

The Absent and the Miteni Judgment

Inside the Miteni judgment — the findings of fact against Syensqo and DuPont are right there.

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The Vicenza Court of Assize convicted eleven people and none of the two multinationals that had created the molecules of the disaster. It could not: the Public Prosecutor's Office had not charged them. But to give reasons for the conviction of the perpetrators it had to reconstruct the entire supply chain — and across 2,062 pages it wrote, fact upon fact, the story that concerns the two great absentees, Solvay and DuPont.

A trial is seen from the defendants' dock. In Vicenza, on that dock, sat the managers of a small Veneto factory, their Japanese and Luxembourg shareholders, and a company by now bankrupt. The perpetrators were there. Two names were missing — Solvay and DuPont — which nonetheless recur, page after page, throughout the 2,062 pages of the judgment. They were missing for a precise and honest reason: the Prosecutor's Office had not charged them, and a judge may only judge those whom the prosecution brings before him. And yet, to explain why the perpetrators were guilty, the Court had to recount the whole supply chain. And so, without judging them, it established the facts that concern them. This part reads the judgment from the only point of view that interests us: the empty seats.

1. What the Vicenza Court of Assize decided

Let us begin with the established facts, because here "established" has a strong meaning: it is what a panel of judges wrote in a judgment, after four years of trial.

On 26 June 2025 the Vicenza Court of Assize (judgment no. 1/25) convicted **eleven** of the fifteen defendants, with sentences ranging from two years and eight months to seventeen years and six months: **one hundred and forty-one years** of imprisonment in total.^[1] The offences are the most serious in our criminal code on the matter: **poisoning of water intended for human consumption** (Art. 439 of the Criminal Code), **disaster** (Art. 434), **environmental pollution** (Art. 452-bis), and **fraudulent bankruptcy**; the count concerning the unlawful management of waste (Art. 256 of the Environmental Code) was declared time-barred.^[2] The company, Miteni S.p.A. (in bankruptcy), was held liable under Decree 231.^[3]

Who was convicted tells you everything about the perimeter of the trial. On the dock sat the **Miteni managers** (among them the chief executive Brian McGlynn, 17 years and 6 months, and Luigi Guarracino, 17 years, both coming from Spinetta Marengo, one from Ausimont and the other from Solvay), the top executives of the Luxembourg shareholder **ICIG** (Schnitzer and Riemann, 17 years each) and the managers of the previous Japanese owner **Mitsubishi** (Kimura and Suetsune, 16 years).^[4] The only two companies called to answer civilly for the damage are **Mitsubishi Corporation** and **ICIG**.^[5] The compensation — about **€56.8 million** to the Ministry of the Environment, **€6.57 million** to the Veneto Region, **€844,000** to ARPAV, plus hundreds of civil parties (claimants for damages within the criminal trial) at €15,000 each — will be paid, jointly and severally, by parties for the most part bankrupt, liable up to 2008, or beyond reach.^[6]

In all of this, one absence weighs more than any presence. **Solvay/Syensqo and DuPont/Chemours do not appear**: neither among the defendants, nor among those civilly liable, nor in the operative part.^[7] Not because their shadow was not there — the judgment, as we shall see, is full of their presence — but because the prosecution had not brought them to trial. This is the first thing to state precisely, and the most important: the Court did not *acquit* Solvay and DuPont. It did not *judge* them. Because they were not *charged*. These are different things.

2. The story, as the Court reconstructs it

For those who do not know the case, the judgment is also the most reliable account that exists — because every step rests on evidence. It is worth following.

Miteni was founded in 1964 as **Rimar**, "Ricerche Marzotto" (Marzotto Research), in the former stables of Villa Trissino Marzotto.^[8] It became Miteni in 1988 (Enichem Synthesis 51%, Mitsubishi 49%), a joint venture between **Enichem and Mitsubishi**; in 1996 Mitsubishi became the sole owner following the exit of **Enichem** of Eni; on **5 February 2009** it sold the entire stake to the Luxembourg fund ICIG, for €1, without warranties from the seller Mitsubishi, and held it until bankruptcy was declared on 9 November 2018.^[9] At the heart of production, for decades, were two long-chain PFAS: **PFOA** and **PFOS**, obtained through a process — electrofluorination — that the Court itself describes as not very clean.^[10]

