

EN
E-002270/2024
Answer given by Ms Roswall
on behalf of the European Commission
(22.1.2025)

1. The Commission is not aware of the issues raised by the associations in question. The agglomerations of Cinisi and Terrasini are included in an infringement procedure¹ opened by the Commission against Italy for incorrect application of the Urban Waste Water Treatment Directive (UWWTD)². Italy was condemned by the Court of Justice of the EU (CJEU)³ regarding 41 agglomerations with more than 10 000 population equivalent discharging into sensitive areas. On 18 May 2018, the Commission sent a letter of formal notice⁴, as Italy had not yet fully complied with the ruling with regard to 14 agglomerations. In 2023, the Commission referred back the case against Italy to the CJEU as regards for five agglomerations⁵. The case is currently pending⁶ and may result in financial penalties being imposed on Italy.

2. The project in question aims to bring the aforementioned agglomerations into compliance with the UWWTD. Waste water treatment plants below a certain capacity threshold⁷ fall within the projects listed in Annex II of the Environmental Impact Assessment (EIA) Directive⁸, for which Member States must determine whether the project shall be subject to an assessment in accordance with Articles 5 to 10. Based on the information available to the Commission⁹, an Environmental Impact Assessment of the project was carried out by the local authorities and got a favourable opinion by the national administration.

3. Member States have a primary responsibility to monitor the application of the relevant legal provisions, including rulings of the CJEU, and to take the necessary steps for enforcement. The Commission will continue monitoring the situation and may decide to take appropriate action. The Commission intervenes only in cases of systemic breach of EU law¹⁰.

¹ INF(2009)2034 https://ec.europa.eu/commission/presscorner/detail/en/ip_23_2626

² Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment OJ L 135, 30.5.1991, p. 40–52.

³ Judgment of 10 April 2014, *European Commission v Italian Republic*, C-85/13, EU:C:2014:251: <https://curia.europa.eu/juris/liste.jsf?lgrec=fr&td=%3BALL&language=en&num=C-85/13&jur=C>

⁴ Under Article 260 of the Treaty on the Functioning of the EU.

⁵ Including Terrasini and Cinisi.

⁶ C-515/23, *Commission v. Italy*.

⁷ 150 000 population equivalent, as defined Article 2(6) of Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment.

⁸ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (codification), OJ L 26, 28.1.2012, p. 1–21.

⁹ Regione Siciliana - https://si-vvi.regione.sicilia.it/viavas/index.php/it/component/fabrik/list/50?provvedimento__id_provvedimenti_raw=1981&limitstart50=0&resetfilters=1

¹⁰ Communication from the Commission – ‘EU law: Better results through better application’, (2017/C 18/02) - OJ C 18, 19.1.2017, p. 10, point 3.