

On the other side, a “system” of connivance like this cannot remain into power without a frenetic, negative selection of the people to appoint for all key roles, praising the obedience of the incompetents and punishing the civil disobedience of the competent, courageous citizens. This is how, between 1988 and 1990, the dumping site occupies the mouth of the Rio Ospo: slowly, the about 2 kilometers of coastline are embanked with waste.

This new embankment was later used as sport and sailing area, even as a seaside resort. And this is also where the most outrageous illegal dumping of hazardous pollutants was more concentrated.

Official documents reveal that at the beginning the slags of the city incineration plant of Trieste were dumped here, and this translates to a high concentration of dioxins and other toxic carcinogenic substance, which constitute a serious threaten for human beings, as well as for the environment of the land and of the sea.

Then, a former contractor reveals that human remains from the periodical exhumations in municipal cemeteries were disposed as well: this means that parts of coffins and of the skeletons of citizens with no families or too poor to own a family tomb were disposed as waste, in spite of the Law requiring them be buried in an ossuary. So, this embankment by the sea was not “only” used to hide a big concentration of leaking poison, it became also the dark, last tomb of deceased citizens thrown in the garbage without the knowledge of their families.

THE EMBANKMENT OF BARCOLA:

A DIOXIN LANDFILL IN A SEASIDE RESORT

The embankment of Barcola is another of the huge marine dumping sites of the “system” and it is mentioned often in several of the public documents that we find during our investigations. Also, the Embankment of Barcola is the northernmost landfill of the “system” and it has another alarming peculiarity: it is in the middle of a bathing area.

The embankment covers a surface of about 100,000 square meters on the Barcola coast (a popular tourist area of Trieste), surrounded by crowded seaside resorts and only 3 kilometers away from the marine reserve of Miramar.

Above the embankment there are the head offices of many sport and water sport associations, including the SVBG (*Società Velica Barcola Grignano* / Barcola Grignano Sailing Association), organizes famous sailing competition *Barcolana* (one of the most participate boat races worldwide) which, ironically, ends right in front of the embankment. This might be also why the Ministry of the Environment, despite receiving our reports about the serious pollution in the area, has not included the embankment in the S.I.N. of Trieste.

For used that we are to the nefariousness of the “system” we are speechless. The coast of Barcola - which reaches to the beautiful castle of Miramar - is kind of a Triestine Copacabana, in summer it is crowded by thousands of bathers yet, in total disregard for public health, local authorities decided to use it to build a landfill, not only to collect the ashes of the municipal incineration plant, but also these from the incineration plants of both Regions Friuli Venezia Giulia and Veneto.

The story of this landfill is not much different from that of the others, because they are all closely connected. On September 25th, 1979 the Director of the Businessmen Association of Trieste, Eugenio Del Piero (who in 1993 became a City Councilor with executive powers during the first term of Riccardo Illy as mayor of Trieste) writes to the City Councilor for Industrial Public Services Mr. De Rota, advocating the opening of new dumping sites:

“When the dumping site of the Noghère closed, any chance to dispose industrial waste in the province of Trieste disappeared with it. Not even the upcoming, and not imminent, opening of a disposal site in Barcola can help us to solve the critical and serious problems of the disposal of this kind of waste.”

The City Council takes into account this cry and, with an internal note dated November 6th, 1979, the Director of refuse collection confirms – possibly to Mr. De Rota himself, the imminent opening of the disposal site of Barcola. Also, he underlines that it will be important selecting carefully what waste disposing there, to avoid that what has already happened in the Noghere Valley happens again, namely “the TOTAL reported that flammable materials were rousing fires”.

And so, the dumping site opens in early 1980, but no precaution is taken: any kind of waste is disposed there, including 150 tonnages of slags from the incineration plants per day. It was like this also in summer, when people were bathing there, and of course there were no containment barriers (too expensive, they say.).