The pollution is old and stratified. Already in the 1970s benzotrifluorides were poisoning the wells of the Agno valley; until 1975 the discharges flowed into the Poscola stream **without any treatment**, and the waste was buried in pits dug into the ground "without waterproofing".^[11] It is on this legacy that the turning point of the 2000s is grafted. After the American restrictions and the "DuPont case" — when it is discovered that these substances accumulate in the blood — and as the evidence of their toxicity to humans grows, the global industry, forced by the EPA in the US, replaces PFOA with new-generation molecules.^[12]

Miteni enters this second season with two substances: **GenX** (DuPont technology; the substance is HFPO-DA) and **cC6O4**. The two substances, GenX and cC6O4, however, **are not Miteni's**, but belong to **DuPont and Solvay**, two giants that will deal with the lightweight Miteni. The disaster, from 2011 to 2018 (but it persists to this day), **is a cC6O4 and GenX disaster**.

And here, in fact, the Court fixes the figure that overturns the perspective: those two molecules, at Trissino, Miteni does not invent. It **recovers** them, on behalf of others, from materials that arrive from outside. The judge describes two parallel, twin cycles. For GenX: "it was recovered from a waste, a residual product of a processing carried out at the **Dordrecht plant in the Netherlands of DuPont** and, through a cross-border authorisation, arrived at Miteni".^[13] For cC6O4: "a resin arrived from the **Solvay plant** in Italy (Spinetta Marengo)... From the resins that came from Solvay, C6O4 was recovered... and in the same way it was then commercialised, returned in part to the **Solvay plant**".^[14] Two flows that enter from Spinetta and from Dordrecht, are processed at Trissino, and go back as product. At Trissino, the waste remains.

Here, in the treatment of the waste, lies the heart of the crimes — intentional poisoning of water intended for human consumption and environmental disaster — charged only to Miteni and the shareholder ICIG, for the part caused from 2010 onward, because cC6O4 and GenX are still found in the Veneto groundwater today.

That the direct source was Miteni, on the material level, the Court establishes without margins: at the industrial discharge ARPAV measures total PFAS at **5.4 million nano-grams per litre**, five thousand times the average of a treatment plant; the chemical signature in the discharge, in the collector and in the river coincides.^[15] It is the perpetrator, and it is guilty.

The point, for us, is another: *who supplied the material, and who took back the product after processing? Who, that is, governed the cycle? What agreements existed between the two producers and Miteni? What duties ex lege did the two giants have over Miteni's disposal of their substances?*

3. cC6O4 is Solvay's: the resin that goes and comes back

The judgment does not leave cC6O4 without paternity. It is a molecule **patented and registered by Solvay** as a substitute for PFOA: the experts say so and the Court takes it up, "precisely the substance that Solvay had patented and had then also transferred to Miteni for production".^[16] The "active" European registration belongs to Solvay Specialty Polymers; Miteni's is "inactive".^[17] When, in 2020, the CNR needs the standard to measure it, it must turn "directly to the seller Solvay".^[18] The substance, in short, is theirs. And in 2021 Solvay forbids the sale of the cC6O4 measurement standard even to the Italian regulatory agencies — that is, it tries to hide and to obstruct the judicial investigations which, in Vicenza, had by then begun amid great clamour. A trade secret, says Solvay. A trade secret cannot be invoked when the ecosystem and human life are at stake.

And the relationship with Miteni is not that between just any supplier and a client. The Solvay-Miteni relations are documented as far back as 2003. cC6O4 will be recovered **at Trissino and not at Spinetta**, where it has its factory and where it is under the spotlight. Better at Trissino. Between Solvay and Miteni there is therefore a relationship within which it is easy to infer that Solvay takes the lion's share. Miteni, with the PFOA ban approaching, is contractually weak. Either it accepts or it folds. It is a **toll-manufacturing contract**, resolved at the top. The minutes of the Miteni Board of Directors of **30 June 2011** put on the agenda the "Approval of the Toll-manufacturing Contract for a new surfactant with **Solvay Solexis**", and resolve the "toll production of C6O4 ammonium chloride".^[19] The Court notes that decisions like these are not operational, but top-level "macro-decisions".^[20]

True, they are manifestations of the policy of a multinational that has decided to offshore the risk connected to the environmental impact of one of its substances that it **does not fully understand**, without any liability — concealed behind the Miteni screen — reaching it, at least in the first instance.

