



EUROPEAN PARLIAMENT

DG INTERNAL POLICIES OF THE UNION

Policy Department: Economic and Scientific Policy

**Status of Implementation of
EU Environmental Laws in Italy**

(IP/A/ENVI/IC/2006-183)

This study was requested by the European Parliament's Environment, Public Health and Food Safety Committee.

Only published in English.

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Manuscript completed in November 2006.

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Executive Summary

This study report was written by a team of researchers of the Consorzio CO.META, and supervised by Gian Paolo Meneghini, DG Internal Policies - Dept.A - Environment and Food Safety of the European Parliament.

The content of the study report, in preparation of the delegation of the EP Committee on Environment, Public Health and Food Safety visit to Italy on 22-24 November 2006, is based on the following points regarding the “Status of implementation of EU environmental laws in Italy”:

- Status of implementation of environmental laws in Italy: a general overview;
 - Infringements of procedures undertaken against Italy;
 - Which sectors/policies/specific pieces of legislation pose the most problems in Italy.
1. The detailed analysis of EU environmental legislation comprises five environmental elements: water policy, air policy, waste policy, soil policy and nature protection. This analysis is limited to the EU Directives, as they define clear objectives but leave the decision of how to implement these to Member States. Annex I contains an exhaustive list of all EU Directives considered in this report and specifies the expected date of entry into force and the current state of their implementation in Italy.
 2. The correlated national legislation is cited and its main contents are described. There is a short description of particular examples causing delay or non-fulfilment in the course of the implementation of the EU Regulations in Italy.
 3. The course of the violation procedure foreseen by the Treaties is briefly outlined, pointing out the particular ways in Italy of implementing the EU Directives, as well as the potential causes of infringements. In particular, the role of the regions in the realisation of implementation is clearly presented.
 4. Annex II provides a complete list of the infringement procedures against Italy with respect to the environmental elements treated: water, air, waste, soil, nature protection. This list also contains references to main documents exchanged between the European Commission and Italy.
 5. Examples are provided of the point of view of the parties concerned in two cases of infringement procedures indicated by WWF Italy.
 6. Referrals are provided to the “Report on the State of Environment 2005” published by the Ministry of Environment and Territory Protection. The report contains several examples that help to understand the state of attainment of the objectives defined by the directives. Furthermore, as an example and a comparison, the information given by the Region Emilia-Romagna in its “Report on the State of the Environment in the Region Emilia-Romagna 2004” is provided.
 7. In conclusion, the main criticisms observed are listed in a special paragraph in order to stress them in an appropriate way.

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1 State of implementation of EU environmental legislation in Italy

In the following pages, the current status of the implementation of EU environmental legislation in Italy is systematically illustrated. In order to assure maximum clarity, Chapter 1 is subdivided into five paragraphs, which correspond to the environmental factors that made up the subject of the study: water pollution, air pollution, waste policy, soil and soil remediation and natural resources.

The evaluation of the status of implementation of EU environmental legislations is limited to the analysis of the directives, as they require transposition into national laws. Very often, directives constitute a clear example of different national interpretations and transpositions despite clearly defined EU objectives.

This analysis does not consider directives formally repealed.

1.1 Water pollution

EU legislation concerning the protection and management of waters is divided into different areas:

- General approach, as defined in the Water Framework Directive 2000/60/EC;
- Specific uses of drinking water;
- Sewage;
- Quality of bathing water;
- Sea pollution and marine security;
- Internal waters (Helsinki Convention; Convention for the Rhine protection, for the Danube and Black Sea region);
- Dumping of dangerous substances in waters.

The EU's legislative approach to water policy has changed in the over the past few years as illustrated in the following table:

PHASE I	PHASE II	PHASE III
70's	90's	1996-today
Superficial waters (1975) Swimming (1976) Dangerous substances (1976) Fish life (1978) Molluscs (1979) Groundwaters (1980) Drinking water (1980)	Urban sewage (1990) Nitrates (1991)	Prevention and control of pollution (1996) New directive on drinking water (1998) Outline of waters (Directive 2000/60/EC) New directive on swimming waters (Directive 2000/860/EC) Groundwaters (Directive 2003/550/EC art. 17 60/2000)
Approach based on limits	Approach based on limits	Managerial approach

The main objectives of the Waters Directives make up part of those more complex ones of the environmental policies of the Union (Sixth Action Program for the Environment), which must contribute to preservation, protection and improvement of the environmental quality, as well as a wise and rational use of natural resources. These goals must be based on the principles of precaution and preventive action, on the principle of reduction (especially at the origin) of the damage caused to the environment, and on the 'polluter pays' principle.

The basic goal is to pursue the good state of the waters (superficial, underground and coastal) by 2015.

General approach

Given the general background, Directive 60/2000/EC (commonly called “Water Framework Directive”) is a complex document dealing with multiple aspects: strictly environmental ones, those concerning administrative organisation, balances between different territorial and government levels, economic-financial elements, and aspects of participation.

The Framework Directive aims at gradually reducing the emissions of dangerous substances into waters in order to reach the final goal of eliminating dangerous substances and of contributing to obtaining values that are close to those of the natural ground with respect to the concentrations in marine environment of substances found in nature.

Italy has implemented the Directive by a Legislative Decree 152/2006 “Norms Concerning the Environment”, commonly called “Single Environmental Text” as it regroups in a single legislative text the environmental laws previously contained in several decrees.

Italy is still deficient in some respects: for example, there is no communication on the naming of the hydrographical basins and there is no report on the environmental studies of each hydrographical district. **The major criticisms on the current situation of this matter in Italy are:**

- **the preparatory work is missing;**
- **the application of the cooperative joint model has not been carried out satisfactorily as application of real collaboration between State, Basins' Authorities, Regions, local institutions, consumers and producers;**
- **the fragmentation of administrative competencies that currently persists needs to be overcome (Authorities of the Basin, Regions, Provinces, Municipalities);**
- **there is an urgent need to define the authorities in charge and assign them with adequate managerial power.**

Drinking water

Concerning drinking waters, Directive 98/83/EC intends to protect peoples' health by defining requirements for cleanliness and hygiene standards to be met within the Union. It is applied to all waters destined for human consumption, except for natural mineral waters and medical waters. Member States need to make sure that drinking water:

- does not contain a concentration of micro-organisms, parasites or other substances potentially dangerous to human health;
- meets the minimum requirements (micro-biological, chemical and radioactive parameters) defined by the directive and
- providers take all necessary measures to guarantee the purity and cleanliness of the waters destined for human consumption.

The Directive lays the duty upon Member States to carry out regular controls on water destined for human consumption, respecting methods for analysis specified in the Directive or using equivalent methods. For that purpose, Member States need to determine monitoring points and institutes in charge of adequate control programs.

In Italy, Legislative Decree n° 31 of 2 February 2001 implements Directive 98/83/EC.

Sewage

As for the disposition concerning the protection of waters from pollution, Italy first defined the Legislative Decree n° 132 of 27 January 1992 on "Implementation of Directive 80/68/EEC concerning the protection of groundwater from pollution by certain dangerous substances", which was then replaced by article 63 of the Legislative Decree n° 152 of 11 May 1999 through the implementation of Directive 91/271/EEC regarding the treatment of urban sewage and of Directive 91/676/EEC regarding the protection of waters from pollution by nitrates coming from agricultural sources.

Subsequently, Legislative Decree n° 152 was repealed by Legislative Decree n° 152 of 3 April 2006 that came into force on 29 April 2006 and merged these existing environmental legislations as well as defined gradual steps for its implementation while waiting for the correlated implementing decrees.

Note that Italy **does not respect Directive 91/271/EEC**, modified by Directive 98/15/EC, **on the treatment and the collection of urban sewage.**

Bathing waters

On bathing waters, the European Union sets rules for the supervision, evaluation and the management of bathing water quality, as well as for the transmission of information regarding these waters. The objective is twofold: reduce and prevent the pollution of bathing waters and inform European citizens about pollution levels.

The related Directives (Directive 76/160/EEC and Directive 2006/07/EC) concerning bathing waters foresee:

- the identification of swimming zones;
- the determination of the duration of the bathing season;
- the taking of samples of the bathing waters during the bathing season;
- analysis of samples by a qualified laboratory;
- information to the public during the bathing season;
- annual report of the results to/from/of the European Union.

This Directive was implemented by the Decree of the President of the Italian Republic DPR n° 470 of 8 June 1982 and following modifications by which Italy guarantees the supervision of bathing waters.

Marine environment and internal waters

In 2006, the European Commission proposed a thematic strategy and a framework directive with common objectives for the protection and the preservation of the marine environment. In order to be able to reach those goals, Member States must evaluate the existing needs within the marine zones of their competence. Such a strategy has two objectives: first, to protect and reclaim the seas of Europe, second, to assure the sound ecological basis of the economical activities related to the marine environment from today until the year 2021.

Directive 2002/84/EC, implemented by Legislative Decree 119/2005, aims at improving the security of maritime transport in EU waters and at eliminating those vessels not respecting this legislation. It applies to all vessels and their crews calling at the port of a Member State or an offshore terminal or being anchored off a port or terminal.

30 September 1998 was the deadline for the implementation of Directive 98/42/EC that modified Directive 95/21/EC regarding the implementation of the international security regulations for vessels, the prevention of pollution and the living and working conditions on board vessels calling at EU ports and navigating in the waters under jurisdiction of the Member States (control by the State of the landing place).

Dangerous substances

With regard to Directives 76/464/EEC, 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 88/347/EEC and 90/415/EEC concerning industrial discharging of dangerous substances into waters, these will all be replaced with Legislative Decree 133/1992, which includes legislation for the presence of some dangerous substances in waste, pertaining to some particular polluting industrial activities.

Directive 80/68/EC is replaced by art. 22 of Directive 2000/60/EC from 22 December 2013. Up to now it has been included, after the repeal of Legislative Decree n° 152 of 11 May 1999, in the third part of Legislative Decree n° 152 of 3 April 2006.

1.2 Air pollution

EU legislations regarding air pollution focuses on two main issues:

- directives concerning air quality;
- directives concerning industrial emissions into the atmosphere.

While the first issue is rather homogeneous, based on the setting of limits for the concentration of certain pollutants into the air, the second issue is more heterogeneous. In particular, there is a distinction between the directives regarding the regulation of industrial emissions independent of their nature, and those directives regulating specific pollutants such as solvents or gas with greenhouse effects.

Air quality

With respect to air quality, Directive 96/62/EC defines evaluation and management methods for air quality. It was implemented, even if with a delay, by Legislative Decree n° 351 of 4 August 1999.

