

**Question for written answer E-003037/2024
to the Commission**
Rule 144
Vicent Marzà Ibáñez (Verts/ALE)

Subject: Authorisation of fuel tanks in the port of Alicante without an environmental impact assessment

In 2019, the port of Alicante approved XC Business 90 SL's fuel distribution centre project.

According to the Ministry for the Ecological Transition, the project could negatively affect marine areas protected under the Natura 2000 network: SCI ESZZ16008, SCI and SPA ES0000214 and SPA ES0000508, protected in accordance with Directive 92/43/EEC.

As the Commission stated in its reply to question E-000056/2024, 'before agreeing to a project which is likely to have a significant effect on a Natura 2000 site, the competent authorities must appropriately assess and confirm that there will be no implications for the site'. Likewise, the CJEU judgment of 14 June 2001 (Case C-230/00) confirms that 'tacit authorisation cannot be compatible with the requirements of the directives'.

However, an environmental impact assessment has not been carried out for this project and the licence has been granted through administrative silence, and supported by the courts. I would therefore like to ask the Commission:

1. Is the tacit granting of this licence appropriate?
2. Will the Spanish Government, the Regional Government of Catalonia and the City Council be reminded of their obligation to protect the Natura 2000 Network?
3. Should the licence in question be immediately suspended, given the uncertainty and risk posed to biodiversity and people?

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