

EN
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Answer given by Ms Roswall
on behalf of the European Commission
(7.5.2025)

Almost all the agglomerations of the province of Caltanissetta are concerned by an on-going infringement procedure for failure to comply with the Urban Wastewater Treatment Directive (UWWTD)¹.

In that province, 13 agglomerations² are covered by the ruling of the Court of Justice of the European Union (CJEU)³ that found Italy in breach of the UWWTD. In this regard, the replies submitted by Italy between 2022 and 2025 are under assessment and the Commission will decide in due course on the next steps to be taken.

For three more agglomerations⁴ covered by another case, the Commission decided in March 2024 to lodge an application with the CJEU⁵. In a third case⁶, Italy was condemned on 31 May 2018⁷ to pay a penalty payment for every six months of delay. In May 2022, there were still 66 non-compliant agglomerations, including Niscemi, corresponding to a penalty payment of EUR 22 562 033.

Member States are primarily responsible for the application and correct implementation of EU law. The Commission will continue to monitor the implementation of the Directive in the province of Caltanissetta in the context of the above-mentioned procedures.

The Italian Recovery and Resilience Plan (RRP)⁸ supports a number of projects on waste water to reduce the number of equivalent inhabitants residing in agglomerations non-compliant with the UWWTD⁹ under investment M2C4.I4.4. Regarding this investment, the Commission positively assessed milestone M2C4-36 on the assignment of funding to project proposals in the context of the fifth payment request. The subsequent targets M2C4-37 and M2C4-38 on the reduction of number of equivalent inhabitants residing in agglomerations non-compliant with the UWWTD will be assessed after the submission of the relevant future payment requests.

¹ Council Directive of 21 May 1991 concerning urban waste water treatment (91/271/EEC), consolidated version, OJ L 135 30.5.1991, p. 40.

² San Cataldo Consortile, Butera, Campofranco, Delia, Gela, Marianopoli, Mazzarino, Milena, Montedoro, Serradifalco, Sommatino, Sutera, and Villalba in the framework of INFR(2014)2059. This case covers over 600 agglomerations throughout the Italian territory.

³ Judgment of the Court of 6 October 2021, Case C-668/19, European Commission v Italian Republic, ECLI:EU:C:2021:815.

⁴ Vallelunga Pratameno, Santa Caterina Villarmosa, and Mussomeli in the framework of INFR(2017)2181. This case covers 179 agglomerations throughout the Italian territory.

⁵ https://ec.europa.eu/commission/presscorner/detail/en/ip_24_1234. The case is currently pending (C-594/24).

⁶ INFR(2004)2034.

⁷ Judgment of the Court of 31 May 2018, Case C-251/17, European Commission v Italian Republic, ECLI:EU:C:2018:358.

⁸ https://commission.europa.eu/business-economy-euro/economic-recovery/recovery-and-resilience-facility/country-pages/italys-recovery-and-resilience-plan_en

⁹ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment, OJ L 135, 30.5.1991, p. 40–52.