The technical name of that relationship appears, in black and white, in an internal email of 1 February 2013 that the Court quotes: it must be decided "whether to proceed with the disposal of about a hundred **IBCs** containing the cC6O4 potassium salt or to **return them to Solvay**, the production being a **tolling manufacturing**. The IBCs contain traces of acidic water from the **sulphuric acid** used to separate the cC6O4".^[21] Three things, in a single line. *Tolling*: Miteni processes another's material, Solvay's. *Return to Solvay*: the product goes back to the principal. *Sulphuric acid of separation*: the cycle, alongside the product, generates a waste — **and the waste is the disaster**.

The Court reconstructs that the "exchange of materials between Solvay and Miteni" was already under way "in 2011" — the precise dates should be checked rigorously — with shipping schedules and exact quantities, 4,890 kilograms in 2011 alone, even before production was "official".^[22]

One thing, let us say it at once, does not add up. **It was not a true toll-manufacturing arrangement**, which by definition is "closed-loop" — A sends so much to B, B returns so much to A — because the recovery Miteni carried out left a residue, which for DuPont reached as much as 70% of the material received, and the disposal of the waste, the dirtiest part, was Miteni's job.

And here the game reveals its trick.

From 2010 onward, the disaster is a disaster arising from the grossly negligent — indeed, intentional — disposal of precisely that waste, committed by Miteni in the primary interest of Solvay.

The picture that emerges is simple, and the judgment describes it without drawing the consequences: the molecule is Solvay's, the resin starts from Solvay, the contract is with Solvay, the product goes back to Solvay. **To Miteni the waste remains, still containing**

cC6O4. The waste ends up in the groundwater intended for human consumption. Hundreds of thousands of people will drink it for decades — first PFOA and then cC6O4 — without having the faintest idea.

Whoever designed such a cycle cannot ignore what it produces; cC6O4 is Solvay's, no one more than Solvay knows its possible behaviour in the environment, and the possible effects on the environment and on human health.

Everything rests, line by line, on the facts the Court established.

4. What Solvay knew

The difference between negligence and intent, in this story, is made by knowledge. And on knowledge the judgment is surprisingly rich — even regarding those who were not on trial.

The major PFAS producers talked to one another. The Court reports the records of a series of **international meetings** "that brought together the world's leading PFAS producers, including **DuPont, Solvay, 3M, Daikin, Dineon, Arkema and Asahi Glass**", in order to "mutually update all participants on the evolution of the regulations... and share the state of the scientific studies concerning the impact of PFAS on human health and the environment".^[23] They did not just talk: they paid together. A 2003 document shows Miteni "in collaboration with... DuPont... and **Solvay**" financing "a series of toxicological, ecotoxicological and environmental-fate studies on PFOA".^[24] And in 2005 Solvay technicians and executives were exchanging by email the DuPont data on American workers and even the letters of the lawyer Bilott to the US environmental agency.^[25] When, in 2013, a "Solvay meeting on the problem of the presence of PFOA and cC6O4" is held, the contamination is already a shared topic.^[26]

The Solvay-Miteni partnership is long-standing.

Then there is a man who is almost an allegory. Luigi Guarracino arrives at Miteni after having been plant director of **Solvay at Spinetta Marengo**; for the Spinetta events, he will say in court, he has already been convicted.^[27]

The Court does not merely note this: it draws a legal consequence from it, writing that "considering also his previous professional experience at Solvay, Guarracino is **fully aware** of the environmental problems present at Miteni".^[28]

Awareness, here, travels with the people — from Spinetta to Trissino. Before Guarracino, the same path, from Spinetta to Trissino, had been travelled by another long-serving manager, McGlynn.

All this matters because the Court, in order to convict, had to define the boundary between negligence and intent, even if only for Miteni.

