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Environment: European Commission urges Italy to bring a steel plant in Taranto up to environmental standards

The European Commission is taking action against Italy in an effort to reduce the environmental impact of the ILVA steel plant in Taranto (hereafter "ILVA"), Europe's largest iron and steel works.

Following a number of complaints from citizens and NGOs, the Commission has found that Italy is failing to ensure that ILVA complies with EU requirements on industrial emissions, with serious consequences for human health and the environment. It is also failing to respect the Environmental Liability Directive, which enacts the "polluter pays" principle. On the recommendation of Environment Commissioner Janez Potočnik, the European Commission is therefore sending a Letter of Formal Notice, giving Italy two months to reply.

Most of the problems stem from a failure to reduce the high level of uncontrolled emissions generated during the steel production process. Under the Integrated Pollution Prevention and Control (IPPC) Directive, industrial activities with a high pollution potential must be licensed..

Tests have shown heavy pollution of the air, soil, surface and ground waters both at the ILVA site and in nearby inhabited areas of the city of Taranto. The contamination of the Tamburi quarter in the city of Taranto in particular can be attributed to the operation of the steel plant.

In addition to these breaches of the IPPC Directive and the resulting pollution, it appears that the Italian authorities have not ensured that the operator of the ILVA Taranto plant takes the necessary remedial measures or bears the costs of such measures to deal with the damage that has already been produced.

While the Commission sees recent commitments made by the Italian authorities to address the situation as a positive sign, it is nevertheless asking Italy to respect its obligations under the IPPC Directive and the Environmental Liability Directive. The Commission is ready to help the Italian authorities in their efforts to resolve these serious issues.

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Background

The European Court of Justice condemned Italy on 30 March 2011 for not issuing industrial emissions permits to several industrial installations, including ILVA (Case C-50/10). On 4 August 2011 the Italian authorities then issued an IPPC permit for ILVA, which was further updated on 26 October 2012.

The IPPC Directive (Directive 96/61/EC, replaced by Directive 2008/1/EC) provides an EU-wide standard for licensing industrial and agricultural activities with a high pollution potential. Permits can only be issued if certain environmental conditions are met, so that the companies themselves bear responsibility for preventing and reducing any pollution they may cause. Permitting ensures that the most appropriate pollution-prevention measures are used, and that waste is recycled or disposed of in the least polluting way possible.

The Environmental Liability Directive sets up a framework based on the "polluter pays" principle to prevent and remedy environmental damage. Operators carrying out dangerous activities listed in Annex III of the Directive, including iron and steel production, fall under "strict liability", with no requirement to prove fault, provided a causal link between the activity and the damage is established. Affected natural or legal persons and environmental NGOs have the right to request the competent authority to take remedial action if they deem it necessary.

For more information:

http://ec.europa.eu/environment/air/pollutants/stationary/index.htm

http://ec.europa.eu/environment/legal/liability/index.htm

See also:

On the September infringement package decisions, see MEMO/13/820

On the general infringement procedure, see MEMO/12/12

For more information on infringement procedures:
http://ec.europa.eu/eu_law/infringements/infringements_en.htm