Later directives set the limits for air quality - Directive 1999/30/EC regarding sulphur dioxide, nitrogen dioxide, nitrogen oxides, particles and lead, Directive 2000/69/EC regarding benzene and carbon monoxide, and Directive 2002/3/EC regarding the ozone. All these directives have been formally implemented, despite delays in some instances, by the Ministerial Decree n° 60 of 2 April 2002 and by Legislative Decree n° 183 of 21 May 2004 (the latter refers exclusively to the ozone).

Industrial emissions

With regards to EU rules concerning industrial emissions into the atmosphere, the first EU document was Directive 84/360/EEC on the drive against atmospheric pollution caused by industrial plants. The Directive has been implemented in Italy by the Decree of President of the Italian Republic, DPR n° 203 of 24 May 1988, a decree that regulated the emissions into the atmosphere until the entry into force of Legislative Decree 152/2006, which was recently adopted.

DPR 203/88 has sanctioned a body in charge of the authorisation and control of emissions - the Regions, (which has often delegated such competence to the provinces), as well as the procedures that those (industries, companies, perpetrators) causing the emissions must follow in order to obtain permission for the realisation or modification of the plant generating the atmospheric pollution. Later on, decrees were issued in order to clarify the field of application (Decree of the Presidency of the Ministerial Council DPCM, 21 July 1989) and to set up emission categories with lower environmental risk, for example the 'insignificant' ones and those with 'reduced atmospheric pollution' (DPR of 25 July 1991). The last two were later regulated with various simplified procedures at regional level. Furthermore, by the Ministerial Decree of 12 July 1990, emission limits have been set for different substances and different industrial plants, as well as general criteria for monitoring and evaluating emission limits.

The previously mentioned Legislative Decree 152/2006, has therefore replaced these decrees and has reinforced their contents with some modifications. It has also established the transition periods in which the authorising documents, referred to the previous decrees, are still valid until the Legislative Decree 152/2006 shall enter into force.

There are some particular cases that remain excluded from Legislative Decree 152/2006, like waste incinerators. These are regulated at EU level by Directive 2000/76/EC. This Directive has been implemented by Legislative Decree n° 133 of 11 May 2005. The decree includes elements for the containment of the environmental impacts associated with the incineration of waste in relation to different environmental compartments, among them emissions into the atmosphere.

The implementation of Directive 2001/80/EC regarding the limitation of emissions into the atmosphere of some pollutants generated by big combustion plants (with a power greater than 50 MW) **is still pending**. Its implementation was foreseen **by 27 November 2002**.

A milestone for EU legislation regarding industrial emissions is Directive 96/61/EC, which deals with integrated prevention and pollution control. This Directive introduces some very interesting mechanisms like the annual declaration of emissions, the adaptation to the best available techniques and integrated environmental authorisation that integrates into one single authorisation process all the main environmental issues (emissions into the atmosphere, water discharges, and waste deposit etc.).

This directive was initially implemented by Legislative Decree 372 of 4 August 1999 that was repealed and replaced by the Legislative Decree 59 of 18 February 2005.

Even if this directive has been formally implemented within the required time, its execution still presents several difficulties and delays. The authority in charge of a broad range of plants is the Region, which very often delegates it to the Province, in particular in those circumstances when the Province was already responsible for issuing emissions permits.

This delegation of responsibility has led to disorderly application of the directive. The main steps towards the integrated environmental authorisation, or rather, the definition of the set of forms for the preparation of the technical documentation and the calendar for the presentation of the applications, has seen different outcomes in the Italian regions. Good examples are: the Marche Region, which issued the first integrated environmental authorisations in February 2004, and the Puglia Region, which at the moment of drafting this study, had not yet defined either the calendar or the set of forms.

To further complicate the application of the directive, the fragmentary approach to the integrated environmental authorisation has resulted in different regions producing requests for different technical documents which caused diseconomies for the bigger companies with production sites in various parts of Italy, as they had to attain the same goal through different methods from region to region.

Directive 2001/81/EC sets the national emission limit for some compounds responsible for phenomena like the acidification and the eutrophication of the soil and the presence of high ozone concentration at soil level. This directive is implemented by Legislative Decree 171 of 21 May 2004, which defines the method for drawing up a/the national reduction program for emissions of sulphur dioxide, nitrogen oxides, volatile organic compounds and ammoniac, substances responsible for the above mentioned phenomena.

With regards to specific dispositions for certain pollutants, Directive 1999/13/EC introduces emission limits for volatile organic compounds from determined activities and plants. This directive has been implemented, even if with considerable delay, by the Ministerial Decree n° 44 of 16 January 2004, in turn repealed and then included again in the Legislative Decree 152/2006 “Single Environmental Text”.

Directive 2003/87/EC defines a system for the exchange of emissions quotas of gases with greenhouse effects. The implementation of this Directive was initially realised by the Legislative Decree 273 of 12 November 2004, and then formally by Legislative Decree 216 of 04 April 2006, **with a delay of more than two years** (compared to the previously established deadline of 31 December 2003). The quota restitution process, however, with an initial expiry date fixed by art. 12 of the Directive 2003/87/EC for 30 April 2006, has been postponed three times: the last time by DEC/RAS/670/06 of 15 September 2006 because of technical-data processing problems occurred at APAT, the manager of the national register of emissions.

1.3 Waste policy

Directives dealing with waste and waste policies can be divided into a few main groups:

- trans border shipments of waste;
- waste management (in its widest connotation);
- packaging and packaging waste.

Trans border shipments of waste

For trans border shipments of waste, the legislation in force also in Italy is EC Regulation 1013/2006 of 14 June 2006 and the Ministerial Decree of 3 September 1998 n° 370 regarding the financial guarantees.

Directive 92/3/EURATOM regarding radioactive waste was implemented by Legislative Decree n° 230 of 17 March 1995.

Waste management

The legislation related to waste management is very extensive and complex. The first EU legislations tried to regulate dangerous waste. Directive 78/176/EEC is implemented together with Directives 82/883/EEC, 83/29/EEC, 89/428/EEC and 92/112/EEC by Legislative Decree n° 100 of 27 January 1992.

With Directive 86/278/EEC, the disposal of agricultural sewage sludge was regulated by introducing duties linked to the possession of permit for disposal activities, accompanying documents and periodic analyses of waste; documents related to soils have been realised belatedly in Italy by Legislative Decree n° 99 of 27 January 1992 which is still in force, as it has not been modified by Legislative Decree n° 152 of 3 April 2006.

Directive 91/157/EEC deals with batteries and accumulators containing dangerous substances. It was reviewed by Directives 93/86/EEC and 98/101/EC. This matter is today regulated at national level by Ministerial Decree n° 194 of 3 July 2003.

Directives 91/156/EEC and 91/689/EEC (as modified by Directive 94/31/EC), however, define general rules for waste management which form the base on which Legislative Decree n° 22 of 5 February 1997 (the so-called “Ronchi Decree”) is designed. This decree constituted, for almost a decade, the base for the development of Italian waste legislation, defining the duties of producers and producing a series of implementation documents that constituted the operating instruments.

Specifically on waste definition, the Italian legislation has included a further element in its law decree 8 July 2002 n° 138. Article 14 introduces “the authentic interpretation of the definition of “Waste” as of article 6, comma 1, letter a), of the legislative decree n° 22 of 5 February 1997”.

This interpretation has been seriously contested by the European Commission because it links the definition of waste to the type of recycling or disposal of the waste in question and not to the goodwill or the requirement to discard a substance, as required by the European Directive. Furthermore, the same law's decree allows the exclusion from the waste concept of many recyclable waste materials whose recycling process is not specifically part of the methods required by the Directive in the Annex IIB or, if it is part of it, does not require a “preventive intervention”.

The Legislative Decree n° 22 of 5 February 1997 has been repealed and replaced by Legislative Decree n° 152 of 3 April 2006 “Environmental Regulation”, that came into force on 29 April 2006. This repeal, also comprising of the law decree 8/7/2002 nr. 138, seems to overcome the above stated problems of the interpretation of the waste definition.

In conclusion, Directive 2006/12/EC is still waiting to be implemented.

Specific dispositions for waste management are also contained in Directive 1999/31/EC on landfills, implemented by Legislative Decree n° 36 of 13 January 2003, while waste incineration is dealt with by Directive 2000/76/EC implemented by Legislative Decree n° 133 of 11 May 2005.

Specific types of waste

Directive 96/59/EC on the disposal of polychlorodiphenyls and polychlorotriphenyls (PCB and PCT) has been implemented by Legislative Decree n° 209 of 22 May 1999. Directive 2000/53/EC on end-of life vehicles has been implemented by Legislative Decree n° 209 of 24 June 2003. Directive 2000/59/EC regarding port reception facilities for ship-generated waste and cargo residues has been implemented by Legislative Decree n° 182 of 24 June 2003.

Directives 2002/95/EC, 2002/96/EC and 2003/108/EC pertaining to the restrictions of the use of dangerous substances in electric and electronic equipments (RoHS) and waste management of electric and electronic equipment (WEEE) have been implemented by Legislative Decree n° 151 of 25 July 2005. Not all municipalities have however put into practice the separate collection of these components. Small municipalities are facing big problems to do so. However, an overall evaluation of the state of implementation of the Directives has been postponed to 31 December 2008; by then it is required to reach a separate collection rate of WEEE from single households equal to an average of 4 Kg per inhabitant per year.

Recent Directives 2005/64/EC on recyclables of the components of motor vehicles and Directive 2006/21/EC on waste from mining are expected to be implemented soon.

Packaging waste

As for packaging waste, Directive 94/62/EC has been implemented by Legislative Decree n° 22 of 5 February 1997 (the so-called “Ronchi Decree”), now substituted by Legislative Decree n° 152 of 3 April 2006. **Still to be implemented remain Directives 2004/12/EC** (that modifies the previous 94/62/EC) **and Directive 2005/20/EC**. While the first is foreseen within the Community Law 2004 (Law n° 62 of 18 April 2005), the second is not even mentioned in the Community Law 2005 (Law n° 29 of 25 January 2006).

1.4 Soil and soil remediation

EU legislation on soil and sub soil protection are divided into the following groups:

- General context: defined by the strategic lines of the Sixth Action Program for Environment, in Directive 96/61/EC on the integrated prevention and pollution control and the evaluation of the impact of certain projects and programs on the environment;

- Managing specific soils: agreement on the protection of the Alps, coastal areas and strategy for urban environment;
- Discharge of substances: biodegradability and labelling of detergents, limitation and elimination of the production, use of persistent organic pollutants (POPs) with reference to Council Decision 2006/507/EC of 14 October 2004 on the Stockholm Convention on persistent organic pollutants, nitrates and mercury;
- Activities at risk: waste disposal and non energetic mining.

