

LAW 13 December 2024, n. 191

Conversion into law, with amendments, of the decree-law of 17 October 2024, n. 153, containing urgent provisions for environmental protection of the country, the rationalization of the evaluation procedures and environmental authorization, the promotion of the circular economy, the implementation of interventions in the field of site remediation contaminated and hydrogeological instability. (24G00209)

(Official Journal n.294 of 16-12-2024)

Effective as of: 12-17-2024

The Chamber of Deputies and the Senate of the Republic have approved;

THE PRESIDENT OF THE REPUBLIC

Promulgation

the following law:

Art. 1

1. Legislative Decree 17 October 2024, n. 153, containing provisions urgent for the environmental protection of the country, the rationalization of environmental assessment and authorization procedures, the promotion of the circular economy, the implementation of interventions in matter of remediation of contaminated sites and hydrogeological instability, and' converted into law with the amendments reported in the attachment to the this law.

2. This law shall enter into force on the day following that of its publication in the Official Journal.

This law, bearing the seal of the State, will be inserted in the Official Collection of the normative acts of the Republic Italian. It is mandatory for anyone to observe and do it observe as the law of the state.

Given in Rome, on 13 December 2024

MATTARELLA

**Meloni, President of the Council
of the ministers**

**Picket Brother,
of the environment and safety
energetic**

Minister

Seen, the Keeper of the Seals: Nordio

Attached

**AMENDMENTS MADE DURING THE CONVERSION OF DECREE-LAW 17
OCTOBER 2024, N. 153**

In Article 1:

in paragraph 1:

the following is added before letter a): «0a) in article 6, after paragraph 6, the following is inserted

following:

"6.1. Letters c) and d) of paragraph 6 apply consistent with the implementing provisions of Article 26, paragraph 4, of Law 5 August 2022, n. 118, as well as with those of adaptation of the regions or autonomous provinces, where adopted";

0b) in Article 7, paragraph 5, third period, the words: "Minister of the Environment and Protection of Land and Sea" are replaced by the following: "competent general director of the Ministry of Environment and Energy Security";

to letter a):

at number 1.1), the words: «decree law» are replaced from the following: «decree-law»; at number 2):

in paragraph 1-bis,

letter a) the following are added

following:

«0a) projects for new hydroelectric storage plants by pure pumping which also include the restoration of the normal operating conditions of existing reservoirs, the increase in the volumes of storable water; 0b) geological storage works and plants, capture and transport of CO₂, as well as related plants functionally connected, and the industrial plants subject to conversion into biorefineries»;

in paragraph 1-bis, letter a), the words: «number 6-bis» are replaced by the following: "point 6-bis)";

in paragraph 1-bis, after letter a) the following is inserted:

following:

«a-bis) projects for new plants concerning the derivations for hydroelectric use with power up to 10MW»; in paragraph 1-ter, in the first period, the words: «or of the paragraph 1-bis, is reserved» are replaced by the following: «or of the paragraph 1-bis is reserved» and, in the third period, the words: «and "coherent" are replaced by the following: "and simultaneous", the words: «to the Ministry of Culture» are deleted and the words: «that takes into account» are replaced by the following «to the Ministry of culture, which conforms to it»;

after number 2) the following is inserted: «2-bis) in paragraph 2-bis, last period, the word: "2024"

is replaced by the following: "2026"; number 3) is

replaced by the following: «3) in paragraph 2-octies, in the first period, the words: "The

