

1. In line with its strategic approach on enforcement action¹, the Commission aims to swiftly follow up on systemic cases. The Commission is currently pursuing two infringements cases against Italy for systemic non-compliance with EU law relating to illegal landfills. Italy has been condemned to pay fines for 200 illegal landfills² and for failure to ensure definite closure and rehabilitation of 44 landfills³. Individual cases such as the Mazzarrà landfill in Messina are better addressed at national level which can examine the situation on site, its surroundings and the characteristics of the waste deposited⁴. Those authorities have to ensure that the provisions of the Landfill Directive⁵ are followed, including permitting, water control, leachate management, protection of soil and water, and procedures for closure and after-care⁶.

2. The European Regional Development Fund (ERDF)⁷ can support Member States in interventions for rehabilitation of industrial sites and contaminated land, including investments for decommissioning, reconverting or making safe existing landfills provided that such investments do not increase their capacity, and in line with the polluters pay principle. Priority is given by the Italian Partnership Agreement⁸ to interventions aimed at sites in the list of National and Regional Interest, with a clearly established timeframe and implementation capacity. For the case in Sicily, the ERDF Regional Programme includes an indicative allocation of around EUR 8.9 million for this type of interventions, on condition that they are included in the regional decontamination plan. The choice of the specific initiative to support is under the responsibility of the regional authorities.

¹ As set out in the Communication of 19 January 2017: EU law: Better results through better application - C/2016/8600, OJ C 18, 19.1.2017, p. 10–20 and in the Communication of 13 October 2022: COM(2022) 518 final - Enforcing EU law for a Europe that delivers.

² Case C-196/13: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62013CJ0196>. The amounts corresponding to the landfills brought into conformity have been progressively deducted. In June 2024, there were 11 non-compliant landfills, corresponding to a penalty payment of EUR 2 600 000.

³ Case C-498/17: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62017CJ0498>. In April 2022, the Commission sent a letter of formal notice to Italy as the breach persisted for 12 landfills.

⁴ As set out in the Communication of 19 January 2017 ‘EU law: Better results through better application’, OJ C 18, 19.1.2017, p. 10–20 and in the Communication of 13 October 2022 “Enforcing EU law for a Europe that delivers” COM(2022) 518 final.

⁵ Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste, OJ L 182, 16.7.1999, p. 1–19, amended by Directive (EU) 2018/850 of the European Parliament and of the Council of 30 May 2018, OJ L 150, 14.6.2018, p. 100–108.

⁶ Articles 7-13, Annex I.2-I.3 and Annex III of the Directive.

⁷ https://ec.europa.eu/regional_policy/funding/erdf_en

⁸ https://commission.europa.eu/publications/partnership-agreement-italy-2021-2027_en