



Brussels, January 2012

Summary Note

ENVI Committee delegation to Calabria, 23-25 November 2011

1. Objectives and composition of the delegation
2. Meetings and visits
3. Conclusions
4. Programme

1. Objectives and composition of the delegation

An ENVI committee delegation was organized to Calabria to examine allegations of toxic waste dumping and other problems with the implementation of environmental legislation in that region.

Namely, on behalf of the Public Prosecutor office of Paola City, an investigation has been conducted in the valley of the river Oliva, in the province of Cosenza, where experts of the ARPACAL (Environmental Protection Agency of Calabria) have found large quantities of toxic waste illegally dumped in natural places (among other radioactive Cesium 137).

Furthermore, other cases of major river, sea and soil pollutions which present a serious risk to the health of residents have been reported in Calabria, amongst which figures the history of the company "Pertusola south" of Crotona. This company, part of the ENI Group, although now dismissed, has produced heavy damage to the environment and health of citizens of Crotona city.

The delegation therefore hold meetings with both, the prosecutors of Paola and Crotona, with experts from ARPACAL, ISPRA and the Environment Ministry involved in the investigations, as well as with mayors of the affected regions and NGOs active in those fields in order to get a clearer picture of the situation.

The delegation consisted of five official Members (Judith Merkies (S&D, the Netherlands), Miroslav Mikolášik (EPP, Slovakia), Radvilė Morkūnaitė-Mikulėnienė (EPP, Lithuania), Anna Rosbach (ECR, Denmark) and Sabine Wils (GUE, Germany). The delegation was chaired by Mario Pirillo (S&D, Italy).

The delegation was accompanied by Emilia Romano and Tina Ohliger from the Environment Committee secretariat, by EPP Group agent Gabor Lejko, as well as by Mr Pirillo's assistant Gianpaola Mazzola.

A written briefing note on environmental legislation and the division of competences in the field of environment in Italy and in the Calabria region by Professor of Law Barbara Pozzo was provided by the policy department, together with a publication by the NGO "Legambiente" entitled "The environmental emergency in Calabria", focussing on energy, waste, hydro-geological problems and waste water treatment.

2. Meetings and visits

Wednesday 23 November 2011

Meeting with ARPACAL

After arrival on Wednesday evening, the delegation held its first meeting with the Chair of the Environmental Protection Agency of Calabria, ARPACAL, Professora Maria Teresa Fagà, who was accompanied by Mr Francesco Falco, Director of the provincial office and a chemical engineer of the Italian National Institute for Environmental Protection and Research, ISPRA, Mr Leonardo Arru.

The meeting took place over a dinner offered by the City of Amantea, in the presence of Vice-major Mr Michele Vadacchino and several Mayors from the surrounding cities.

Professor Fagà welcomed the delegation and introduced into the work of the Environmental Protection Agency responsible for the region of Calabria, before she gave the floor to Mr Arru, responsible for contaminated sites, environmental damage and emergencies within ISPRA. The latter explained about the investigations carried out by ISPRA in the contaminated valley of the river Oliva on which they had spent 1 million € (chemical-physical analyses, geological and radiometric surveys, excavations, risk assessments, etc.) and found a serious of heavy metals and other toxic substances, among other chromium, tin, PCBs, iron and manganese.

Members asked about the origin of all the heavy metals and toxic substances found and about which industry was based in this area. They inquired about the threat to health and wondered whether this was incidental dumping or a structural problem and questioned who was responsible for cleaning the soil, why there was no plan to do so and who would pay for it or what would happen if the polluter could not be identified.

Members pointed out that the issue seemed to be a national, much politicised problem and encouraged to solve this kind of problem by good legislation, good monitoring and good implementation of European legislation, instead of fighting against each other and turning to Europe for help. They stressed the importance of direct access to data, the role of the citizens and their right to be informed and involved.

Mr Falco said that it was hard to say where the substances came from since they were buried in the ground for decades. He pointed out that according to the 6th part of the Italian environmental law (decree nr. 152 implementing several European environmental directives, among which Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage) the only competent authority for environmental damage at national level was the Environment Ministry.

