

(English version)

Question for written answer E-003149/25
to the Commission
Manuela Ripa (PPE)
(30 July 2025)

Subject: Possible breaches of EU law in the construction and operation of the Tesla Gigafactory in Grünheide

There may be potential breaches of EU law associated with the construction and expansion of the Tesla Gigafactory Berlin-Brandenburg in Grünheide (Brandenburg, Germany) including the construction and extension of associated rail, station and road infrastructure. The authorisation of large-scale interventions in habitats of species that are strictly protected under Annex IV of Directive 92/43/EEC (Habitats Directive), without sufficient compensatory measures, must be viewed critically. Moreover, clearing and construction work began even though the approval process had not been completed. Species such as the smooth snake, sand lizard and several bat species are particularly affected. In addition, a wooded buffer zone to the neighbouring FFH area Löcknitztal was removed to allow for the expansion of the factory site to the east, thereby compromising the area's conservation objectives.

There are also significant concerns regarding compliance with Directive 2000/60/EC (Water Framework Directive). Construction activities within a designated drinking water protection area pose a qualitative and quantitative threat to the groundwater.

Furthermore, it is questionable whether adequate emergency management measures in accordance with Directive 2012/18/EU (Seveso III Directive) for handling hazardous substances were implemented at a sufficiently early stage.

1. Does the Commission have any information on the issues described and is it already taking action in this regard?
2. If this has not yet been done, does the Commission intend to investigate the above-mentioned circumstances with regard to possible breaches of the above-mentioned Directives?

Submitted: 30.7.2025

Answer given by Ms Roswall on behalf of the European Commission
(9 September 2025)

A project such as the extension of a car manufacturing plant is subject to the required evaluation and assessment under EU legislation. This principle equally applies to supporting infrastructure such as new rail tracks and stations, as well as road infrastructure. It is primarily for the competent national authorities and courts to ensure that EU environmental law, such as the Environmental Impact Assessment Directive ⁽¹⁾, the Habitats Directive ⁽²⁾ or the Water Framework Directive ⁽³⁾, is correctly applied.

The Commission is aware that the permits related to the car manufacturing site in Grünheide were subject to national court proceedings in 2020 and 2022, including requests for interim measures which were granted by the German courts. The Commission is following the developments at national level based on information publicly available and has no evidence that the EU law requirements are not met in this case.

As regards the emergency measures and planning which may be required under EU law, such as under the Seveso III Directive ⁽⁴⁾, it is primarily for the national authorities to ensure that the requirements are fulfilled. At this stage the Commission has no evidence of its own that the EU law requirements in this respect are not met in this case.

For these reasons, there is currently no ground for the Commission to carry out an investigation in the context of the planned extension of the production site in Grünheide.

⁽¹⁾ Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, OJ L 26, 28.1.2012, pp. 1.

⁽²⁾ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992, pp. 7.

⁽³⁾ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, OJ L 327, 22.12.2000, pp. 1.

⁽⁴⁾ Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, OJ L 197, 24.7.2012, pp. 1.