One of the goals of the Sixth Action Program for Environment is the soil protection and the fight against its main threats: erosion, reduction of the organic material layer, contamination, sealing and urbanisation (caused by house constructions, roads and other infrastructures), compaction (due to the mechanical pressure from heavy machines, to excessive pasturing, sports activities), reduction of the biodiversity, salinisation (excessive accumulation of solvable salts of sodium, magnesium and calcium) as well as flooding and landslides. All these processes are linked to human activities and some have worsened during the last decades. The economical consequences and the repair costs for the soil threats are enormous.

In the overall legislation the accent is rather complex:

- soil is referred to within directives on air quality (Directive 96/92/EEC and Directive 2002/03/EC) and the majority of the waste directives (starting with Directive 1999/31/EC on disposals and Directive 2006/21/EC on managing waste from mining and Directive 2006/12/EC on waste management);
- Directive 86/278/EEC defines the protection criteria of soil for the use of sewage sludge in agriculture;
- in 2004, Directive 2004/35/EC was issued on environmental liability related to prevention and repair of environmental damage.

In the context of the Common Agricultural Policy (CAP) there will be support for biological agriculture, the protection of terracing, safer use of pesticides, the use of certified compost, silviculture, reforestation and other measures for soil protection. On the occasion of the revision of the CAP, the Commission intends to increase the financing for the rural development and the soil protection.

In Italy, soil protection is implemented by Legislative Decree n° 152 of 3 April 2004, which includes the re-development procedures, while Legislative Decree n° 99 of 27 January 1992 implements Directive 86/278/EEC concerning the protection of the environment, in particular soil, during the use of purification mud in agriculture.

1.5 Natural resources

EU legislation on natural resources concerns:

- the protection of biodiversity;
- the management of natural resources: sustainable use of natural resources and strategy for the use of biological fuels;
- flora and fauna: protection of some species of wild flora and fauna, preservation of wild birds, marine fauna, protection of animals testing;
- forests;

- genetically modified organisms.

From the 1980's onwards, the concept of biodiversity and the problems related to the progressive loss of biological diversity due to human activities have been the subject of many international conventions. This vision is reflected at the legislative level in two EU Directives "Habitat" (Directive 92/43/EC) and "Birds" (Directive 79/409/EC), which represent the main innovating legislative instruments for the preservation of nature and of biodiversity. They affirm the importance of a vision of protecting biodiversity through an approach on a broad geographic scale. The conservatory approach for single threatened species is outdated and needs to be combined with actions aimed at the protection of the entire biological diversity in all its components: genetic, specific and ecosystem-wise. Based on these considerations, the European Union, in art. 3 of Directive "Habitat", confirms the constitution of a European ecological network called "Nature 2000".

Directive "Habitat" was adopted in 1992 and was implemented in Italy by the DPR 08/09/1997 nr. 357, modified later on by the DPR 12/03/2003 nr. 120, while the Directive "Birds" was adopted in 1979 and implemented in Italy by the Law 11/02/1992 nr. 157.

This new definition of the system fits within the strategy of the European Council to promote a more comprehensive and less fragmented approach of the government of the territory, which has led to the adoption of the European Convention on Landscape in 2000.

Right now the "network" is made up of two area types:

- Special Protection Areas, required by the Directive "Birds";
- Proposed Sites of Community Importance.

These zones may have different spacial relationships, ranging from complete overlapping to complete separation.

The sites of the Nature 2000 network are not protected areas in the traditional sense and they are different from parks and reserves in two main aspects: the end of their definition and the instruments used for reaching the goals.

The protected areas aim at preserving and enhancing the natural patrimony of the country. They are regulated in Italy by the Law 394/91 but instituted by a special regional law, and have an autonomous management institution and an "own territory" plan.

The Sites of Community Importance and the Special Protection Areas, whose purpose is the preservation of habitat and species, are part of a European ecological network and must have a specific management plan. They may fall completely or partially into protected areas and, in the latter case, it is clear that the managing institution must play a major role in the preservation of the Community site and must adapt its own management plan and instruments to the attainment of the objectives called for by Nature Network 2000.

In the case of Italy, the assignment of the Special Protection Areas is task of the Regions and the autonomous Provinces. The Commission may judge a state to be non-fulfilling if it considers on a technical basis that the Special Protection Areas assigned are insufficient to guarantee the keeping of a preservation state that is satisfying for the species as of Annex I of the Directive 79/409/EC and for the migrating species, or that not all necessary sites are covered. On the other hand, there are no limits on the prevention of new sites/ there is no limit on assigning new sites.

In Italy, the individuation of the Sites of Community Importance is realised by the individual Regions, coordinated by the Ministry for the Environment within a project entitled “Bioitaly”. These lists are examined by the European Commission which, as agreed with the member states, elaborates a communitarian list of the Sites of Community Importance.

1.6 List of directives which have not been implemented yet

To summarise what has been written above, here is a concise list of the main examples of directives that are currently unfulfilled by Italy. The following directives have not been formally transposed and the expected date of transposition has expired:

- Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC - Statement by the Commission (expected before 25/06/2005);
- Directive 2006/11/EC of the European Parliament and of the Council of 15 February 2006 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community (expected before 24/03/2006);
- Commission Directive 98/42/EC of 19 June 1998 amending Council Directive 95/21/EC concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control) (expected before 30/08/1998);
- Directive 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants (expected before 26/11/2002);
- Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on waste (expected date of effect 17/05/2006);
- Directive 2004/12/EC of the European Parliament and of the Council of 11 February 2004 amending Directive 94/62/EC on packaging and packaging waste (expected before 18/08/2005, this directive is presently on the list of directives to be implemented in the Annex B of D.Lgs. 18/04/2005 n° 62 (Legge Comunitaria 2004));
- Directive 2005/20/EC of the European Parliament and of the Council of 9 March 2005 amending Directive 94/62/EC on packaging and packaging waste (expected before 09/09/2006).

2 Infringement procedures

2.1 Infringement procedure: reasons and types of violation

Art. 211 of the Treaty confers on the Commission the task of supervising the application of the disposition of the Treaties and of other dispositions adopted by the Institutions of the Union. A direct consequence of this important duty is the authority conferred on the Commission to manage situations where Member States fail to respect European legislation, by applying the procedures as foreseen by articles 226, 227 and 228 of the EU Treaty.

The violations at the base of each action by the Commission are in most cases linked to the normative regulation called 'Directive'. The Directive, in fact, requires (art. 249 EU Treaty) that each Member State introduces the instruments needed for the implementation and realisation of the directive in the organisation of the State.

The following paragraphs concentrate on this specific instrument of the European Union.

2.2 Italy and the respect of the fulfilments as a Member of the European Union

The implementation process of EU Directives in the Italian legal system is realised by the instrument of the communitarian law that regulates way and timetable for the transposition of the Directives. The matter is regulated by Law n° 11 of 4 February 2005 which states: "General norms for the participation of Italy in the normative process of the European Union and for the execution procedures of communitarian duties", which requires the presentation by January 31 of each year of a government bill: "Dispositions for the fulfilling of duties deriving from the belonging of Italy to the European Union". This law defines: the timetable (18 months), the way to implement the normative laws issued during the previous year and how to manage non-conform situations as well as those subject to an infringement procedure.

2.3 Role of the Regions in the implementation of duties

The EU law attributes to the Regions the power to directly implement EU directives in the matters of their own competences, with the exception of substituting powers of the State in case of a non-fulfilment (by the Regions). The involvement of the Regions in the implementation of EU directives has had a positive effect, thanks to the Reform of Title V of the Italian Constitution included in the Law n° 3 of 18 October 2001. In particular, new art. 117 of the revised Italian Constitution requires that Regions and Autonomous Provinces, in matters of their competence, oversee the implementation and the carrying out of international agreements and actions of the European Union, in respect of the procedure regulations defined by the law of the State. It is clear that such role is very important when it comes to the direct responsibility, for example in case of violations of community law. In case of violations, the European Commission, in practice, activates an infringement procedure against the Member State and not against a territorial, regional or local authority. It is then up to the State to ask the authority to remedy the violation and, finally, to communicate to the European Commission the actions taken.

2.4 Infringement procedures on environmental matters: the Italian situation

Italy is the EU Member State with the highest number of open infringement procedures.

The negative record concerns also the protection of the environment: Italy is first on the European ranking with more than 60 open procedures as compared with other EU countries (Germany: 22; United Kingdom and France: 37; Spain: 59).

During the preparation of this study, Consorzio CO.META faced various problems in collecting precise data as regards the real number of open procedures. This uncertainty is due to various reasons among which:

- the power of the Commission to keep the subject of the procedure confidential;
- the managing of the timetables foreseen;
- the possibility to merge other infringement procedures already activated for different violations into one procedure.

According to available information, in particular on the environmental policies described in this study, the most prominent violations are those referring to waste policy and nature protection, together with an ever more accumulating number of unresolved infringement procedures.

3 Opinion of the interested parties

3.1 Case studies: Environmental associations call up

As case studies, this study reports on two cases of infringement procedures signalled by WWF Italy.

Case 1 : Water Framework Directive

The first case refers to an infringement procedure presented to the European Union by the Association WWF Italy against the Italian Republic for an inadequate implementation of the Water Framework Directive 2000/60/EC through the Legislative Decree 152/06. The motivations can be summarised as follows:

- absence of coordination between the different institutions involved within the Hydrographical Districts;
- little clarity in definition of the respective roles;
- lack of definition of an authority in charge of planning and managing the hydrographical basin;
- identification of the hydrographical basin is not always based on hydrological criteria;
- complete distortion of the concept of Hydrographical District and Basin Plans;
- fusion of plans (i.e.: for protection, for management, for the district basin etc.) without having the application fields clearly defined;
- information and public consultation against payment;
- lack of procedures required by the Directive for the realisation of new works (i.e. water works);
- lack of environmental quality goals according to the holistic approach and the integrated logic foreseen by the Directive;
- unpredictability in attributing quality objectives and extension of deadlines;
- unpredictability of deviations in reaching the quality objectives;
- unpredictability in interpreting the principle of recovery of the cost of water services.

Case 2 : Birds Directive

With regards to the implementation of Directive 79/409/EEC on the preservation of wild birds realised by Legislative Decree n° 251 of 4 August 2006, the WWF expressed the need for the Legislative Decree to be converted into law.

Among the points underlined by the Association is the request for a regulation on hunting activities up to their total exclusion or limited to species or periods, if the ecological necessities require so. Moreover the Association requires a regulation of infrastructures building and of territory's modifications that might compromise the protection of the habitat.