Mr Arru said that being a chemical engineer he was unable to respond to the health questions and that he was just checking whether the limits laid down by law would be respected. He spoke

of a structural waste deposit, presenting fresher waste 80 cm deep and there under industrial sludge coming from purification plants (very small grain size); 2m down they found waste from demolished houses, 6m down they still found waste but couldn't get any deeper. He mentioned that criminal proceedings were under way and if the person(s) guilty had no assets the state would have to intervene.

Thursday 24 November 2011

Visit of the valley of the river Oliva

The morning started with a visit of the nearby valley of the river Oliva together with representatives of environmental NGOs and accompanied by ARPACAL. The river bed of the river Oliva was said to have been used since the end of the '80ies/ early '90ies for illegal waste dumping (industrial waste coming from outside Calabria, inert waste and municipal solid waste). The NGOs spoke about illegal dumping of toxic waste from national trafficking of waste that was dumped in the river valley and then covered with blocks - resulting in polluted ground water and a seriously damaged forest area. Drillings had shown a high concentration of Cesium 137 not to be found in nature. 10% of the population living in the area above were reported of having tumours. Officially, they were told that the radioactivity would come from the nuclear accident in Chernobyl, however in that case, NGOs said, it would not have been found that deep down in the earth.

Meeting with the Public Prosecutor of Paola City

After that, the ENVI delegation met with the Public Prosecutor of Paola City, Mr Bruno Giordano, to get first hand insight into the investigation he is carrying out about the alleged illegal dumping of radioactive waste into the river Oliva in the province of Cosenza.

The Italian National Institute for Environmental Protection and Research (ISPRA) has analysed the soil of the (partly dried out) river Oliva and found radioactive Caesium 137 at higher concentrations than naturally occurring. ISPRA explains the presence of this radioactivity with the Chernobyl incident of 1986. The Prosecutor however does not accept this explanation since the presence of Caesium 137 has not only been proven in the top layers of the soil but was also confirmed for depths up to 6 meters down. He therefore alleges illegal dumping of radioactive and other dangerous waste which caused radioactive contamination of the site and health impacts on the neighbouring population (cancer).

During the discussion, the Prosecutor handed over to the delegation a box with several relevant documents relating to the investigation, including reports of technical analyses, samples, medical reports and a provisional detention order and added that such data would usually be provided to regional authorities, local and national politicians and NGOs who requested it. An immediate brief insight of an MEP into the documents on the health effects has shown that people in the area of illegal dumps often suffer from aggressive forms of cancer.

Members wondered why public authorities or citizens did not notice the situation of toxic waste or respectively, if reported, did not react. The Prosecutor explained that in general, people became aware of the dumping problem only after the public accuse of ships loaded with toxic and radioactive waste sank off the Calabrian coast and then started to organize spontaneous protests. Then also ARPACAL was given the mandate to check the data and started awareness raising campaigns. Today there was more media attention and more vigilance and the land had been confiscated.

Members furthermore inquired about the origin of the waste and whether there was no proper regulation and structure to deal with waste in Calabria and what would be done against it, stressing that this was a local and not a European matter.

The Prosecutor explained that in Italy there was no centre for industrial waste, so it would need to be exported to Germany. Therefore huge profit could be made by companies who disposed of it illegally. Definitely a large part of the waste would not come from Calabria but throughout Europe. For instance, they have found industrial sludge contaminated with oil residues, whereas in Calabria there are no oil refineries, which means that hydrocarbons can't come from there. A conservative estimate assumes 100.000 m³ of industrial sludge in the area.

Since the major part of the waste found is not from Calabria but from the whole of Europe, and considering that Cesium 137 is a typical nuclear waste but that there is no single nuclear plant in Italy, the Prosecutor was firmly convinced that this was a European problem.

He further explained that in Italian criminal law the penalties had been very blunt until now and that organized crime had its hands on the waste traffic.

Paola city

After a short visit of the sanctuary of Paola, the delegation was welcomed in the town hall of Paola by its Mayor Mr Roberto Perrotta and the President of the Community Council.

Regional Technological Laboratory

On the way to the Fattoria della Piana, the delegation stopped by at the recently inaugurated *Regional Technological Laboratory on food quality and safety and new technologies*, in the industrial area of Lamezia Terme.

