



MINISTERIO
DE MEDIO AMBIENTE

Document 5
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S/REF.
N/REF: 15/26.08
DATE: On April 11, 2008,

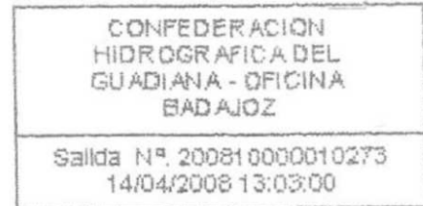
MATTER: INFORMATION REQUESTED BY THE PLATFORM AGAINST
CONTAMINATION OF ALMENDRALEJO.

PLATFORM AGAINST CONTAMINATION OF ALMENDRALEJO

C/ GUADALUPE, 17

06200

ALMENDRALEJO.



As regards the information request raised in writing of date December 04, repeated in writing of February 18, 2008, in fulfillment of all that the Law arranges 27/2006, of July 18, by that there is regulated the right of access to information, of public participation and of access to the justice on the subject of environment, enclosure accompanies report evacuated by the water Police station of this Organization, like competent Unit in the matter.

Of the said report it is clear that by the Fluvial Guard and by the quality Area of the Waters there are realized cross-checks of the denounced facts, to determine if the same ones are capable of constituting an administrative infraction of the typified ones in the article 116 of the water Law, of being like that will begin the corresponding sanctioning records, what will be made known of this Platform, fulfilling in this way the arranged in the article 329. 2 of the Regulation of the Hydraulic Public domain.



EL SECRETARIO GENERAL.

Fdo: Manuel Piedehierro Sánchez.



CORREO ELECTRONICO:

BADAJOZ Sinforiano Madroño, 12 06011 Badajoz Telf. 924 21 21 00	CIUDAD REAL Ctra. de Porzuna, 6 13002 Ciudad Real Telf. 926 23 21 76	MÉRIDA Octavio Augusto, s/n 06800 Mérida Telf. 924 31 66 00	DON BENITO Avda. de Badajoz, s/n 06400 Don Benito Telf. 924 81 08 87	MADRID Gral. Rodrigo, 6 - 4ª planta 28003 Madrid Telf. 91 553 02
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N O T A I N T E R I O R

S/REF.: EXP.15/26-08
SRJ/MA
N/REF.: PCA-01888-BA

FECHA: BADAJOZ, 25 DE MARZO DE 2008

ASUNTO: RECURSO DE ALZADA PRESENTADO POR PLATAFORMA
CONTRA LA CONTAMINACIÓN DE ALMENDRALEJO.

DESTINATARIO: COMISARIO DE AGUAS

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As regards the request formulated by the Chief of the Service, Miguel Guerra García, in his writing of March 17, 2008 which copy is accompanied, on the above-mentioned resource interposed by the stated association as a result of not getting information about the operated for our Organization as regards a supposed infraction to the water Law committed by the company VINIBASA of the one that gave knowledge to the SEPRONA by means of denunciation presented with date October 31, 2007, fulfill to me to mean the following ends:

In our Organization there has registered the input of the following documents which copy we enclose and that relate in chronological order according to the corresponding date of register of input that is indicated to the margin:

- 3-12-2007 Report of the SEPRONA of the Civil Guard, of date November 26, 2007.
- 11-12-2007 Writing of the "Platform against the Almendralejo contamination", of date December 4, 2007.
- Report of the Service of Alertness of the Hydraulic Public domain of the Police station of Waters, of date December 27, 2007.
- 7-03-2008 Writing of the Chief of the Area of Resources of the Secretariat General of the Department of Environment, of date February 29, 2008.
- 10-032008 Writing of the Chief of the Area of Legal system of the General Sub-department of Management of the Hydraulic Public domain, of date March 4, 2008.

Based on the indicated in the report of the SEPRONA of the Civil Guard and of the Service of Alertness of the Hydraulic Public domain of our Organization, and having knowledge of the imminent approval of a ministerial Order for which technical criteria would establish for the evaluation of the damages to the hydraulic public domain and norms on capture of samples and analysis of spilled of wastes water these Headquarters considered to be opportune to wait to the official publication and coming into effect of the above-mentioned norm to substantiate appropriately for the previous performances that had to be carried out as regards the denounced facts.

After the coming into effect of this norm last January 30 and the pertinent request carried out on

February 11 for the supply of seals indexed in accordance with the arranged in the above mentioned ministerial Command, last March 24, 2008 there has been repeated the urgent supply of the same ones (there is enclosed copy of the writing by which this reiteration is formulated). Once the seals are received, on the part of these Headquarters will proceed to carry out to the biggest possible briefness the preliminary previous performances faced to determine excellent circumstances related to the person or persons who could turn out to be persons in charge and the facts capable of motivating the inception of the pertinent procedures.

The absence of information of previously exposed to the association informer, has been more of the consequences that are stemming from the serious lack of technical personnel dedicated specially to the functions of authorization and control of spilled that this one has suffering quality Area of the Waters (that only specialist counts with a top technician in control of spilled and a technical engineer of public works, both incorporated in January, 2008, for the areas of Extremadura and Huelva, and that does not count with any technician in the areas of Castile The Spot and Cordova), and of the high overload of work that has supposed, between other circumstances, the ending of the term granted to the existing industries to adapt itself to the arranged in the regulation of prevention and control integrated of the contamination.

THE CHIEF OF THE QUALITY AREA OF THE WATERS



Fdo.: Domingo Fernández Carrillo.

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