3.2 Environmental reports

The “Report on the State of Environment 2005” published by the Ministry of the Environment and the Protection of the Territory points out how in the past 15 years emissions into the atmosphere regulated by Directive NEC (National Emission Ceilings - Directive 2001/81/EC on national emission limits for some atmospheric pollutants) have been reduced as an absolute value and in relation to GDP, a result in accordance with the European strategy for sustainable development that can be summarised in the concept of an uncoupling of economic development and exploitation of environmental resources.

However, in some cases, the results achieved are not yet in line with what is required by the Directive NEC.

The most critical aspect is related to nitrate oxides (NO_x), for which according to present previsions, the limit required by the Directive for 2010 will not be respected. Among others, problems might be related to:

- the lack of a renewal of the fleet of circulating cars corresponding to the standard Euro4;
- the adoption of new electrical power stations with combined cycles able to obtain a reduction of the specific emissions of CO₂ but that could lead to an increase of NO_x.

Closer to reaching the limits are the sulphur oxides (SO_x) and the Non-Methane Volatile Organic Compounds (NMVOC) for which the only obstacle might always be represented by the not renewed circulating fleet of cars.

A different case is the one of ammonia emissions (NH₃) which are close to the limit set by the Directive for 2010, but which are stable. These emissions derive mainly from agricultural and zoological technical activities. In this case, the possible measures for reducing the emissions in order to respect the NEC goal face an unfavourable relation between economical cost and environmental benefits.

As for the emissions of fine particles (PM₁₀) the Report underlines the difficulty in respecting the quality limits in urban areas (deriving from the Directive 1999/30/EC), a difficulty due mostly to:

- vehicle traffic;
- local climatic conditions.

As for the emissions of greenhouse effect gases and, in particular, the emissions of the industrial sector, the Report underlines how the quotas assigned to Italy are higher when compared to the levels of 1990 thanks to an effort to reduce the overall national emissions by 6,5% by 2010 because the European Commission has recognised higher efficiency of the sector.

With reference to the goal of reducing the overall national emissions of greenhouse effect gases by 6,5%, an increase is found for those of the:

- transport sector, due mainly to the lack of an adaptation of the infrastructure and the low efficiency of the system;
- residential and service sector, sign of a deficiency at the technology and management level.

As for the “water resource”, and with particular reference to its management at the level of the Optimum Territorial Extent, the Report underlines some problems, for example:

- difficulty in defining the rates to adhere to the pricing politics for water and to the principle of cost recovery for water services sanctioned by the Directive 2000/60/EC;

- not always easy to coordinate between the Field Plan and the Basin Plan, in order to obtain an integrated management of the basin, fundamental requirement of the Directive 2000/60/EC.

With reference to the implementation of the Directive 91/271/EC regarding the treatment of urban sewage, the Report describes how the collection of data by APAT (*Agency for the Protection of the Environment and Territory*) from Regions for infrastructure and water quality is sometimes difficult because of delays and ways of transmission.

As for the protection of the waters from agricultural nitrates, as regulated by the Directive 91/676/EC (Directive “Nitrates”), the Report cites the APAT data that clearly shows a reduction over the years in the number of cases which limited the totals in both internal superficial waters and in sub soil waters were exceeded. This tendency is, however, due mainly to the reduction of the agricultural surface used, rather than to a reduction of the specific consumption of fertilizers.

As for the management of waste, the Report underlines how in recent years the production of urban waste has increased, also with reference to the development of the economical indices. As for separate waste collection, the Leg. Decree 05/02/1997 nr. 22, implementing the Directives 91/156/EEC, 91/689/EEC and 94/62/EC, defined a level of 35% of the total of collected urban waste to be reached, a level which today is reached only by the regions in North Italy, and not in a homogeneous way by all municipalities. As for the implementation of the Leg. Decree 11/05/2005 nr. 133, implementing Directive 2000/76/EC on the incineration of waste, the Report points out how the distribution of incineration plants is concentrated mostly in North Italy. Regarding the managerial aspects, it is described how some regions find it difficult to program and manage their own waste and how they are, and have been for some years, in an emergency situation when it comes to the disposal of waste.

The Report underlines the effort of the operators of the vehicle supply chain to find technical solutions in order to reach the recycling levels for waste from vehicles sanctioned by the Leg. Decree 24/06/2003 nr. 209, implementing EU Directive 2000 /53/EC. However, no data is provided.

In the “Report on the State of the Environment of the Region Emilia-Romagna 2004” regarding air quality, the Report underlines how one of the principles of the Directive 96/62/EC, implemented in Italy through the Leg. Decree 04/08/1999 nr. 351, is one of gathering data on the air quality to be made available to the public. The system of gathering and evaluating the data of the air quality was therefore improved, and a summary is included in the Report.

As for the protected areas and the defence of ecosystems, the regional goals have been defined after the Rio Convention on Biodiversity in line with the actions of the EU and with the Directive “Habitat” (92/43/EC) as well as the law on the national background for the protected areas (Law 06/12/1991 nr. 394). To this respect, a summary of some significant indices is provided. For example, regarding vertebrates, there are many species present in the regional territory protected by the European Directives that are threatened. As for plant species, all those threatened in the region are included in the Habitat Directive.

4 Points for MEPs reflection

The following elements should receive focussed attention as decisions pertaining to these points will have a crucial impact on future environmental policy making in Italy.

4.1 State of implementation of EU environmental legislation in Italy

- The implementation of EU Directives is generally delayed or missing. Very often the implementation of EU Directives into a national legislation does not reach the objectives set by the directives.
- Italy implements the Water Framework Directive 2000/60/EC through a Legislative Decree n° 152 of 3 April 2004, but is deficient in its many applicative aspects because of the present fragmentation of the administrative competences and the lacking application of a cooperative-joint model among the actors involved.
- As for the application of Directive 1991/271/EC on the collection, treatment and disposal of urban sewage, it is crucial to stress that there are, in many cases, no efficient depuration systems for urban sewage and, consequently, the quality values defined for the waters are not reached.
- Many Italian Regions are not yet sufficiently equipped to allow the companies concerned to apply for and obtain the Integrated Environmental Permit required by the Directive 96/61/EC.
- The participation of Italy in the EU system for the exchange of emission quotas for the greenhouse gases (Directive 2003/87/EC) is characterised by delays and shortcomings.
- The critical situations in some Italian Regions regarding the collection of urban waste are in contrast with the principles and the goals of the respective EU Directives.
- With respect to the “Habitat” and “Birds” Directives, the assignment process by the Regions of the SIC and the ZPS is still under way and very often there are no clear rules on the activities foreseen and not foreseen within the protected sites.
- 30 September 1998 was the deadline for the implementation of Directive 98/42/EC which modifies Council Directive 95/21/EC about the security in the marine environment and about the application of international norms for ship safety, pollution prevention and shipboard living and working conditions on board the vessels calling at the EU ports and navigating in the waters under jurisdiction of the Member States (control by the State of the landing place).
- The uncertain situation following the entry into force of Legislative Decree 152/06 “Environmental Regulations”, due to the blocking of some implementing decrees foreseen, make the correct implementation of the national environmental legislation, and thus the community one, difficult.

4.2 Infringement procedures

The following elements seem to be essential aspects of the huge number of infringement procedures affecting Italy, in particular:

- Ambiguous individuation of the infringement procedures: during the research study several difficulties were encountered in collecting data needed for the creation of a precise picture. This aspect emerged also when confronting various documents. Confirmation was made during the first operative meeting of the Inter-ministerial Committee for European Communitarian Affairs (ICECA), held in Rome on 4 July 2006, lead by the Italian Minister for European Policies, Ms Emma Bonino. With reference to the Italian situation on the high number of EU infringement procedures, the Italian Minister underlined the need for a better coordination system and data sharing by the offices involved, namely the Department of European Policies, the Italian Ministry for Foreign Affairs and the Italian Permanent Representative in Brussels. Better correspondence should be encouraged between each other because all these offices, under different titles and competences, manage the infringement procedures.
- Implementation timetables of EU Directives: several reasons constitute a serious obstacle for the reduction of the infringement procedures, among others: the forecasted term of 18 months as the time limit given by the Italian Government of the legislative delegate powers to implement EU Directives; the systematic delay in implementing the provisions from the administrative structure of the State and the local authorities.
- The efficiency of the management and control activities of central and local administrations: low efficiency of the central and regional-provincial administrations in keeping updated the decision-making and operative processes under control with direct consequences on the timetables for the implementation of the EU Directives.
- Management of complaints: little interest on the side of local administrations for complaints sent in by private persons or associations to the European Commission. Efficient management of such statements at local level with the support of the central administration might be very useful to reduce, in advance, litigation with the European Commission.

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ANNEX I: Directives considered in the present paper

Water pollution

WATER QUALITY		
Directive	Expected date of transposition	Notes on transposition
Council Directive 75/440/EEC of 16 June 1975 concerning the quality required of surface water intended for the abstraction of drinking water in the Member States	18/06/1977	Transposed with DPR 03/07/1982 n° 515 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n° 152. Repealed by Council Directive 2000/60/EC from 22/12/2007
Council Directive 76/160/EEC of 8 December 1975 concerning the quality of bathing water	10/12/1977	Transposed with DPR 08/06/1982 n° 470, with DL 03/05/1985 n° 164, with DL 14/05/1998 n° 155, with Legge 25/06/1985 n° 322, with DM 29/01/1992, with DL 13/04/1993 n° 109, with Legge 12/06/1993 n° 185. Repealed by Council Directive 2006/07/EC from 31/12/2014.
Council Directive 78/659/EEC of 18 July 1978 on the quality of fresh waters needing protection or improvement in order to support fish life	20/07/1980	Transposed with D.Lgs. 25/01/1992 n° 130 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n° 152. Repealed by Council Directive 2006/07/EC from 31/12/2013.