"president of the Commission referred to in paragraph 1" are replaced by following: "The presidents of the Commissions referred to in this article" and the third period is replaced by the following: "With the same methods identified in the previous periods, without prejudice the specific tasks assigned in environmental matters by the legislation in force to other State administrations as well as the distribution of responsibilities between the police forces, as per the decree Legislative Decree 19 August 2016, no. 177, and the Ministerial Decree of the Interior of 15 August 2017, the Commissions referred to in this article can avail themselves of four units of personnel of the Corps of the Guardia di Finanza, whose costs are covered within the scope of the resources referred to in paragraph 5" »;

at number 4), paragraph 2-novies, the words: «VIA-VAS», wherever they occur, they are replaced by the following: «of verification of the environmental impact VIA and VAS»; in letter

b):

at number 2), paragraph 6-bis, the words: «This communication» are replaced by the following: «The communication of referred to in the previous period»;

at number 4), the words: «, after the first period are added the following» are replaced by the following: «are added, finally, the following periods» and the words: «subject to VIA «original» are replaced by the following: «subjection to EIA original»; after letter

b) the following is inserted: «b-bis) at the end of article 23, paragraph 1, the following is added:

following letter:

"g-quater) self-declaration pursuant to articles 46 and **47 of the consolidated text referred to in the decree of the President of the Republic** 28 December 2000, n. 445, relating to the ownership structures of the proposing company and of the possible controlling company and to the consistency of the share capital of the proposing company"; in letter e):

at number 2.1), the words: «in the first period,» are suppressed;

at number 2.2), the words: «after the first period, are added the following» are replaced by the following: «are added, finally, the following periods" and the words: "pursuant to the second period are granted pursuant to paragraph 5." are replaced by the following: «pursuant to the fourth period are granted pursuant to the paragraph 5 of this article»; after letter f) the following

is inserted: «f-bis) in article 27, paragraph 8, the words: "Minister

of the environment and the protection of the land and the sea, in concert with the Minister for Cultural Heritage and Activities and for Tourism" are replaced by the following: "competent general director of the Ministry of Environment and Energy Security, after acquisition of the concert of the competent general director of the Ministry of Culture";

letter g) is deleted; paragraph 2 is replaced by the following:

«2. For energy production projects from renewable sources photovoltaic, solar thermodynamic, biomass or biogas, as well as biomethane production, the proponent of the VIA provision referred to in Article 25 of Legislative Decree No. 152 of 2006, as amended by paragraph 1, letter e), of this article, attaches a declaration, drawn up pursuant to Articles 46 and 47 of the text single legislative and regulatory provisions on administrative documentation, pursuant to the decree of the President of the Republic 28 December 2000, n. 445, certifying the legitimate availability, for any reason, of the surface on which to build the plant, without prejudice to public utility and the consequent procedures for the connected works"; in paragraph 3, after the words: "of the same decree" are

inserted the following: «legislative no. 152 of 2006»;

in paragraph 4, letter b) is replaced by the following:

«b) the following sentence is added at the end of paragraph 4:

"If the programme referred to in paragraph 1 or, individually, the interventions included therein, even following subsequent modification of the program, are subjected to the procedures set out in Part Two of the legislative decree of 3 April 2006, n. 152, these procedures are carried out, without new or greater burdens on public finances, by Technical Commission PNRR-PNIEC and integrated by the evaluation environmental strategic the of For possible contents planning".

In Article 2:

in paragraph 5:

in letter a), the words: "'and 4" are deleted" are replaced by the following: «", 3 and 4" are replaced by the following: "and 3"»;

in letter c), paragraph 3, after the words: «referred to in paragraph 1» the following are inserted: «of this article» and the words: «and, provided that» are replaced by the following: «and condition that»;

in letter e), the words: «in paragraphs 5, 10 and 13» are replaced by the following: «in paragraphs 5, subparagraph, 10, letter a), and 13»;

paragraph 6 is replaced by the following:

«6. Article 5-bis of Legislative Decree 17 May 2022, n. 50, converted, with amendments, by law 15 July 2022, n. 91, the following amendments are made: a) in paragraph 1, the words: "by 15 October 2024" are replaced by the following: "in the terms and with the methods established with a directive from the Minister of the Environment and Security energetic";

b) in paragraph 4, first period, the words: "10 December 2024" are replaced by the following: "10 December 2027".