Fattoria della Piana

The delegation then visited the cooperative of farmers, 'Fattoria della Piana', that fully covers its energy demand (and much more) thanks to a bio-gas engineering plant using all agricultural wastes produced (from livestock or milk processing) with no environmental impact.

Friday 25 November 2011

Visit to the "Pertusola south" area

On Friday morning the delegation undertook a visit to the 'Pertusola south' area, an industrial site in the city of Crotone where the former (now dismissed) French Italian electrolytic zinc company (part of the Italian multinational oil and gas producing ENI group) has produced heavy damage to the environment and health of citizens in a vast area of Calabria.

A representative of the company (now ENI-Syndial) gave a short overview over the history of the company that had started its activities in 1928 and was definitely closed in 1999. Then a representative of ARPACAL explained that they had taken samples from the soil and found heavy metals and radioactivity 4-5 times higher than the natural value. After the waste had been taken out, radioactivity went back to normal level. Mr Emilio Tassoni from the Environment Ministry reported about a long-term project to clear the ground water. Asked by Members what would happen to the private ground that had been said to be even more polluted than the public ground, the Ministry official confirmed that they only took care about the public land since private grounds were private responsibility.

Members further inquired why the extremely toxic industrial sludge was brought to landfills instead of disposing of it in another way. The Ministry official explained that they had opted for transferring the dangerous waste to the landfill in order not to leave the pollution close to the sea which was even more dangerous. Due to the big quantity of waste contaminated with zinc they were obliged to find another solution because treatment would have been difficult. MEPs insisted that industrial waste should not go to landfills but rather be cleaned up, then reduced and where possible reused, with land filling being the last option.

The Mayor of Crotona, Mr Peppino Vallone, reported that the company had been dismantled in 2002, and that compared to 20 years ago, the situation concerning the pollution of air, ground and sea was now better.

The lively discussion between the NGOs present, the representative of Syndial, ARPACAL and the Environment Ministry continued outside and in the bus, before Mr Pirillo proposed to organise a technical meeting in the EP-office in Rome with all involved parties.

Due to time constraints the visit of the Columbra landfill had to be cancelled.

Meeting with the public prosecutor of Crotona

The Public Prosecutor of Crotona, Mr Raffaele Mazzotta, welcomed the delegation and explained how two big chemical plants, Pertusola (originally French, starting its production of zinc in the '20ies) and Montecatini (production of fertilizers) had turned Crotona into an industrial centre - the only one in the region of Calabria - representing a huge source of wealth and jobs in a poor region. In the beginning and for decades there was no environmental understanding but a general complete lack of concern for the environment or public health.

When in 1992 the plants stopped their production, the area became an industrial graveyard with huge amounts of waste left behind and the region suffered in two ways: through a high unemployment and growing crime rate on the one hand and a poisonous legacy in the region on the other hand.

The so-called "black mountains inquiry" (with reference to the last phase of the zinc production leaving behind black cubes, the so-called hydraulic catalysed conglomerate (cic) - black dust mixed up with slack from furnaces) showed a huge accumulation of waste from Pertusola. The waste should have been processed and disposed of according to law so that it would have become inert but illegal disposal was more convenient. The Prosecutor accused managers of the Pertusola site of illegal waste disposal saying that for decades zinc waste has been stored in a place very close to the sea and used as base for the building of houses and roads and given free of charge to whomever wanted it...

Drillings on the sequestered site have shown huge quantities of waste, including manganese, zinc, cadmium and other dangerous substances in the soil, affecting the ground water. Schools and neighbouring areas have been sealed off and 100s of children monitored. According to the monitoring results skewed values of organic liquids have been found. The Prosecutor said that it was impossible at this stage to talk about pathologies but that it could be considered that there were some potential dangers and that it was necessary to verify the effects of these metals in organic liquids the next years.

The Prosecutor finished his report by saying that once the preliminary investigation will be over the case would be referred to court where he expected action against 45 people that were currently under investigation. He had asked for a probationary procedure to accelerate the proceedings for the reclamation of land that remains sealed off in order to start the drainage of the site as soon as possible.