It did so by invoking the Joint Chambers (the ThyssenKrupp judgment): **dolus eventualis** is "the acceptance... of the concrete possibility... of the occurrence of the event", when "the event is regarded as a (possible) price to pay for the achievement of a given result".^[29] And it identified the result: "profit at any cost, so much so as to also acquire the market share left free by 3M and to **supply DuPont**... accepting the risk of continuing to pollute the groundwater".^[30]

It is the standard by which it measured the perpetrators.

The question the judgment leaves open — and that interests us — is whether that same standard, applied to those who *more than anyone* knew the dangerousness of the molecules, does not lead higher.

Solvay, at the top of the supply chain, obtained the ECHA authorisation for cC6O4 by promising that cC6O4, portrayed as a "production intermediate", would not end up in the environment — also because, in Solvay's own words, the new compound is extremely soluble in water and therefore, once released into the groundwater (which happens despite the "hopes" set out to ECHA), it spreads as fast as water.

A vain promise: cC6O4, here and now, is found almost everywhere in the great North of Italy, from Piedmont to Veneto, all the way to the Po.

Bear in mind, too, that in 2008, when Miteni passes into ICIG's hands, a heavy criminal trial against Solvay and Ausimont was under way at Spinetta Marengo — for hexavalent chromium pollution, not for PFAS — which probably made it advisable to offshore the production of cC6O4 to Trissino, at the time far from the spotlight.

5. The Dutch twin: DuPont and GenX

On the other molecule, GenX, the judgment is equally explicit, and once again toward an absentee. GenX is DuPont technology, patented in 2009; it is registered by **Chemours** — DuPont's Dutch *spin-off* — in 2013.^[31] The waste from which Miteni recovers it comes from **Dordrecht**, and it comes in quantity: three decrees of the Veneto Region (2015, 2016, 2018) authorise Chemours to ship **300 tonnes** of waste to Trissino.^[32]

It is not a passive relationship. As early as 2012 it is DuPont that drives the process: an internal email has as its subject the "upgrading FRD **DuPont**", and Guarracino "updates the DuPont management" on the activities needed for the authorisation to "treat... the DuPont material".^[33] And when the Court fixes the motive of intent, it places DuPont inside the reasoning: Miteni continued to produce, accepting the risk, also in order to "**supply DuPont**".^[34] The name of an unindicted multinational thus enters the heart of the reasoning that convicts the defendants.

There is a detail that tells where it all began.

The Veneto case of the "new PFAS" does not break out because of an Italian inspection, but because of a letter: in March 2018 the **Dutch Ministry of the Environment** informs

the Veneto Region that it is investigating "the flows of waste and products of the company Chemours of Dordrecht" and that "one of the plants to which Chemours has sent its waste is Miteni... where the FRD will be recycled and shipped back to Chemours".^[35] The truth arrived from the Netherlands. (It must be said, in fairness, that the defence raised a serious technical objection: traces of GenX would appear in the groundwater as early as 2011, before the arrival of the Chemours waste in 2015 — a sign that part of the GenX could form as an internal by-product. It is a question of source attribution that remains open, and that must be investigated, not hidden.^[36])

The Dutch Ministry of the Environment writes to warn the Veneto Region that, in 2014, through a very peculiar Integrated Environmental Authorisation (A.I.A.), it had authorised Miteni to keep doing what it had previously done without authorisation — to extract product from resins, wherever they came from — without imposing any limits whatsoever, and DuPont took advantage of this almost at once.

6. The upstream source: the Po points West

There is, finally, a point at which the judgment, while speaking of Miteni, points elsewhere — and the indication is, once again, toward an absentee. Measuring the contamination, ARPAV finds cC6O4 also at stations "located along the course of the **Po river, far from Miteni's area of action**", in the aqueducts of Corbola and Ponte Molo. And it draws a conclusion in so many words: "the presence of C6O4 at these stations is to be traced to **inputs further upstream along the course of the river**".^[37] Further upstream: that is, not from Trissino.

Who is there, upstream on the Po? The judgment itself had already written it, in another chapter.

