

EN

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Answer given by Mr Sinkevičius
on behalf of the European Commission
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Currently, the EU does not regulate the polluting emissions from crematoria. With regard to mercury emissions from crematoria, Article 19 of the Mercury Regulation¹ required the Commission to assess, in 2020, the need for the EU to regulate them.

In its 2020 Report to the European Parliament and the Council², the Commission states that emissions of mercury and mercury compounds from crematoria, mainly linked to the use of dental amalgam, are a lasting source of emissions to air. Furthermore, the Commission has informed on the feasibility of phasing out the use of dental amalgam in the EU for all members of the population. The Commission is preparing a proposal to ban the use of dental amalgam and will assess the need for measures to be taken at EU level in addressing emissions of mercury from crematoria.

While cemeteries and crematoria are not expressly listed in the Annexes of the Environmental Impact Assessment Directive³, they may be considered as an urban development project⁴. Member States have to decide if such projects should be made subject to an assessment, because of their likely significant effects on the environment. In addition, if such projects are included in plans or programmes prepared for country planning or land use, the latter shall be subject to an assessment under the Strategic Environmental Assessment Directive⁵.

¹ Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury, and repealing Regulation (EC) No 1102/2008, OJ L 137, 24.5.2017, p. 1–21.

² Report from the Commission to the European Parliament and the Council on the reviews required under Article 19 (1) of Regulation 2017/852 on the use of mercury in dental amalgam and products, COM(2020) 378 final.

³ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (EIA Directive), OJ L 26, 28.1.2012, p. 1–21, as amended by Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014, OJ L 124, 25.4.2014, p. 1–18.

⁴ Project category listed in Annex II 10(b) of the EIA Directive.

⁵ Directive 2001/42/EU on the assessment of the effects of certain plans and programmes on the environment, OJ L 197, 21.7.2001, p. 30–37.