WATER QUALITY		
Directive	Expected date of transposition	Notes on transposition
Council Directive 79/923/EEC of 30 October 1979 on the quality required of shellfish waters	05/11/1981	Transposed with Legge 02/05/1977 n° 192, with DM 27/04/1978, with D.Lgs. 27/01/1992 n° 131. All of them have been repealed by D.Lgs. 3/4/2006 n° 152. Repealed by Council Directive 2006/07/EC from 31/12/2013.
Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption	17/07/1985	Transposed with DPR 24/05/1998 n° 236. Repealed by Council Directive 98/83/EC.
Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption	25/12/2000	Transposed with D.Lgs. 02/02/2001 n° 31.
Council Directive 2006/7/EC of 15/02/2006 on the concerning the quality of bathing water	24/03/2008	It has not been transposed yet
Council Directive 2006/44/EC of 06/09/2006 on the quality of fresh waters needing protection or improvement in order to support fish life	—	It has not been transposed yet

WATER POLLUTION		
Directive	Expected date of transposition	Notes on transposition
Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community	05/05/1976	Transposed with D.Lgs. 27/01/1992 n° 133 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n° 152.
Council Directive 79/869/EEC of 9 October 1979 concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States	11/10/1981	Transposed with DM 15/02/1983 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n° 152. Repealed by Council Directive 2000/60/EC from 22/12/2007.
Council Directive 79/68/EEC of 17 December 1979 concerning protection of groundwater against pollution caused by certain dangerous substances	19/12/1981	Transposed with D.Lgs. 27/01/1992 n° 132 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n° 152. Repealed by Council Directive 2000/60/EC from 22/12/2013.
Council Directive 82/176/EEC of 22 March 1982 on limit values and quality objectives for mercury discharges by the chlor-alkali electrolysis industry	01/07/1983	Transposed with D.Lgs. 27/01/1992 n° 132 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n° 152.
Council Directive 83/513/EEC of 26 September 1983 on limit values and quality objectives for cadmium discharges	26/09/1985	Transposed with D.Lgs. 27/01/1992 n° 132 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n° 152.

WATER POLLUTION		
Directive	Expected date of transposition	Notes on transposition
Council Directive 84/156/EEC of 8 March 1984 on limit values and quality objectives for mercury discharges by sectors other than the chlor-alkali electrolysis industry	10/03/1986	Transposed with D.Lgs. 27/01/1992 n° 132 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n°152.
Council Directive 84/491/EEC of 9 October 1984 on limit values and quality objectives for discharges of hexachlorocyclohexane	01/04/1986	Transposed with D.Lgs. 27/01/1992 n° 132 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n°152.
Council Directive 86/280/EEC of 12 June 1986 on limit values and quality objectives for discharges of certain dangerous substances included in List I of the Annex to Directive 76/464/EEC	01/01/1988	Transposed with DPR 24/05/1988 n° 217.
Council Directive 88/347/EEC of 16 June 1988 amending Annex II to Directive 86/280/EEC on limit values and quality objectives for discharges of certain dangerous substances included in List I of the Annex to Directive 76/464/EEC	01/01/1989 01/01/1990	Transposed with D.Lgs. 27/01/1992 n° 133 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n° 152.
Council Directive 90/415/EEC of 27 July 1990 amending Annex II to Directive 86/280/EEC on limit values and quality objectives for discharges of certain dangerous substances included in list I of the Annex to Directive 76/464/EEC	31/01/1992	Transposed with D.Lgs. 27/01/1992 n° 133 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n° 152.

WATER POLLUTION		
Directive	Expected date of transposition	Notes on transposition
Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment	30/06/93	Transposed with 1.17/05/1995 n° 172 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n° 152.
Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources	19/12/1993	Transposed with D.Lgs. 11/05/1999 n° 152. It have been repealed by D.Lgs. 3/4/2006 n° 152.
Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control	30/10/1999	Transposed with D.Lgs. 04/08/1999 n° 372, with D.Lgs. 18/02/2005 n° 59 and with D.Lgs. 3/4/2006 n° 152.
Commission Directive 98/15/EC of 27 February 1998 amending Council Directive 91/271/EEC with respect to certain requirements established in Annex I thereof	30/09/1998	Transposed with D.Lgs. 11/05/1999 n° 152. It have been repealed by D.Lgs. 3/4/2006 n° 152.
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	22/12/2003	Transposed with D.Lgs. 3/4/2006 n° 152.
Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC - Statement by the Commission	25/06/2005	It has not been transposed yet

WATER POLLUTION		
Directive	Expected date of transposition	Notes on transposition
Directive 2006/11/EC of the European Parliament and of the Council of 15 February 2006 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community	24/03/2006	It has not been transposed yet

WATER POLLUTION AND NAVAL SECURITY		
Directive	Expected date of transposition	Notes on transposition
Council Directive 95/21/EC of 19 June 1995 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control)	30/06/96	Transposed with DM 14/11/1997
Council Directive 98/25/EC of 27 April 1998 amending Directive 95/21/EC concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control)	01/07/98	Transposed with Legge 05/02/1999 n° 25.
Commission Directive 98/42/EC of 19 June 1998 amending Council Directive 95/21/EC concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control).	30/09/98	It has not been transposed yet

WATER POLLUTION AND NAVAL SECURITY

Directive	Expected date of transposition	Notes on transposition
Commission Directive 1999/97/EC of 13 December 1999 amending Council Directive 95/21/EC concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control).	13/12/2000	Transposed with DM 14/11/1997
Directive 2001/106/EC of the European Parliament and of the Council of 19 December 2001 amending Council Directive 95/21/EC concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control)	22/07/2003	Transposed with DM 13/10/2003 n° 305 and with DM 2/2/2006 n° 113.
Directive 2002/84/EC of the European Parliament and of the Council of 5 November 2002 amending the Directives on maritime safety and the prevention of pollution from ships.	23/11/2003	Transposed with DM 14/6/2004 n° 236 and with D.Lgs. 27/5/2005 n° 119.
Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements	01/04/2007	It has not been transposed yet

Air pollution

AIR QUALITY		
Directive	Expected date of transposition	Notes on transposition
Council Directive 80/779/EEC of 15 July 1980 on air quality limit values and guide values for sulphur dioxide and suspended particulates	-	Repealed by Council Directive 1999/30/EC
Council Directive 81/857/EEC of 19 October 1981 adapting, consequent upon the accession of Greece, Directive 80/779/EEC on air quality limit values and guide values for sulphur dioxide and suspended particulates	-	It does not affect Italy
Council Directive 82/884/EEC of 3 December 1982 on a limit value for lead in the air	-	Repealed by Council Directive 1999/30/EC
Council Directive 85/203/EEC of 7 March 1985 on air quality standards for nitrogen dioxide	-	Repealed by Council Directive 1999/30/EC except for a few contents valid until January 1 st , 2010.
Council Directive 85/580/EEC of 20 December 1985 adapting, on account of the accession of Spain and Portugal, Directive 85/203/EEC on air quality standards for nitrogen dioxide	-	It modifies the contents of repealed directive (Council Directive 85/203/EEC)
Council Directive 89/427/EEC of 21 June 1989 amending Directive 80/779/EEC on air quality limit values and guide values for sulphur dioxide and suspended particulates	-	It modifies the contents of repealed directive (Council Directive 80/779/EEC)
Council Directive 92/72/EEC of 21 September 1992 on air pollution by ozone	-	Repealed by Directive 2002/3/EC
Council Directive 96/62/EC of 27 September 1996 on ambient air quality assessment and management	21/05/1998	Transposed with D.Lgs. 4/8/1999 n° 351
Council Directive 1999/30/EC of 22 April 1999 relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air	19/07/2001	Transposed with DM 2/4/2002 n° 60

AIR QUALITY		
Directive	Expected date of transposition	Notes on transposition
Directive 2000/69/EC of the European Parliament and of the Council of 16 November 2000 relating to limit values for benzene and carbon monoxide in ambient air	13/12/2002	Transposed with DM 2/4/2002 n° 60
Directive 2002/3/EC of the European Parliament and of the Council of 12 February 2002 relating to ozone in ambient air	09/09/2003	Transposed with D.Lgs. 21/05/2004 n° 183

INDUSTRIAL EMISSIONS		
Directive	Expected date of transposition	Notes on transposition
Council Directive 84/360/EEC of 28 June 1984 on the combating of air pollution from industrial plants	30/06/1987	Transposed with DPR 24/05/1988 n° 203, now repealed by D.Lgs. 3/4/2006 n°152
Council Directive 88/609/EEC of 24 November 1988 on the limitation of emissions of certain pollutants into the air from large combustion plants	30/06/1990	Transposed with DM 10/03/1987 n° 105 and DM 8/5/1989. Both have been repealed by D.Lgs. 3/4/2006 n°152
Council Directive 89/369/EEC of 8 June 1989 on the prevention of air pollution from new municipal waste incineration plants	-	Repealed by Directive 2000/76/EC
Council Directive 89/429/EEC of 21 June 1989 on the reduction of air pollution from existing municipal waste-incineration plants	-	Repealed by Directive 2000/76/EC
Council Directive 93/76/EEC of 13 September 1993 to limit carbon dioxide emissions by improving energy efficiency (SAVE)	-	Repealed by Directive 2006/32/EC
Council Directive 94/66/EC of 15 December 1994 amending Directive 88/609/EEC on the limitation of emissions of certain pollutants into the air from large combustion plants	24/06/1995	Firstly transposed with DM 8/5/1989, which has been repealed by D.Lgs. 3/4/2006 n° 152
Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control	30/10/1999	Firstly transposed with D.Lgs. 4/8/1999 n° 372, which has been repealed by D.Lgs. 18/02/2005 n° 59
Council Directive 1999/13/EC of 11 March 1999 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations	30/04/2001	Transposed with DM 16/01/2004 n° 44, which has been repealed by D.Lgs. 3/4/2006 n° 152
Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste	28/12/2002	Transposed with D.Lgs. 11/05/2005 n° 133

INDUSTRIAL EMISSIONS		
Directive	Expected date of transposition	Notes on transposition
Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants	26/11/2002	Transposed with 21/05/2004 n° 171
Directive 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants	26/11/2002	It has not been transposed yet
Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC	31/12/2003	Transposed with D.Lgs. 4/4/2006 n° 216
Directive 2004/101/EC of the European Parliament and of the Council of 27 October 2004 amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms	30/01/2008	It has not been transposed yet

Wastes

TRANSFRONTIER SHIPMENT OF HAZARDOUS WASTE		
Directive	Expected date of transposition	Notes on transposition
Council Directive 84/631/EEC of 6 December 1984 on the supervision and control within the European Community of the transfrontier shipment of hazardous waste	-	Repealed by Regulation (EEC) n° 259/93, which has been repealed by Regulation (EC) n° 1013/2006
Commission Directive 85/469/EEC of 22 July 1985 adapting to technical progress Council Directive 84/631/EEC on the supervision and control within the European Community of the transfrontier shipment of hazardous waste	01/10/1985	Transposed with D.M. 22/10/1988, n° 457, which has been repealed by DM 03/09/1998 n° 370
Council Directive 86/121/EEC of 8 April 1986 adapting, consequent upon the accession of Spain and Portugal, Directive 84/631/EEC on the supervision and control within the European Community of the transfrontier shipment of hazardous waste	-	It does not affect Italy
Council Directive 86/279/EEC of 12 June 1986 amending Directive 84/631/EEC on the supervision and control within the European Community of the transfrontier shipment of hazardous waste	01/01/1987	Transposed with D.M. 22/10/1988, n° 457, which has been repealed by DM 03/09/1998 n° 370
Commission Directive 87/112/EEC of 23 December 1986 adapting to technical progress for the second time Council Directive 84/631/EEC on the supervision and control within the European Community of the transfrontier shipment of hazardous waste	01/01/1987	Transposed with D.M. 22/10/1988, n° 457, which has been repealed by DM 03/09/1998 n° 370
Council Directive 92/3/Euratom of 3 February 1992 on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community	01/01/1994	Transposed with D.Lgs. 17/03/1995 n° 230.