The WWF did even organize a public protest against this disaster and in 1980 it lodges a first complaint to public authorities, but nothing happens; a second complaint is lodged in 1981, but once again no action is taken. As early as in 1973, at the early stages of this dangerous landfill, the E.N.P.A. (*Ente Nazionale Protezione Animali* / National Organization for Animal Protection) denounced it as illegal to the judiciary, obviously in vain. This means that, despite the warnings, Magistracy pretended to see and hear nothing about the landfill.

In 1985 the landfill is complete, but as early as in October 1986 the Municipality of Trieste suggests to open it again because of the imminent closing of the other dumping sites of the “system”. Essentially, what they suggest is to make the embankment of Barcola the new Noghere Valley, granting the disposal of waste for at least twenty more years: we are talking about millions of cubic meters of garbage (the water is 18 meters deep).

But the 1980s are ending, the “system” is slowly facing its crisis and the project remains on paper.

One further evidence of the significant involvement of the Prefect Office in the happenings of Barcola and in the system for the disposal of waste in the province of Trieste in general lies within a note of the Municipality of Trieste stating: [...] *Based on the evidences collected and on official documents, it results that the Municipality of Trieste,*

which was using the embankment of Barcola to dispose solid urban waste since at least one year, was forced to interrupt the dumping of the slags of the incineration plant, even if it had already taken care to arranged huge settling tanks to throw and cover them in fertile soil on the embankment itself. Not to mention the works in progress to create a new shore, building a breakwater. However, it seems that someone dumped in the above mentioned settling tanks some waste combustible fuel (only a big oil industry could have done it), and that overflowed in the sea due to the disposal, at that same time, of solid urban waste; this polluted the sea waters in front of the landfill. The Prefect of Trieste did immediately take action on this matter, summoning the mayors of the Municipalities in the province of Trieste and other leading personalities in the field, in an attempt to solve the long-lasting problem. On April 4th, 1981, the Prefect of Trieste wrote to the mayors of the province and, for information, also to the Prosecutor of the Republic in Trieste, outlining a technical-political evaluation on the overall problem. Later, the Prefect summoned the mayors of the Municipalities concerned, as well as a representative of the Port Authority of Trieste, since it became possible opening a landfill for the incineration in an area owned by the State, for instance, the same that is currently under evaluation [...].

At the beginning of the new millennium, the embankment of Barcola catches the attention of speculators because of its strategic position. First of all, it is included in the list of possible areas to use for the construction of the facilities envisioned in the project for Trieste's application to the 2008 EXPO (obviously rejected) and then it is chosen as a possible location for a luxurious 'sea park' - which is a big marine aquarium modeled after that in Genoa (Italy).

But the promoters of those imaginative projects are aware that this area is extremely polluted.

In August 2005, after another vain address to the Ministry of the Environment, with which we requested the embankment of Barcola be included in the S.I.N. of Trieste, we present a complaint



The embankment of Barcola, surmounted by the Lighthouse dedicated to Victory: it is a disposal site for industrial waste (including the ashes of the incineration plants) and possibly also a hiding place for Gladio's weapons.

to the N.O.E. (*Nucleo Operativo Ecologico* - Ecological Operating Body) of the *Carabinieri*. The situation is serious, and allowing other activities to take place where dioxin is dumped on regular bases would be crazy. Follows an investigation directed by the Prosecution Office of the Republic in Trieste (proceeding No. 4336/05 R.G.N.R. and Public Prosecutor Cristina Bacer) and on November 22nd, 2005 the whole embankment is seized.

The result of the investigations speaks for itself: the concentration of dioxin in the land exceeds dozens of times the legal limit. And other hidden truths emerge.

10 - Va confermata la necessità di chiudere i 2 bagni (Ferroviario e Ente Porto) prospicienti il bacino di colmata, sia perchè interessati dall'attraversamento degli automezzi conferenti alla discarica, sia perchè il bacino d'acqua antistante gli stessi perderà ogni caratteristica di balneabilità.-

Il Caposettore Igiene Pubblica
ed Ecologia inc.
(Dott. Annamaria Piscanc)



Handwritten signature: A. Piscanc

June 1990: the Local Health Authority of Trieste confirms that the bathing waters are unsafe due to the pollutants in the embankment of Barcola.