Press conference

After the meeting with the prosecutor of Crotona, a press conference took place in the town hall of Crotona during which MEPs called for complete transparency and the involvement of citizens. They urged to avoid emergency situations and laws and instead make a good waste infrastructure the first priority. They underlined that Europe's role was to provide the legislation that needs to be rigorously implemented and monitored and to take immediate action in case of failure, favouring a 'zero-tolerance'-policy on non-compliance with waste. They stressed the need for political will and encouraged citizens to start to communicate with each other and to get better organized to make an impact.

3. Conclusions

The reason for the delegation visit to Calabria was to examine allegations of toxic waste dumping and other problems with the implementation of environmental legislation in that region, in particular in the valley of the river Oliva, in the province of Cosenza, where experts of the ARPACAL (Environmental Protection Agency of Calabria) have found large quantities of toxic waste illegally dumped in natural places (among other radioactive Cesium 137), as well as in the area of Crotona, where the company "Pertusola south", although now dismissed, has produced heavy damage to the environment and health of citizens in a vast area of Calabria.

Besides useful input given by NGOs, the delegation learned about the investigations undertaken by ARPACAL and ISPRA but regretted that information stayed rather on a technical level.

During most meetings Members many times asked the same questions just to get the same vague answers, e.g. explaining that people only had come to office a few years ago. The general impression was that besides a difficult situation due to many government layers, nobody wanted to take any responsibility. Instead Members found a lack of transparency and missing trust both in public authorities and among the population. They regretted not to see any ideas, political will or concrete action plans to solve the problems from the roots, but rather politically motivated mutual accusations. As for the meetings with the Prosecutors, Members had the feeling that some information was confidentially as the representatives of civil society were not involved.

During the visit Members got the impression that there was a general structural problem and that the situation in Calabria did not seem to be more serious than in other Italian regions. Italy is often lagging behind when it comes to implement environmental legislation (especially in the field of waste); although a founding EU Member State, it is still missing a good structure to dispose of its waste. What struck Members was that however nobody seemed to seriously look for a strategy to solve this but people rather had the habit to turn towards the EU asking for help in form of a better control of the implementation of European environmental law.

4. PROGRAMME

Wednesday 23 November 2011

- 18.30** Arrival at the Airport of Lamezia Terme and transfer to the Hotel
Grand Hotel La Tonnara, Via Tonnara 9, 87032 **Amantea**
- 19.30** Meeting with the Chairman of ARPACAL Prof.ssa Maria Teresa Fagà (Environmental Protection Agency of Calabria) and
ISPRA (Italian National Institute for Environmental Protection and Research)
- 20.30** Dinner offered by the Mayor of Amantea, Mr Francesco Tonnara

Thursday 24 November 2011

- 08.30** Meeting in the hotel lobby, transfer by minibus
Visit of the **valley of the river Oliva** with NGO's (see separate list) and accompanied
by ARPACAL
- 10.30** Joint Meeting with the Public Prosecutor of **Paola City**, Dott. Bruno Giordano, the
Anti-Mafia District Directorate of Catanzaro, and Mr Mario Russo, administrative
Counselor of ARPACAL
- 12.30** Visit to the Sanctuary of San Francesco di Paola with the Mayor of Paola, Avv.
Roberto Perrotta
- 13.00** Lunch offered by the Mayor of Paola, Mr Roberto Perrotta
- 15.00** Visit to the **Regional Technological Laboratory** on food quality and safety and new
technologies, industrial area, Lamezia Terme
- 16.30** Visit to the Cooperative of Farmers and the Bio Gas Energy Plant "**Fattoria della
Piana**" in **Contrada Sovereto**
- 18.30** Dinner
- 21.00** Transfer by minibus to the hotel

Friday 25 November 2011

- 08.00** Meeting in the hotel lobby and transfer by minibus to **Crotone**
- 09.30** Meeting with the Mayor of Crotone, Dott. Peppino Vallone and officials of the
Ministry of Environment and Visit to the "**Pertusola south**" area - industrial site (this
company, has produced heavy damage to the environment and health of citizens in a
vast area of Calabria)
- 11.30** Visit to the landfills of waste in **Columbra** (Crotone)
- 12.00** Meeting with the Public Prosecutor of Crotone, Dott. Raffaele Mazzotta
- 13.00** Press Conference "Sala Consiliare del Comune di Crotone"

Departure in the Afternoon