WASTE MANAGEMENT

Directive	Expected date of transposition	Notes on transposition
Council Directive 75/442/EEC of 15 July 1975 on waste	-	Repealed by directive 2006/12/EC.
Council Directive 76/403/EEC of 6 April 1976 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls	-	Repealed by directive 96/59/EC.
Council Directive 78/176/EEC of 20 February 1978 on waste from the titanium dioxide industry	22/01/1979	Transposed with D.Lgs. 27/01/1992 n° 100
Council Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste	-	Repealed by article n° 11 of directive 91/689/EEC (article replaced by article n° 1 of directive 94/31/EC)
Council Directive 82/883/EEC of 3 December 1982 on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry	31/12/1984	Transposed with D.Lgs. 27/01/1992 n° 100
Council Directive 83/29/EEC of 24 January 1983 amending Directive 78/176/EEC on waste from the titanium dioxide industry	15/03/1983	Transposed with D.Lgs. 27/01/1992 n° 100
Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture	04/07/1989	Transposed with D.Lgs. 27/01/1992 n° 99
Council Directive 89/428/EEC of 21 June 1989 on procedures for harmonizing the programmes for the reduction and eventual elimination of pollution caused by waste from the titanium dioxide industry	31/12/1989	Transposed with D.Lgs. 27/01/1992 n° 100
Council Directive 90/667/EEC of 27 November 1990 laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedstuffs of animal or fish origin and amending Directive 90/425/EEC	-	Repealed by Regulation (EC) n° 1774/2002
Council Directive 91/156/EEC of 18 March 1991 amending Directive 75/442/EEC on waste	01/04/1993	Implemented by D.Lgs. 05/02/1997 n° 22, which has been repealed and replaced by D.Lgs. 3/4/2006 n° 152

WASTE MANAGEMENT		
Directive	Expected date of transposition	Notes on transposition
Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators containing certain dangerous substances	18/09/1992	Transposed with D.M. 20/03/1997, see also DM 03/07/2003 n° 194
Council Directive 91/689/EEC of 12 December 1991 on hazardous waste	12/12/1993	Implemented by D.Lgs. 05/02/1997 n° 22, which has been repealed and replaced by D.Lgs. 3/4/2006 n° 152
Council Directive 92/112/EEC of 15 December 1992 on procedures for harmonizing the programmes for the reduction and eventual elimination of pollution caused by waste from the titanium dioxide industry	15/06/1993	Transposed with D.Lgs. 27/01/1992 n° 100
Commission Directive 93/86/EEC of 4 October 1993 adapting to technical progress Council Directive 91/157/EEC on batteries and accumulators containing certain dangerous substances	31/12/1993	Implemented by DM 03/07/2003 n° 194
Council Directive 94/31/EC of 27 June 1994 amending Directive 91/689/EEC on hazardous waste	27/06/1995	Implemented by D.Lgs. 05/02/1997 n° 22, which has been repealed and replaced by D.Lgs. 3/4/2006 n° 152
Council Directive 94/67/EC of 16 December 1994 on the incineration of hazardous waste	-	Repealed by article n° 18 of directive 2000/76/EC
Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT)	24/03/1998	Implemented with D.Lgs. 22/05/1999 n° 209
Commission Directive 98/101/EC of 22 December 1998 adapting to technical progress Council Directive 91/157/EEC on batteries and accumulators containing certain dangerous substances	01/01/2000	Implemented with DM 03/07/2003 n° 194
Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste	16/07/2001	Implemented with D.Lgs. 13/01/2003 n° 36

WASTE MANAGEMENT		
Directive	Expected date of transposition	Notes on transposition
Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles - Commission Statements	21/04/2002	Implemented with D.Lgs. 24/06/2003 n° 209
Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues - Commission declaration	28/12/2002	Implemented with D.Lgs. 24/06/2003 n° 182
Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste	28/12/2002	Implemented with D.Lgs. 11/05/2005 n° 133
Directive 2002/95/EC of the European Parliament and of the Council of 27 January 2003 on the restriction of the use of certain hazardous substances in electrical and electronic equipment	13/08/2004	Implemented with D.Lgs. 25/07/2005 n° 151
Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE) - Joint declaration of the European Parliament, the Council and the Commission relating to Article 9	13/08/2004	Implemented with D.Lgs. 25/07/2005 n° 151
Directive 2003/108/EC of the European Parliament and of the Council of 8 December 2003 amending Directive 2002/96/EC on waste electrical and electronic equipment (WEEE)	13/08/2004	Implemented with D.Lgs. 25/07/2005 n° 151
Directive 2005/64/EC of the European Parliament and of the Council of 26 October 2005 on the type-approval of motor vehicles with regard to their reusability, recyclability and recoverability and amending Council Directive 70/156/EEC	15/12/2006	It has not been transposed yet
Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries and amending Directive 2004/35/EC - Statement by the European Parliament, the Council and the Commission	01/05/2008	It has not been transposed yet

WASTE MANAGEMENT		
Directive	Expected date of transposition	Notes on transposition
Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on waste	Date of effect 17/05/2006	It has not been transposed yet

PACKAGING		
Directive	Expected date of transposition	Notes on transposition
European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste	30/06/1996	Implemented by D.Lgs. 05/02/1997 n° 22, which has been repealed and replaced by D.Lgs. 3/4/2006 n° 152
Directive 2004/12/EC of the European Parliament and of the Council of 11 February 2004 amending Directive 94/62/EC on packaging and packaging waste	18/08/2005	It modifies the contents of directive 94/62/EC This directive is present in the list of directives to be implemented in the Annex B of D.Lgs. 18/04/2005 n° 62 (Legge Comunitaria 2004).
Directive 2005/20/EC of the European Parliament and of the Council of 9 March 2005 amending Directive 94/62/EC on packaging and packaging waste	09/09/2006	It modifies the directive 94/62/CE It has to be transposed yet

Soil and soil remediation

Directive	Expected date of transposition	Notes on transposition
Council Directive 80/68/EEC of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances	19/12/1981	Transposed with D.Lgs. 27/01/1992 n° 132 and with D.Lgs. 11/05/1999 n° 152. Both have been repealed by D.Lgs. 3/4/2006 n° 152. Repealed by Council Directive 2000/60/EC from 22/12/2013.
Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture	04/07/1989	Transposed with D.Lgs. 27/01/1992 n° 99.

Natural resources

NATURAL RESOURCES		
Directive	Expected date of transposition	Notes on transposition
Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less- favoured areas	30/04/1976	Transposed with Legge 10/05/1976 n° 352.
Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds	06/04/1981	Transposed with Legge 11/02/1992 n° 157, with DPCM 27/09/1997, with DM 03/04/2000 and with DL 16/08/2006 n° 251.
Commission Directive 85/411/EEC of 25 July 1985 amending Council Directive 79/409/EEC on the conservation of wild birds	31/07/86	Transposed with Legge 11/02/1992 n° 157.
Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora	10/6/1994	Transposed with DPR 08/09/1997 n° 357, with DM 03/04/2000 and with DPR 12/03/2003 n° 120.
Council Directive 94/24/EC of 8 June 1994 amending Annex II to Directive 79/409/EEC on the conservation of wild birds	08/06/1994	Transposed with DPCM 21/03/1997.
Commission Directive 97/49/EC of 29 July 1997 amending Council Directive 79/409/EEC on the conservation of wild birds	30/09/98	Transposed with Legge 05/02/1999 n° 25
Council Directive 97/62/EC of 27 October 1997 adapting to technical and scientific progress Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora	27/10/1997	Transposed with DM 20/01/1999
Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos	09/04/2002	Transposed with D.Lgs. 21/03/2005 n° 73
Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment	21/07/2001	Implemented with D.Lgs. 3/4/2006, n° 152

ANNEX II: List of infringement proceedings

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
1991/0642	WATER – Directive 76/464/EEC: dangerous substances discharged into the aquatic environment Art.7	13-10-04	Closing of the case								
1992/4279	NATURE – Directive 79/409/EEC on the conservation of wild birds, hunting legislation	16-10-02	Closing of the case								
1990/0262	WASTE – Directive 75/442/EEC: waste, illegal landfill and discharge Vallone di San Rocco	24-7-01	Letter of formal notice	16-10-02	Closing of the case						
1993/2165	NATURE – Directive 79/409/EEC: on the conservation of wild birds. non designation of areas ZPS conform number and non communication information required	25-7-01	Referrals to court	16-12-03	Letter of formal notice	14-12-04	Reasoned opinion				

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
1996/2 232	WATER – Directive 91/676/EEC: lack of programmes, report ecc.	26-6-02	Letter of formal notice	9-7-03	Closing of the case						
1997/2 182	WASTE – Directives 91/156/EEC, 91/689/EEC, 94/062/EC: waste management planning. Non communication information required	17-12-02	Letter of formal notice	13-12-05	Closing of the case						
1997/4 878	AIR – Regulation CE.2037/2000: on substances depleting the ozone layer	17-12-02	Referrals to court	9-7-03	Reasoned opinion complementary	16-12-03	Referrals to Court	7-7-05	Referrals to Court	4-4-06	Closing of the case
1998/2 024	WASTE – Directives 75/442/EEC, 91/156/EEC:waste; Directives 91/689/EC: hazardous waste	16-3-05	Letter of formal notice art. 228	13-12-05	Supplementary letter of formal notice art.228	13-12-05	Reasoned opinion art.228	28-6-06	Closing of the case		
1998/2 203	WASTE – Directives 75/442/EEC and 91/156/EEC: waste, hazardous waste in Acna - Cengio Plant (Savona)	21-12-01	Reasoned opinion	16-12-03	Closing of the case						

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
1998/2 346	NATURE – Directive 92/43/EEC: Construction of a tourist village, in a protected area in Is Arenas (Narbolia, Oristano)	9-2-01	Reasoned opinion	21- 1-05	Supplementary letter of formal notice						
1998/4 802	WASTE – Directives 75/442/EEC and 91/156/EEC: waste, hazardous waste, discharge in Manfredonia (Foggia)	26-6-02	Reasoned opinion	9-7-03	Referrals to Court	13-12-05	Letter of formal notice art. 228	28-6-06	Reasoned Opinion art. 228		
1998/5 091	WASTE – Directives 75/442/EEC and 91/156/CEE, 91/689/CEE: waste, hazardous waste in Granciara di Castelliri (Frosinone)	26-6-02	Referrals to court	13-12-05	Letter of formal notice art. 228	4-4-06	Reasoned Opinion art. 228 + contact authorization				
1999/2 020	WATER – Directive 91/271/EC: urban waste water treatment, Milano	4-4-06	Closing of the case								
1999/2 100	WASTE – Directive 75/439/EEC: waste oil: reports	26-6-02	Closing of the case								