Former mayor of Trieste Manlio Cecovini reveals that in the embankment area was hidden a considerable secret storage of war weapons, which might as well include explosives, all in perfect working conditions: its origin being Italian Armed Forces.

This hiding place was likely assembled when the city was under the administration of the Allied Military Government of the Free Territory of Trieste (AMG FTT), before 1954, to provide with weapons Italian nationalists and Neo-fascist revolution forces that would have prevented the reaction of British-U.S. and Yugoslav troops to a military takeover of the Italian Army, which intended to occupy again both the Free Territory of Trieste and the territories ceded to Yugoslavia at the end of World War II. This storage of weapons,

probably used and controlled by the S.I.S.M.I. (*Servizio Informazioni e Sicurezza Militare* / Military Intelligence and Security Service), was never dismantled; the landfill itself might have served as just one more way to hide it.

Investigative journalist Paolo G. Parovel (the former City Councilor punished by the system for his struggles in the name of legality) joins our crew of “legalists” and presents a complaint to both the *Procura Militare di Padova* (Military Prosecution Office of Padua) and to the Prosecution Office of the Republic in Trieste about this military depot, requesting an urgent verification of its location, of its past and present ownership, but also to ascertain why it remained there even after Trieste was “returned” to Italy (maybe it is because in 1954 Trieste and the present-day Free Territory of Trieste were only entrusted to the Italian Government under a special trusteeship mandate, preserving their independence, but at the time we didn’t know it yet...), and, in case it was removed, either completely or partially, who took care of that, when, and where did weapons and explosive go, especially considering Article 11 of the Constitution of the Italian Republic, Italian gun laws and other regulation on the possession of weapons, on the activities, and on the equipment of the Italian Armed Forces.

But once again, Judicial Authorities don’t pay attention to it. Or they do? The embankment remains under seizure until September 2007, when the Public Prosecutor requests the investigation be dismissed, mainly because “the crime is no longer prosecutable because the actual dumping ended - at the latest - in the mid 1980s”.

Unbelievable: it takes two years to the Prosecution Office discovering that the crime was time barred since the real beginning!

So why did they seize the landfill in first place?

Additionally, in our complaint, the very cause of the opening of this investigation, we had carefully explained when the dumping started, as well as requesting the consequent landfill be declared an environmental disaster – because it is obvious that this crime can-

not become time-barred – and to continue the investigation until all liabilities are correctly established.

But the Prosecution Office does not seem to understand it. The situation appears very unclear. Might the “mysterious” storage of weapons be the real cause? The behavior of the Magistrates seems to legitimize our suspects.

G.I.P. (*Giudice per le Indagini Preliminari* / Judge for the Preliminary Investigations) Paolo Vascotto closes the investigations officially, quickly and without meeting oppositions (we would have opposed to it, if only the Court bothered to inform us...) and, out role of complainants and injured party notwithstanding, we are denied access to the case file (11 binders). It seems like the secrets of the embankment of Barcola shall remain secrets.

PROVE DI ITTIOTOSSICITA'

Sono state effettuate prove di ittiotossicità a 24 ore, utilizzando quale specie animale avanotti di cefalo (*Mugil Cephalus*).

I campioni in esame sono stati diluiti 1 : 1 con acqua marina ed è stata effettuata anche una prova in bianco con l'acqua utilizzata per le prove di dilavamento.

Questi i risultati :

campione n. 1	mortalità 100 %
campione n. 2	" 40 %
prova in bianco	" 0 %

Il campione n. 1 è stato esaminato anche con diluizioni superiori a quella 1 : 1 prevista dalla Legge 319/76 e già con diluizione 1 : 2 la mortalità è scesa al limite di legge, pari al 50 %.

Analysis of the toxicity of the runoff water from the embankment of Barcola for fish: up to 100% fatality rate. There are seaside resorts built near the landfill.