When the CNR researchers, years earlier, had sought the origin of the pollution "by going back up the Po river", they had "identified in the **Solvay Solexis plant at Spinetta Marengo** a potential, probable source".^[38] And further on, citing the study filed in the proceedings: "the fluoropolymer plant at Spinetta Marengo... was confirmed as the **main source of PFOA in the Po river**", with "the... **Solvay Solexis** plant discharging into the Bormida".^[39]

The phrase about "inputs further upstream" is not a digression: it is an arrow. The Miteni judgment, while investigating Veneto, signals a second source in the Po basin — and that source bears the name that was not on trial.

On this we are not the only ones looking West. The **Parliamentary Commission of Inquiry into illegal activities connected with the waste cycle** has dealt with PFAS for three consecutive legislatures, and has always kept the two plants together — Miteni at Trissino and Solvay at Spinetta Marengo, the two Italian poles of production.^[40]

Before that Commission, Solvay appeared in person (today it is Syensqo, Solvay's 2024 spin-off); and in July 2024 the director of ARPA Piemonte described the situation of the

Solvay site there as "delicate", describing cC6O4 — "produced exclusively by Solvay of Spinetta (after 2018, when Miteni fails)" — found at 191,262 micrograms per litre in a well inside the plant.^[41]

The epilogue is telling.

After Miteni at Trissino is driven into bankruptcy by ICIG, production returns to Spinetta Marengo, where, however, it will no longer be done as at Trissino, because **Solvay eliminates the process that had nonetheless brought it, through recovery from the resins, more cC6O4 and therefore more profit, along with the grave environmental damage accepted until then**, and sends the cC6O4-laden resins it has at Spinetta to thermal destruction.

Could Solvay have done the same earlier, back in 2010, instead of deciding to set in motion the cycle that involves Miteni and that causes the tragedy of Trissino?

At Spinetta, Solvay continues to produce cC6O4 and to pollute at record-breaking levels, as recently as spring 2024.

It is the thread the next part will follow to the end.

7. Why the reasoning is already an indictment

Let us recap what the judgment, in order to convict the perpetrators, placed on the record about the two absentees. The cC6O4 molecule is Solvay's (patent, registration). The relationship is a toll-manufacturing contract resolved at the top. Its nature is *tolling*: Miteni processes Solvay's material and returns it, keeping the acidic waste, which is more than what it returns to Solvay. Not quite a toll arrangement. The exchange is documented as far back as 2011, with quantities and schedules. Knowledge of the dangerousness is shared from at least 2003, in co-financed studies and in meetings among the producers. The men move from Spinetta to Trissino carrying with them "full awareness". For GenX, the scheme is mirror-image: DuPont waste from Dordrecht, three hundred tonnes, a process driven by DuPont, and the name DuPont written inside the reasoning on intent. And the contamination of the Po, which the Court itself traces back to a source "further upstream".

These are all facts **established** in a judgment. What remains — which the Vicenza Court does not do, but which I have done, by filing complaints as a citizen with the Public Prosecutors of Alessandria and Vicenza — is the legal characterisation that can be drawn from them: that whoever supplies the material, designs its cycle, draws the product from it and knows its dangerousness, should answer *as an accomplice* (Art. 110 of the Criminal Code) for the event that cycle produces, even if materially the proximate cause — that is, the criminal release into the environment — is attributable to another, in this case Miteni and its reckless conduct in managing the waste.

Criminal law, to get there, therefore has no need to "pierce the corporate veil": criminal law has no use for the veils of legal personality. What count are the facts and **the causal link** between each conduct and the event. And the facts lead to the principals.

And the standard of subjective culpability is already written in this judgment: **the dolus eventualis of one who accepts the harm "as a price to pay" for profit. With the aggravating circumstance that Solvay knows about cC6O4, more than anyone else, even more than Miteni.**

Here I stop at the hint. The legal regime of waste and the principle of producer responsibility — whoever generates hazardous waste answers for it, and does not free himself of it by handing it to a third party — deserve the treatment we will give, in full, in a forthcoming part devoted to legal characterisation. Here let the outline suffice.

The Court judged those it could. It convicted those who held the tap in their hands. But, having to explain why, it had to draw the entire plumbing system — and it left, in its 2,062 pages, the names of those who had designed that system and drew the product from it. The two empty seats in the defendants' dock are not proof of innocence. They are a question left without a judge. The next part shows why those two seats belong to a single, great disaster — a volcano with two mouths, Spinetta and Trissino.