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
1999/2180	NATURE – Directive 92/43/EEC: on the conservation of natural habitats and of wild fauna and flora; non conformity	16-12-03	Closing of the case								
1999/2240	WASTE – Directives 75/442/EEC and 91/156/EEC: waste, Directive 85/337/EEC and Directive 97/11/EC Brescia	26-6-02	Reasoned opinion	16-12-03	Closing of the case						
1999/2263	WASTE – Directive 96/59/EC on the disposal of PCB/PCT: Non communication information required	16-10-02	Letter of formal notice	9-7-03	Reasoned opinion	5-7-05	Closing of the case				
1999/4006	WASTE – Directive 75/442/EC: alimentary waste: Veneto, Marche and Piemonte	11-4-01	Reasoned opinion	9-7-03	Reasoned opinion complementary	13-10-04	Referrals to court	12-5-05	Referrals to Court		
1999/4295	NATURE – Directive 92/43/EC: Impact of a trout farm in San Vittorino	4-8-99	Letter of formal notice	28-6-06	Closing of the case						

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
1999/4 797	WASTE – Directives 75/442/EEC and 91/156/EEC: waste discharge in Rodano (Milano)	26-6-02	Referrals to court	16-3-05	Letter of formal notice art. 228	13-12-05	Supplementary letter of formal notice art.228 + contact authorisation				
1999/4 798	WASTE – Directive 75/442/EEC: waste discharge in Sinalunga (Siena)	26-6-02	Closing of the case								
1999/4 799	WASTE – Directives 75/442/EEC and 91/156/EEC: waste discharge in Samolaco (Sondrio)	9-7-03	Closing of the case								
1999/4 812	WASTE – Directive 75/442/EEC: waste art. 12	26-6-02	Reasoned opinion	17-12-02	Referrals to court	9-7-03	Referrals to Court Immediate execution	13-12-05	Letter of formal notice art. 228	28-6-06	Closing of the

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
1999/4840	WASTE – Directives 75/442/EEC and 91/156/EEC: waste, Directives 89/369/EEC and 89/429/EEC Discharge in Rende (Cosenza)	26-6-02	Reasoned opinion	24-7-02	Letter of formal notice complementary	16-12-03	Closing of the case				
1999/5277	NATURE – Directives 92/43/EEC, touristic center at L'Aquila administration	26-6-02	Letter of formal notice complementary	24-7-02	Reasoned opinion	16-12-03	Closing of the case				
2000/0240	WASTE – Directive 98/101/EC: batteries and accumulators containing certain dangerous substances	16-10-02	Letter of formal notice	2-4-03	Reasoned opinion	15-10-03	Closing of the case				
2000/0261	WASTE – Directive 2000/53/EC: end of life vehicles.	15-10-03	Withdrawal								
2000/2191	WASTE – Directive 86/278/EEC: sewage sludge used in agriculture	20-3-02	Referrals to court + Immediate execution	5-7-05	Closing of the case						

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2000/4 348	WASTE – Directive 75/442/EEC: waste abandoned discharge in Tuvixeddu	26-6-02	Closing of the case								
2000/4 554	WASTE – Directive 75/442/EEC: urban waste discharge in Campolungo (Ascoli Piceno)	26-6-02	Reasoned opinion	9-7-03	Referrals to Court	16-12-03	Referrals to Court Immediate execution	13-12-05	Letter of formal notice art. 228	4-4-06	Reasoned Opinion art.228 + contact authorisation
2000/5 035	WASTE – Directive 84/156 mercury discharges from dental surgeries	26-6-02	Closing of the case								
2000/5 148	NATURE – Directive 92/43/EC: Habitat, touristic infrastructures in Fontari di Campo Imperatore (Abruzzo)	16-12-03	Closing of the case								
2000/5 150	NATURE – Directive 92/43/EC: Management sky approach (Abruzzo)	17-12-02	Reasoned opinion	16-12-03	Closing of the case						
2000/5 152	WATER – Directive 91/271/EEC: urban waters treatment (Varese)	7-7-04	Reasoned opinion	5-7-05	Referrals to Court - Immediate execution						

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2001/0500	AIR – Directive 99/30/EC : limit values in ambient air	20-3-02	Reasoned opinion	26-6-02	Closing of the case						
2001/0501	WASTE – Directive 99/31/EC: landfill of waste	20-3-02	Reasoned opinion	26-6-02	Referrals to court	30-4-03	Withdrawal				
2001/0270	AIR – Directive 1999/13/EC: limitation of emissions of volatile organics compounds due to the use of organic solvents in certain activities and installations	26-6-02	Referrals to court	30-3-04	Closing of the case						
2001/2078	AIR – Directive 84/360/EC: air pollution from industrial plants	2-4-03	Closing of the case								
2001/2096	WASTE – Urban waste treatment in Torre Annunziata (Napoli)	20-3-02	Closing of the case								
2001/2186	NATURE – Directives 92/43/EEC and 85/337/EEC: Project for a dam in Pergusa lake (Enna)	16-10-02	Letter of formal notice	7-7-04	Closing of the case						

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2001/2 211	NATURE – Directive 79/409/EEC: on the conservation of wild birds; derogations art. 9	23-10-01	Letter of formal notice	7-7-04	Closing of the case						
2001/2 268	WASTE – Directive 75/442/EEC: Pollution from landill in Ca' di Capri (Verona)	16-10-02	Letter of formal notice	9-7-03	Reasoned opinion	7-7-04	Referrals to court	3-5-05	Withdrawal		
2001/4 122	WATER – Directive 91/271/EC: Urban waste water pollution in Manfredonia (Foggia)	7-7-04	Reasoned opinion	12-10-06	Closing of the case						
2001/4 156	NATURE – Directives 79/409/ EEC and 92/43/EEC: Re-industrialization project at in ZPS area (Foggia)	7-7-04	Reasoned opinion	5-7-05	Referrals to Court						
2001/4 442	WATER – Pollution in La Spezia	26-6-02	Closing of the case								
2001/5 125	WASTE – Directives 75/442/ EEC and 91/156/EEC: Illegal landfill in Cascina Corradina, Lodi (Milano)	16-12-03	Reasoned opinion	13-12-05	Closing of the case						

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2001/5308	NATURE – Directive 79/409/CE: relative to wild bird preservation. Non conformity: Castelnuovo, Peschiera del Garda and ZPS “Basso Garda”	30-3-03	Letter of formal notice								
2002/0260	NATURE – Directive 99/22/EC: keeping of wild animals in zoos: Non communication.	16-10-02	Letter of formal notice + press release	2-4-03	Referrals to Court	9-7-03	Referrals to Court Immediate execution	5-7-05	Closing of the case		
2002/0261	WASTE – Directive 2000/53/EC: end of life of vehicles	16-10-02	Reasoned opinion	2-4-03	Referrals to Court	9-7-03	Referrals to Court Immediate execution	15-10-03	Withdrawal		
2002/2133	WASTE – Directive 75/442/EEC: Landfill Sardone di Giffoni Piana Valley (Salerno)	16-10-02	Letter of formal notice + press release								

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2002/2029	AIR – Decision EEC 93/389, amend. Decision EEC 296/99, for a monitoring mechanism of Community CO2 and other greenhouse gas emissions	20-3-02	Letter of formal notice + press release	17-12-02	Closing of the case						
2002/2077	WASTE – Directive 75/442/EEC: excavation earth	26-6-02	Letter of formal notice	17-12-02	Reasoned opinion	16-12-03	Referrals to Court	13-10-04	Referrals to c + Immediate execution	12-5-05	Referrals to Court
2002/2105	NATURE – Directive 92/43/EEC: on the conservation of natural habitats and of wild fauna and flora, art.17, par.1, Missing report	26-6-02	Letter of formal notice + press release	17-12-02	Closing of the case						
2002/2124	WATER – Directive 91/271/EEC: urban waste water treatment	16-10-02	Letter of formal notice	9-7-03	Reasoned opinion						
2002/2143	AIR – Regulation EC 2000/2037: substances depleting the ozone layer	24-7-02	Letter of formal notice + press release								

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2002/2 213	WASTE – Directive 75/442/EEC: on waste art.1	2-4-03	Reasoned opinion	9-7-03	Reasoned opinion complementary	7-7-04	Reasoned opinion complementary	13-10-04	Referrals to court	23-6-05	Referrals to Court
2002/2 284	WASTE – Directive 91/689/EC: waste and hazardous waste management plans	5-7-05	Reasoned opinion	13-12-05	Referrals to Court						
2002/4 326	NATURE – Directive 92/43/EEC, art.6. Non conformity: works in river Taro area	13-12-05	Closing of the case								
2002/4 342	NATURE – Directives 79/409/EC and 92/43/EEC: relative to wild birds preservation: Trasimeno Lake	16-10-02	Letter of formal notice	16-12-03	Reasoned opinion	13-7-05	Reasoned opinion				
2002/4 801	WATER – water pollution Tagliamento river in Tolmezzo (Udine)	26-10-05	Reasoned opinion								
2002/4 916	NATURE – Directives 92/43/EEC , 1996/62/EC and decision 2001/839/EC: hydro-electric plant Torrente Schiusone (Sondrio)	9-7-03	Reasoned opinion	30-3-04	Referrals to court	7-7-04	Referrals to court + Immediate execution	5-7-05	Closing of the case		

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2002/5 192	WASTE – Directive 99/31/EC: landfill in Malagrotta Rome	9-7-03	Reasoned opinion	7-7-04	Referrals to court	5-7-05	Closing of the case				
2002/5 403	NATURE - Directives 92/43/EC and 79/409/EC. Bad application: Industrial Development projects in Altamura (Puglia)	5-7-05	Reasoned Opinion	13-12-05	Referrals to Court	24-5-06	Referrals to Court				
2003/0 155	WASTE – Directive 2000/76/EC: waste incineration	9-7-03	Reasoned opinion	16-12-03	Referrals to Court	13-12-05	Closing of the case				
2003/0 156	AIR – Directive 2001/80/EC: limitation of certain pollutants from large combustion plants	9-7-03	Reasoned opinion	16-12-03	Referrals to Court	13-12-05	Letter of formal notice	28-6-06	Closing of the case		
2003/0 157	AIR – Directive 2001/81/EC: National emission ceiling for certain atmospheric pollution	9-7-03	Reasoned opinion	16-12-03	Referrals to Court						
2003/1 112	AIR – Directive 2002/3/EC: relating to ozone in ambient air	7-7-04	Reasoned opinion								