Seafront of the embankment of Barcola, in the middle of the bathing area: it quickly becomes a very problematic landfill for both Triestine and Italian authorities.

At least until January 2010... In July 2009 we requested accession to the case file again, and since there was a different G.I.P. in charge, we could finally see and receive copies of it. The “sensitive” nature of the proceeding is proven once again, because it is not easy for G.I.P. Guido Patriarchi convincing the Prosecution Office to send him the case file, and this is how we get to January 2010: finally, six months after our request, we get our hands on our case file. The first and strangest thing we notice about it is that, while the Public Prosecutor denied accession to us on a regular bases, she granted accession to the case files to people who had absolutely no right to see it. This is how the WWF was allowed to inspect all the documents that we could not even see on the mere recalling of its 1981 complaint, regardless to the fact that this proceeding has nothing to do with that, for instance, it follows our complaint lodged in 2005. But the WWF did not do it all alone: lawyers that should have not even known the case number requested and were granted accession to the case file as well.

Our examination of the case file confirms many things that we already know, but it does also offer some new “burning” documents, which confirm once again the close ties between politicians, public authorities, and companies involved in the illegal disposal of waste. And this makes even clearer why the investigations were closed: local political circles shall never be put in danger.

The very letter requesting the dismissal of the proceeding confirms our suspects. Because the Public Prosecutor writes that: *“the decision to seize the area was essential to analyze its conditions in depth: the level of contamination of the soil, and whether it represents an actual and real threaten for public health [...]”*, and so *“that the landfill was approved, receiving all authorizations required at the time, but only to collect inert waste (material resulting from excavations and demolitions), and under the condition that the area would be correctly isolated from the sea with floating barriers, in order to prevent the leaking of pollutants from the dumping site to the sea, which otherwise would have become turbid – and in facts this is what occurred from time to time, as noticed by supervisory authorities during their inspections. Not only the barriers were never placed, the dumping site was also used carelessly to dispose the ashes of the Municipal incineration plant. This is clearly confirmed not only by the results of the technical survey described in the following paragraphs, but also by reading the intensive correspondence between the Municipality, the Port Authority and other public administrations involved either in the authorization or in the management of the dumping site. In particular, see the note of September 26th, 1980 sent from the Municipality – refuse collection service: here, after warning that the embankment of Barcola is also used to dispose waste that does not come from excavations and demolitions, like wood, iron, plastics and so on, they say – as if it this were fine and it had been decided before – that ashes from the incineration plant are collected in a certain area to fill a ring of land by the sea with dry material”*. Also, again the refuse collection service of the Municipality of Trieste, in its significant note dated December 5th, 1980, admits that *“the dumping of the ashes on the embankment should*

cease at the earliest possible time, as soon as a suitable alternative is found” proposing as temporary and experimental solution to collect the ashes in a little valley near an elementary school in Banne!!!! Not only those documents reveal the absolute lack of ecological sensibility of local administration – the serious side effects of the dioxin contained in the ashes were well known by that time – but they are also evidences of the true nature of the embankment of Barcola and of the illegal nature of the activities that took place there, starting with the violation of the authorizations, which only allowed the dumping of inert waste; all of this becomes more clear and dramatic reading the Minutes of the sitting of the City Council of Trieste held on March 9th, 1981, when Mr. De Rota underlined “that the restrictions set by the authorizations were not respected and how, essentially, it was years that the Municipality was violating both administrative and criminal laws in its attempt to dispose the ashes one way or another. A technical survey – recalled in full because its provides good information about the area and the analyses carried out there – confirms that in the area under seizure were found materials that can be labeled as waste, and that the level of contamination found in the land was exceeding the legal limits established with Italian Ministerial Decree No. 471/99 several times”.

Basically, the Public Prosecutor admits that public health is at risk (the area was seized because of this), that the level of pollution in the area is critical, that public administrations are liable for it and, on the base of those elements... she requests the investigation be dropped.