The Veneto Region constituted itself as a civil party in the trial against Miteni, and here too something does not add up, because the Region, in 2014, when the disaster was beginning to emerge, authorised Miteni to continue doing what it was doing — recovering product from others' resins — without setting any limits on the discharges.

Part 2 → One Volcano, Two Mouths

A note on sources and method

This part is a reading of the **judgment of the Vicenza Court of Assize no. 1/25** (delivered on 26 June 2025; first instance), cited by page. I always distinguish three levels. **Established:** what the Court states or places at the foundation of its decision (the operative part, the characterisation of the facts, the toll-manufacturing contract, the internal documents reproduced, the conclusion on the disaster). **Stated:** what the judgment reports as the testimony of a witness, an expert or a defendant (I flag it where it matters). **Inferred:** the reading of the liability of the industrial principals (Solvay/Syensqo and DuPont/Chemours), which is the thesis of my criminal complaints to the Public Prosecutors of Alessandria and Vicenza (6 October and 23 December 2025) — a request for investigation, not a finding. Those convicted are the perpetrators; Solvay and DuPont were not charged and were not judged. Only one passage falls outside the judgment — the one on the Parliamentary Commission of Inquiry into the waste cycle — and it is documented by parliamentary records and by the reports of the sessions, indicated in the notes. The records referred to here, not covered by secrecy, will be published alongside the investigation.

Notes

1. Judgment of the Vicenza Court of Assize no. 1/25, operative part (P.Q.M.), pp. 2054-2055: eleven convictions, from 2 years and 8 months (Drusian) to 17 years and 6 months (McGlynn); the total of the sentences is 141 years.
1. Counts of the indictment, pp. 7-16: count A, poisoning of water intended for human consumption (Arts. 110, 112, 439 of the Criminal Code); count B, disaster (Art. 434 of the Criminal Code); count D, environmental pollution (Art. 452-bis of the Criminal Code) for GenX/HFPO-DA and cC6O4; count F, fraudulent bankruptcy (Art. 223 of the Bankruptcy Law). Count C (unlawful waste management, Art. 256 of the Environmental Code) was declared time-barred (operative part, p. 2055).
1. Count E and operative part, pp. 12-16 and 2055-2056: Miteni S.p.A. liable under Art. 25-undecies of Legislative Decree 231/2001 (a fine of €125,000 and confiscation of €437,500 as the profit of the offence under count D).
1. Operative part, p. 2054: among others, McGlynn 17 years and 6 months; Schnitzer, Riemann, Guarracino 17 years; Smit, Kimura, Suetsune 16 years; Hosoda 11 years (with general mitigating circumstances). Acquitted, under Art. 530 of the Code of Criminal Procedure: Ito, Fabris, Drusian (of counts A and B), Cognolato and Mistrorigo (p. 2055).
1. Operative part, p. 2054: those civilly liable, jointly and severally, **Mitsubishi Corporation** and **International Chemical Investors S.E. (ICIG)**.
1. Operative part, pp. 2056-2060: to the Ministry of the Environment and Energy Security €56,800,000 as pecuniary damage (in addition to environmental damage under Art. 311 of Legislative Decree 152/2006); to the Veneto Region €6,576,357.72; to ARPAV €844,366; to the Province of Vicenza €151,431.60; to the natural persons who joined as civil parties, for the most part, €15,000 each; to the environmental associations €50,000 each.
1. Verification of the operative part (pp. 2054-2060): the names Solvay/Syensqo and DuPont/Chemours do not appear in any entry. In the body of the reasoning they figure as the supplier of the cC6O4 resin (Solvay), as the historic PFOA client (DuPont) and as the producer of the waste treated at Trissino (Chemours, Dordrecht).
1. Judgment, p. 35: "The present company Miteni was originally named Rimar (Ricerche Marzotto) and was established in 1964, with registered office in Trissino (VI) in the former stables of Villa Trissino Marzotto".
1. Judgment, p. 35: Miteni S.r.l. established on 7 March 1988 (Enichem Synthesis 51%, Mitsubishi 49%); Mitsubishi sole owner from 1996; transfer to ICIG on 5 February 2009; bankruptcy declared by the Court of Vicenza on 9 November 2018.
1. Judgment, p. 35 and footnote: Miteni "was engaged in producing PFOA and PFOS" by electrofluorination (yield 70-80%); "a cleaner process... is telomerisation, which Miteni did not use".
1. Judgment, pp. 38 and 58-59 (witnesses Giuriato, Altissimo) and p. 164 (witness Bizzotto): until 1975 the discharges were released "into the environment without any kind of treatment"; buried pits "dug directly into the ground without waterproofing"; benzotrifluoride pollution in the wells of the Agno valley as early as 1976-77.
1. Judgment, pp. 42-44: from 2000, after the US restrictions and "the DuPont case" (bioaccumulation in the blood), the industry replaces long-chain PFAS with perfluorinated oxo-carboxylic and oxo-sulphonic acids (including HFPO-DA and C6O4). At p. 130, 3M's exit from PFOS announced in 2000.
1. Judgment, p. 45 (description of the GenX cycle).
1. Judgment, p. 45 (description of the cC6O4 cycle: resin from the Solvay plant, recovery at Trissino, partial return to Solvay). *Status*: technical description given at trial and adopted by the Court.
1. Judgment, pp. 140 and 155 (witnesses Valsecchi, Restaino): identity of the chemical signature among the Miteni discharge, the collector and the river; at the industrial discharge "5,400,000 ng/l" of total PFAS, "5,000 times higher" than the average of a treatment plant.
1. Judgment, p. 1641 (the Court, on a documentary basis): "precisely the substance that Solvay had patented and had then also transferred to Miteni for production"; and p. 826 (Resnati expert report): "C6O4 is a surfactant