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2003/2015	AIR – Directives 96/62/EEC, 99/30/EC and Decision 2001/839/EC: Failing of information communication	9-7-03	Reasoned opinion	16-12-03	Referrals to Court	28-6-06	Closing of the case				
2003/2040	AIR – Directive 84/360/EEC: Air pollution in Brindisi	5-7-05	Reasoned opinion	28-6-06	Closing of the case						
2003/2052	AIR – Directive 93/389/EEC: non communication informations required	2-4-03	Letter of formal notice + press release	16-12-03	Closing of the case						
2003/2077	WASTE – Directives 75/442/EEC, 91/156/EEC, 91/689/EEC and 1999/31/EC: Illegal landfill in Italy	16-12-03	Reasoned opinion	7-7-04	Referrals to court	22-3-05	Referrals to Court				
2003/2087	NATURE – Directive 92/43/EEC : Habitats, Ceous: fishing impact and control	13-12-05	Letter of formal notice + press release								

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2003/2 101	AIR – National fund for atmospheric pollution	9-7-03	Letter of formal notice + press release	16-12-03	Closing of the case						
2003/2 204	WASTE – Directive 2000/53/EC: on end-of life vehicles	7-7-04	Reasoned opinion	5-7-05	Referrals to Court						
2003/2 209	NATURE – Directive 92/43/EEC : Habitats, Enlargement military base at La Maddalena (Sardegna)	12-10-05	Letter of formal notice + press release								
2003/2 212	AIR – Regulation EC 2037/2000: on substances that deplete the ozone layer art. 17	7-7-04	Reasoned opinion	13-12-05	Letter of formal notice	28-6-06	Closing of the case				
2003/4 382	NATURE – Directive 92/43/EEC: Cilento Park and Vallo di Diano (Campania)	13-12-05	Closing of the case								
2003/4 492	NATURE –Directives 79/409/EC and 92/43/EEC: Skiing area in Moso in Passiria (Bolzano)	16-12-03	Reasoned opinion	7-7-04	Closing of the case						

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2003/4 497	AIR – Directive 96/62/EC and Directive 1999/30/EC: Public information on ozone and PM10 in Civitavecchia	7-7-04	Reasoned opinion	13-7-05	Reasoned Opinion	4-4-06	Closing of the case				
2003/4 506	WASTE – Directive 1999/31/EC: Non conformity	13-12-05	Reasoned opinion + contact authorisation	28-6-06	Referrals to Court						
2003/5 023	NATURE – Directive 92/43/EEC: Road construction in Valle Aurina Campo Tures (Bolzano)	7-7-04	Reasoned opinion	13-12-05	Closing of the case						
2003/5 046	NATURE – Directives 79/409/EC and 92/43/EEC: Skiing areas in the Stelvio National Park Santa Caterina Valfurva (Sondrio)	7-7-04	Reasoned opinion	5-7-05	Referrals to Court - Immediate execution						
2003/5 138	NATURE – Directive 92/43/EEC: Equipped walking path in Selva di Val Gardena	7-7-04	Reasoned opinion								

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2003/5145	NATURE – Directive 92/43/EEC: Natural reserve di Mezzola lake and Pian di Spagna (Sondrio)	7-7-04	Reasoned opinion								
2004/0059	WATER – Directive 2000/60/EC: framework for community action in the field of water Policy	7-7-04	Reasoned opinion	18-2-05	Referrals to Court						
2004/0060	AIR – Directive 2003/87/EC: establish a scheme for greenhouse gas emission allowance trading within the Community and amending Directive 96/61/EC	7-7-04	Reasoned opinion	14-3-05	Referrals to Court	12-10-06	Closing of the case				
2004/0935	WASTE – Directive 2002/95/EC: on the restriction of the use of certain hazardous substances in electrical and electronic equipment	5-7-05	Reasoned opinion	13-12-05	Closing of the case						
2004/0936	WASTE – Directive 2002/96/EC: on waste electrical and electronic equipment (WEEE)	5-7-05	Reasoned opinion	13-12-05	Closing of the case						

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2004/0951	WASTE – Directive 2003/108/EC: amending Directive 2002/96/EC: on waste electrical and electronic equipment (WEEE)	5-7-05	Reasoned opinion	13-12-05	Closing of the case						
2004/2034	WATER – Directive 92/271/EEC: urban waste water, non conformity Artt. 3 and 4	7-7-04	Letter of formal notice + press release								
2004/2039	AIR – Failure to send data for 2002 under Directives 96/62/EC and 99/30/EC	13-12-05	Closing of the case								
2004/2106	AIR – Reporting obligations on Methyl Bromide under Regulation EC 2037/2000 (Ozone)	7-7-04	Letter of formal notice + press release	5-7-05	Closing of the case						
2004/2116	AIR – Plans and Programs relative to nitrogen oxide and nitrogen dioxide and details	7-7-04	Letter of formal notice + press release	4-4-06	Reasoned Opinion						

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2004/2 122	AIR – Directive 2003/87/EC: on emission trading – allocation plans	7-7-04	Letter of formal notice + press release	3-5-05	Closing of the case						
2004/2 307	WATER – Responsible authorities	16-3-05	Letter of formal notice + press release	12-10-05	Reasoned Opinion	28-6-06	Referrals to Court	12-10-06	Closing of the case		
2004/4 224	NATURE – Directive 92/43/EC: relative to natural habitat and wild flora and fauna Motor rallies in SIC area Magredi del Cellina Pordenone	5-7-05	Reasoned Opinion	13-7-05	Reasoned Opinion	28-6-06	Closing of the case				
2004/4 242	NATURE – Directive 79/409/EEC: Hunting derogations in Sardinia	4-4-06	Reasoned opinion	28-6-06	Referrals to Court						
2004/4 926	NATURE – Directive 79/409/EEC: Law n.17 of 13-8-2004 of Regione Veneto on hunting derogations	4-4-06	Reasoned Opinion	28-6-06	Referrals to Court						

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2004/5 104	NATURE – Directives 92/43/EC and 79/409/EEC: Skiing infrastructures Pinzolo-Madonna di Campiglio (Trento)	12-10-05	Letter of formal notice + press release								
2004/5 159	NATURE – Directives 92/43/EC and 79/409/EEC: Hydroelectric project in Masino Valley (Sondrio)	12-10-05	Letter of formal notice + press release								
2005/0 812	WASTE – Directive 2004/12/EC, modific. Directive 94/62/EC: packaging and packaging wastes	12-10-05	Letter of formal notice	28-6-06	Closing of the case						
2005/0 991	AIR – Directive 2004/42/EC on the limitation of emission of VOC – Use of organic solvents in paints and varnishes and vehicle refinishing products – amend. Directive 1999/13/EC	5-12-05	Letter of formal notice	28-6-06	Closing of the case						

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2005/2004	WASTE - Directives 75/442/EEC and 91/156/EEC: waste management in the industrial site "Zanusso" of Conegliano (Treviso)	12-10-05	Letter of formal notice + press release	13-12-05	Closing of the case						
2005/2035	AIR – Pollution in the Sulcis area (Sardegna)	28-6-06	Closing of the case								
2005/2086	AIR – Climate change: Reports under Decision EC 280/2004	16-3-05	Letter of formal notice + press release	5-7-05	Closing of the case						
2005/2315	WATER –Directive 2000/60/EC: water framework, art. 5	12-10-05	Letter of formal notice + press release	28-6-06	Reasoned Opinion						
2005/4049	NATURE – Directives 92/43/EC: water management regional program (Lombardia)	12-10-05	Letter of formal notice + press release	4-4-06	Closing of the case						
2005/4051	WASTE – Refused derived fuel - Law 15-12-2004	13-12-05	Reasoned opinion	28-6-06	Referrals to Court						

Number	Title	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision	Date	Commission decision
2005/4084	NATURE – Directives 92/43/EC: waste incinerator project in Ischia Podetti (Trento)	12-10-05	Letter of formal notice + press release	28-6-06	Closing of the case						
2005/4128	NATURE – Directives 92/43/EEC and 79/409/EEC: Gas terminal project by the Po delta (Rovigo)	4-4-06	Reasoned opinion								
2005/4264	WASTE – Directive 94/62/EC: Non conformity situation in Campania	12-10-05	Letter of formal notice + press release	28-6-06	Closing of the case						
2005/4347	NATURE – Directives 92/43/EC and 79/409/EEC: Water management in Lago d’Idro (Brescia)	12-10-05	Letter of formal notice + press release								
2005/4378	NATURE – Directive 92/43/EC: Skiing infrastructures in Selva di Progno (Verona)	12-10-05	Letter of formal notice + press release	13-12-05	Reasoned opinion	12-10-06	Closing of the case				

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2006/2017	WATER – Removal without justification of bathing waters from the scope of Directive 76/160/EEC	4-4-06	Letter of formal notice + press release								
2006/2131	NATURE – Directive 79/409/EEC, on the conservation of wild birds, art.9: bad application.	4-4-06	Reasoned opinion	28-6-06	Letter of the formal notice + press release						
2006/2163	WATER – Directive 91/676/EEC: Insufficient designation of nitrates vulnerable zones	-06	Reasoned opinion								
2006/2174	AIR – Climate change: Reports pursuant to article 3 (1) of Decision 280/2004/EC	4-4-06	Letter of formal notice + press release								
2006/2188	AIR – Climate change: Reports pursuant to article 23 of Decision 2005/166/EC	4-4-06	Letter of formal notice + press release	12-10-06	Closing of the case						

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2006/2 220	NATURE – Transposition of Directive 99/22/EC on Zoos	7-6-06	Reasoned opinion	12-10-06	Closing of the case						
2006/2 341	AIR – National allocation plans under Directive 2003/87/EC (Emission Trading Directive)	12-10-06	Letter of formal notice + press release								
2006/4 036	NATURE – Directive 92/43/EC: Preservation of “pelobates fuscus insubricus” in Burolo (Torino)	12-10-06	Letter of formal notice + press release								
2006/4 043	NATURE – Directive 79/409/EC relative to wild bird preservation. Liguria	28-6-06	Reasoned opinion								
2006/4 045	NATURE – Directive 92/43/EC and Directive 79/409/ Spilimbergo	12-10-06	Letter of formal notice + press release								

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2006/4142	NATURE – Villorba and Treviso	12-10-06	Letter of formal notice + press release								
2006/	AIR – Directive 2003/87/EC Non conformity	12-10-06	Letter of formal notice + press release								