It is too illogical to be true, but unfortunately it is. However, this decision of the Italian Magistracy conflicts with the laws of the European Union, which prevail on the domestic legislation of its Member States: for instance, Italian Ministerial Decree No. 471/99 does only (and rather unsuccessful) implement the European Community Directives on the disposal of waste. E.U. legislation is very punctual (contrarily to the tricky italic norms) and it only takes reading and enforcement (not to mention that Italian judges are subject only to the law...).

ASSOCIAZIONE DEGLI INDUSTRIALI DELLA PROVINCIA DI TRIESTE

PIAZZA SCORCOLA N. 1 (PALAZZO RALLI) - TELEFONO 34-981 SERIE



N.ro 1063/P.EC./FI-1C

34100 TRIESTE, 25 settembre 1979
CASELLA POSTALE 563

Oggetto : Rifiuti industriali.

Egregio Assessore,

come Le sarà certamente noto, con la chiusura della discarica delle Noghere è definitivamente cessata ogni possibilità di eliminare qualsiasi rifiuto industriale nell'ambito della provincia di Trieste. Nemmeno la futura, e comunque non prossima, apertura della discarica di Barcola ci darà modo comunque di risolvere i numerosi e consistenti problemi di smaltimento di tale tipo di rifiuti.

Poichè non è ipotizzabile che si interrompa lo scarico di tutti i residuati di lavorazione industriale della provincia senza produrre intuibili contraccolpi su tutta la attività del comparto industriale, Le saremo grati se vorrà al più presto convocarci per un esame del problema sia in un'ottica di breve periodo che in quella di un eventuale soluzione temporanea.

In attesa d'un Suo cortese riscontro, porgiamo i nostri migliori saluti.

Il Direttore
- dott. Eugenio Del Piero -

Preg.mo Sig.
rag. Ermenegildo De ROTA
Assessore Comunale
ai Servizi Pubblici Industriali
TRIESTE

COMUNE DI TRIESTE
SEZIONE III
RIFIUTI INDUSTRIALI
R. 4 OTT. 1979
Prot. FI 17/2.71

Not even the landfill/embankment of Barcola is enough: the Businessmen Association requests the Municipality of Trieste to open more disposal sites.

European Council Directive 78/319/EEC of March 20th 1978 on toxic and dangerous waste establishes, at Article 5, paragraph 1:

“Member States shall take the necessary measures to ensure that toxic and dangerous waste is disposed of without endangering human health and without harming the environment, and in particular:

- without risk to water, air, soil, plants or animals;
- without causing a nuisance through noise or odors;
- without adversely affecting the countryside or places of special interest”.

Also:

Under Article 2 of EU Council Directive 91/689/EEC on hazardous waste, Member States shall take the necessary measures to require that on every site where the tipping (discharge) of hazardous waste takes place the waste is recorded and identified. Under Article 2, letter G of Directive 1999/31/EC a permanent site (i.e. more than one year) used for temporary storage of waste is a landfill; therefore, the provisions of the Directive apply to it. Due to this, the definition applies to storages of waste (including polluted land) produced by the safety-critical work and awaiting the proper disposal. Even the latest Italian Legislative Decree 152/2006 (Single Text on the Environment), referred to in the act that closes the investigation, conflicts with Community law because it takes away the legal certainty of the remediation of polluted sites, and it even excludes the “polluter pays” principle.

It is exactly for the incorrect transposition of Directive 1999/31/EC (which applies to this case as well) that the European Court of Justice rules that Italy failed to fulfill its obligations as part of Proceeding 2003/4506 (Case C-442/06). And, due to the belated transposition of Directive 1999/31 (March 27th 2003, the legal term being July 16th, 2001) “*the treatment applied, in Italian law, to landfills authorised between 16 July 2001 and 27 March 2003 was that reserved to existing landfill sites and not the stricter treatment laid down for new landfills*”.