registered and patented by Solvay as a substitute for PFOA"; p. 809: Solvay "in 2011 registers with ECHA" the cC6O4.

1. Judgment, p. 736: for cC6O4 and GenX "an active registration by Solvay Specialty Polymers Italy S.p.A. (Bollate) and an inactive one by Miteni S.p.A."
1. Judgment, p. 140 (witness Polesello): lacking the analytical standard, the research centre "had to turn directly to the seller Solvay toward the end of 2020".
1. Judgment, p. 1528 (minutes of the Miteni Board of 30 June 2011): "Approval of the Toll-manufacturing Contract for a new surfactant with Solvay Solexis"; "toll production of C6O4 ammonium chloride... with Solvay Solexis SpA".
1. Judgment, pp. 1528-1529: "all corporate macro-decisions... are always taken following a resolution of the Board", in which "the top executives of the controlling companies ICIG and MITSUBISHI also take part".
1. Judgment, p. 1740 (internal Miteni email of 1 February 2013, subject "IBCs of cC6O4 potassium salt").
1. Judgment, pp. 1739-1740: "Solvay Solexis meeting report of 30 November 2011"; shipping schedules for cC6O4 potassium salt totalling 4,890 kg in 2011; the Court: "from the emails cited it emerges that there was already, in 2011, an exchange of materials between Solvay and Miteni".
1. Judgment, p. 335 (NOE records/reports): international meetings "that brought together the world's leading PFAS producers, including DuPont, Solvay, 3M, Daikin, Dineon, Arkema and Asahi Glass" to share regulations and studies on health and the environment.
1. Judgment, p. 956 (Marcomini expert report, document of 15 April 2003): Miteni "in collaboration with... DuPont... and Solvay, financed a series of toxicological, ecotoxicological and environmental-fate studies on PFOA".
1. Judgment, p. 685 (document 759): email of 14 March 2005 between Solvay executives/technicians and the physician Costa, with attached the letters of the lawyer Bilott to the USEPA and a DuPont slide on the results in US workers.
1. Judgment, p. 1642 (document 572): "a Solvay meeting on the problem of the presence of PFOA and cC6O4 of 11 September 2013".
1. Judgment, p. 1605 and p. 1623 (examination of Guarracino): he "moved to the employ of Solvay at the Spinetta Marengo plant and then began his collaboration with Miteni"; that he had been "convicted for the Spinetta Marengo events". *Status*: in part a statement by the defendant. In fact, Guarracino also underwent,

as director of the Ausimont plant at Bussi sul Tirino, another criminal proceeding, which ended with extinction of the offence by limitation.

