EN
E-003169/2026
Answer given by Ms Roswall
on behalf of the European Commission
(23.9.2026)

Compliance with the Do No Significant Harm (DNSH) principle is a prerequisite for a measure to be included in a recovery and resilience plan (RRP). The Commission assessed compliance of the Italian RRP with the DNSH principle ex ante, at investment level[1]. The Council Implementing Decision[2] on the updated RRP for Italy requires projects financed under 'Investment 1.4 - Development of biomethane, according to criteria for promoting the circular economy' to comply with the DNSH principle[3].

National authorities must ensure compliance with DNSH requirements during the implementation of the individual projects. They are competent to assess claims of potential environmental harm caused by specific projects.

Where a project was authorised after an assessment in accordance with Directive 2011/92/EU[4] and the state of the environment changed afterwards, or where new findings regarding the impact of the project on the environment emerge between the time the project was authorised and its actual execution, the assessment may need to be updated or extended, taking into account the legitimate expectations of the public and the principle of good administration.

Moreover, biogas may be classified under the Seveso III Directive[5] as a flammable gas[6] or a liquified flammable gas[7] with thresholds applicable to lower-tier and upper-tier establishments[8]. Establishments where those gases are or may be present in quantities exceeding those thresholds fall under the scope of the Directive. It is for the national authorities to assess whether this is the case or not and to ensure compliance of individual projects with EU legislation[9].

Complaint CPLT(2026)01422 is pending and handled in accordance with the complaint handling procedure.

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[1] In accordance with the criteria laid down in Article 19 of Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility, OJ L 57, 18.2.2021.
[2] https://data.consilium.europa.eu/doc/document/ST-12357-2026-ADD-1/en/pdf.
[3] As set out in the DNSH Technical Guidance (2021/C58/01).
[4] 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, as amended.
[5] 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, amending and subsequently repealing Council Directive 96/82/EC, OJ L 197, 24.7.2012.
[6] Entry P2 of part 1 of Annex I to the Seveso III Directive.
[7] Pursuant to note 19 of Annex I of the Seveso III Directive, for the purpose of the implementation of the Directive, upgraded biogas may be classified under entry 18 of Part 2 of Annex I where it has been processed in accordance with applicable standards for purified and upgraded biogas ensuring a quality equivalent to that of natural gas, including the content of Methane, and which has a maximum of 1 % Oxygen.
[8] Stricter legal requirements apply to installations handling high amounts: upper tier establishments, as opposed to lower tier establishments, with lower quantities of dangerous substances and hence presenting a lower risk.
[9] Commission Communication "EU law: Better results through better application (C/2016/8600), OJ C 18, 19.1.2017. This approach was confirmed by the Communication entitled EU law for a Europe that delivers (COM(2022)518).