Also, Italian Legislative Decree No. 36 of January 13th 2003 in its ‘transitional and final provisions’ sets only rules for the treatment of hazardous waste to be applied to new landfill facilities, without providing any transitional rules for the treatment of hazardous waste collected before the coming into force of this law.

For instance: the landfill in Barcola should not even exist, so it should be at least decontaminated at the expenses of the polluters, who must be identified. But their identification requires to open new investigations, not to drop those already in progress. Not even when the liable persons are powerful politicians or local businessmen.

The very findings of the experts of the Prosecution Office of the Republic in Trieste (Gisotti and Sanna) leave no room for interpretation on the seriousness of this pollution. In their report they write: *“The slags and the ashes from the incineration plant were found only within the embankment of Barcola, in high concentration and*



The incineration plant of Trieste, as seen from the sea. It is one of the main causes of pollution, both in the Territory of Trieste and in this tri-border region.

very diffused [...] The ashes of the incineration plant show high concentrations of hazardous substances, especially high concentration of polychlorinated biphenyls to 73.65 mg/kg and polycyclic aromatic hydrocarbons for a total value of 705 mg/kg. Also, very high concentrations of heavy metals were found, in particular copper, lead and zinc, with concentrations of 814.9 mg/kg, 408.6 mg/kg and 831.4 mg/kg respectively. Also, hydrocarbons with more than 12 carbon atoms were found, their concentration being 254.12 mg/kg”.

And, when writing about the consequences of this pollution:

“The dumping of those hazardous substances in a healthy, uncontaminated environment, destined to activities that require high quality standards – bathing, mussel farming and leisure activities – was not just its contamination, but its complete annihilation.

This happened because the contaminated material was dumped without any sealing or floating barriers, which would have prevented it from coming into contact with the environment, especially with the sea in front of it and underneath, so as time passed the pollutants were and will be leaked by stormy sea waters, by other percolating waters, and by the waves, ending up in the sea.

The possibility of leaks is verified by taking samples in the area and testing them, to verify what pollutants leak from the to the sea.

However, the leak of pollutants from the slags of the incineration plant was known as early as during the embanking of this area of Barcola, as demonstrated by the 1981 investigation of the Hygiene and Prophylaxis laboratory of Trieste”.

This means the bathing area is polluted since a long time, so long that the environment was destructed and contaminated irreversibly. Yet, this is not enough for the Court to declare it an environmental disaster. They won't do it because serious investigations would unveil also the liabilities of judicial authorities themselves: this is “system Trieste”.

And we do not surrender to it: on February 19th, 2008 we present a petition to the European Parliament under Article 194 of the Treaty establishing the European Community. We denounce the violation of Community law and the non-conformity of Italian law with the European Council directives on environmental matters. The European Parliament receives the petition, and the investigation continues thanks to European Authorities. So, in spite of the expectations of the system, case Barcola is far from “closed”.

Our public stand against the pollution of the embankment of Barcola, especially for its international resonance, proved decisive to break the decades of silence of local authorities and media about the tragic reality of pollution and landfills of hazardous waste in Trieste.

But, of course, it did also make us public enemies of “system Trieste”.

FROM THE SEA TO THE KARST

Of course, what happened on the coast could not but affect the Karst plateau, which is right behind the city of Trieste, so rich of dolinas (sinkholes) and caves, making it the ideal environment to hide all kinds of waste. Yet, as a further demonstration of how well the “system” is protected, in 2000, when the representatives of local police were called before the *Commissione Parlamentare sulle Ecomafie* (the Italian Inquiry Commission on Ecomafia) to refer about pollution in the province of Trieste, they declared that everything was in place, because the territory is small and surrounded by the Karst, making it unsuitable for the illegal disposal of waste (yeah, sure...).

Unfortunately for them, our investigations about pollution in Trieste and in its province started from no less but our finding on the Karst plateau. As early as in 1998, we took care of an intensive investigation to understand this carefully hidden pollution. And the result was upsetting, and very different from the picture described by the authorities. There are hundreds of dolinas and abandoned quarries used as dumping sites, sometimes even without an authorization, and