1. Judgment, p. 1626 (the Court's assessment): "considering also his previous professional experience at Solvay, Guarracino is fully aware of the environmental problems present at Miteni".
1. Judgment, pp. 1316-1319, citing Court of Cassation, Joint Chambers, 18 September 2014 no. 38343 (ThyssenKrupp): *dolus eventualis* as "acceptance... of the concrete possibility... of the occurrence of the event" and as an outcome accepted "as a (possible) price to pay for the achievement of a given result".
1. Judgment, pp. 1317 and 1323: "profit at any cost, so much so as to also acquire the market share left free by 3M and to supply DuPont... accepting the risk of continuing to pollute the groundwater".
1. Judgment, pp. 55 and 822, 826 (expert reports): GenX/HFPO-DA patented by DuPont in 2009; registered with ECHA in 2011/2013 by Chemours Netherlands B.V. (Dordrecht), "spin-off of DuPont... which took over the production of the fluorinated derivatives".
1. Judgment, p. 55: Veneto Region decrees no. 41 of 30 July 2015, no. 168 of 1 December 2016 and no. 35 of 14 February 2018, for a total of 300 tonnes of waste (EWC 070201) shipped by Chemours to Miteni.
1. Judgment, pp. 1636 and thereabouts (documents 557-558, Guarracino email of 15 March 2012): subject "upgrading FRD DuPont, update of the regulatory/authorisation process... for the treatment of the DuPont material".
1. Judgment, pp. 1317 and 1323 (reasoning on intent): among the reasons for the risk accepted, "to supply DuPont".
1. Judgment, p. 158 (document 531, communication of the Dutch Ministry of the Environment of 13 March 2018): investigation into the flows of Chemours-Dordrecht; "one of the plants to which Chemours has sent its waste is Miteni... where the FRD will be recycled and shipped back to Chemours in the Netherlands".
1. Judgment, p. 822 (defence expert report, Profumo): the HFPO-DA found in 2011 "could not... come from the treatment of the waste from CHEMOURS NL, carried out at MITENI only from 2015 onward", with the hypothesis of internal formation as a by-product. It is a profile of source attribution that remains to be established. Moreover, the cC6O4 data are "semi-quantitative", based on a standard supplied by Miteni itself (pp. 742-743).
1. Judgment, pp. 745 and 747: cC6O4 in the aqueducts of Corbola and Ponte Molo (Rovigo) fed by the Po, "between 40 and 90 ng/l" (April 2019); and: "stations located along the course of the Po river, far from Miteni's area of action... the presence of C6O4 at these stations is to be traced to inputs further upstream along the course of the river".
1. Judgment, p. 135 (witness Polesello, CNR-IRSA): going back up the Po, he "identified in the Solvay Solexis plant at Spinetta Marengo a potential, probable source of the pollution of the Po river".
1. Judgment, pp. 146-147 (CNR report quoted by the Court): the Spinetta Marengo plant "was confirmed as the main source of PFOA in the Po river"; among the critical areas, "the Spinetta Marengo Industrial Hub with the Solvay Solexis fluoropolymer plant discharging into the Bormida".
1. Parliamentary Commission of Inquiry into illegal activities connected with the waste cycle and related environmental offences: PFAS contamination has been the subject of its work for three legislatures (XVII, XVIII, XIX). The report approved on 14 February 2018 (XVII legislature) and the subsequent work of the XVIII legislature identify in the two plants of Trissino (Miteni) and Spinetta Marengo (Solvay) the Italian poles of perfluorinated production. *Status*: parliamentary finding, distinct from the judicial one.
1. Hearing of the director-general of ARPA Piemonte, Secondo Barbero, before the Commission (Palazzo San Macuto, 10 July 2024): the situation of the Solvay site described as "delicate"; cC6O4 "produced exclusively by Solvay of Spinetta" measured at 191,262 µg/l in an internal well (March 2024 figure). At the same session, the Chief Prosecutor of Alessandria Enrico Cieri and the deputy prosecutor Eleonora Guerra were also heard (report: lavialibera, 19 July 2024). *Status*: statements given at a hearing.

