

*Cristina Narbona Ruiz*

*La Ministra de Medio Ambiente*

**Sr. D. Félix Lorenzo Donoso**  
**Representative of the Platform Against the Contamination of Almendralejo**  
**c/ Guadalupe 17**  
**06200 Almendralejo (Badajoz)**

Madrid, on March 17, 2008

Dear Sir:

I acknowledge receipt of your writing of January 17 directed to this Department by the "Platform against the contamination of Almendralejo" by means of which it was giving us knowledge of the situation in which the waste treatment was in the above-mentioned municipality and there was requested a juridical evaluation of the request of information realized by the said Platform to the Town hall of Almendralejo by virtue of the arranged in the Law 27/2006, of July 18, by that there are regulated the rights of access to information, of public participation and of access to the justice on the subject of environment,

Secondly, and as for object of his writing on the juridical evaluation of your request of information, I must indicate you that it stays out of the ambience of the competition of this Department to carry an analysis as that out you request, because the control of legality of the administrative performance is a competition that fits constitutionally to the judges and courts, as he arranges the article 106 of the Constitution, from which one continues that of ordinary it is up to the General Administration of the State neither to check the performances of other Public administrations nor to supervise the way in which these exercise his competitions.

In view of this situation and since there stays out of the ambience of the competition of this Department the achievement of a juridical analysis on the legality of the answer of the Town hall of Almendralejo to the request of information formulated by the Platform that you represent, I only can remind to you the right that assists to you to urge the review of the decision of the above-mentioned municipality in the terms established by the article 20 of the Law 26/2007, good appealing the decision adopted as the Town hall of Almendralejo before the proper Town hall, good before the courts in the terms established in the current legislation.

Receive a cordial greeting,

