framework directives on waste and soil, illegal trafficking of waste, the problem of toxic waste placed on normal waste deposit sites, energy efficiency and energy savings, Environmental Impact Assessments to prevent future implementation problems, conservation of habitats and protection of wild birds and large combustion plants. On both sides, participants agreed on the need for enhanced cooperation between their respective committees.

A press conference with representatives of the Italian media took place after the meeting.

Visit: Settecamini

The last visit made by the delegation was to Settecamini/Case Rosse, in the suburbs of Rome, where a controversial waste treatment plant is operated by Engelhard Italiana S.p.A, on which a petition was sent to the EP, declared admissible on 12 May 2004 by the Petitions Committee.

Following a bus tour around the industrial site, where the participants could actually see the close proximity of the site to residential zones. The delegation met with the committee of citizens who were calling for the closure of the incineration plant in this densely populated area. The activity of this incinerator, built in 1956 and rebuilt in 1976, consists mainly of decomposition and burning of used catalytic converters and it has been authorised by both the local and regional authorities. The petitioners presented public health data showing that some types of cancer had increased amongst the local inhabitants over the past decades. They expressed their suspicion that the incinerator mainly operates at night in order to avoid the toxic smoke being seen and that it causes significant water pollution in the Aniene river which runs a few hundred meters from the site. They also alleged that the imperfect and partial monitoring system, where the monitoring is allegedly done by the firm itself and gives unrealistic positive data. Allegedly ARPA, the regional environmental inspection body, had not carried out any checks inside the plant. Moreover, it was alleged that neither the water nor the soil pollution were analysed.

The delegation reached the following provisional conclusions:

- 1) Only the petitioners (citizens' group) were heard.
- 2) The evidence was unsatisfactory, since emission appeared to have been sampled in the ambient air and not directly at the stack. No data was shown on the emissions while the general environmental sampling might have not been sufficiently accurate.
- 3) The local institutions responsible for this matter are, in the following order: the Ministry for Environment and the Protection of Territory and Sea, The Region of Lazio, the Province of Rome and the Municipality of Rome.
- 4) No representatives of the above-mentioned authorities attended the meeting and no information was given about their position on the matter. The evidence seemed to have been produced only by the citizens instead of the institutions dealing with environmental control.
- 5) The local institutions should be requested to provide the full set of data available, together with their conclusions and possible advisable action.

Finally, the delegation stressed the right of the citizens to receive reliable information and data from the authorities and the importance of gathering official evidence on the pollution caused by the plant and its possible effects on human health. This may include bringing together reliable data on waste, air, soil and water in order to strengthen the local population's case vis-à-vis the firm and the public authorities.