In Article 3:

in paragraph 1:

in letter a), subparagraph i-bis), the word: «eurounitary;» is replaced by the following: «of the European Union»; in letter c), the words: «and 10-ter";» are replaced from the following: «and 10-ter";»;

in letter d), number 2), the word: «eurounitaria» is replaced by the following: «of the European Union»; in letter e), the words: «, as well as» are replaced from the following: «as well as»; in

paragraph 2, the words: «n. 44» are replaced by the following: «n. 55», after the words: «decree of the President of the Council of ministers 7 August 2023,» the following are inserted: «published in the Official Journal No. 210 of 8 September 2023,», the words: «(EU) n. 2020/741 of the European Parliament and of the Council» are replaced from the following: «(EU) 2020/741 of the European Parliament and of the Council» and the words: «(EU) No 2024/1765 of the European Commission» are replaced by the following: "(EU) 2024/1765 of the Commission"; after paragraph 2 the following are added:

«2-bis. In consideration of its strategic relevance for the national interest, at least one of the members of the governing body administration and at least one of the members of the supervisory body of the company referred to in Article 1 of Legislative Decree 11 May 1999, n. 141, are designated by the Presidency of the Council of ministers. Within sixty days from the date of entry into force of the law converting this decree, provision is made for to adapt the statute of the company referred to in Article 1 of the decree Legislative Decree no. 141 of 1999 to the provisions of this paragraph, providing that the administrative body is composed of a number of members not exceeding seven, as well as the renewal of the administrative body and the supervisory body, where have not already expired. 2-ter.

Without prejudice to the provisions of Article 2 of the Legislative Decree 15 March 2012, n. 21, converted, with amendments, from law 11 May 2012, n. 56, for the purposes of a possible assignment of the integrated water service according to the procedures set out in in Article 149-bis, paragraph 1, second period, of the decree Legislative Decree 3 April 2006, no. 152, the transfer from part of the Puglia region of part of the shares of the company referred to in Article 1 of the aforementioned Legislative Decree no. 141 of 1999 in in favor of the municipalities of the same region exercising control similar on the company with entirely public capital by the same established or participated in for the purposes referred to in the aforementioned article 149-bis or in favor of the latter company".

In Article 4:

in paragraph 2:

to letter a):

at number 1), after the words: «in paragraph 2,» are inserted the following: «alinea,»;

number 3) is replaced by the following: «3) after paragraph 16 the following is inserted: "16-bis. The legal representative of the company can

assume the role of technical manager for all categories of registration in the Register without the need for initial suitability verification and updating and only for the same company, provided that he/she has held the role of legal representative for the same for at least three consecutive years. The competent regional Section of the Register verifies the requirement on the basis of the data present in the register of companies kept by the local chamber of commerce, industry, crafts and agriculture";

after letter a) the following are inserted:

«a-bis) in article 221, after paragraph 10, the following is inserted:

following:

"10-bis. The costs indicated in paragraph 10, limited to the fulfillment of universal service obligations relating to residual activities or in any case of general interest that are the responsibility of the National Packaging Consortium and the consortia referred to in Article 223, are divided between the latter and the autonomous systems referred to in Article 221-bis, net of any positive component other than the CONAI environmental contribution referred to in Article 224, paragraph 3, letter h), subject to verification of the relevant costs and their net amount by an independent expert chosen jointly by the parties or, in their absence, appointed by the Ministry of the Environment and Energy Security. To this end, the parties shall conclude an agreement relating to each packaging material in compliance with the principles of proportionality, efficiency and protection of competition and shall transmit it to the Ministry of the Environment and Energy Security, which may request amendments and additions within sixty days. Without prejudice to the effectiveness of the agreements signed, if an agreement is not reached within one hundred and twenty days from the date of entry into force of this provision, the Minister of the Environment and Energy Security invites the parties to conclude it within sixty days, after which he shall proceed directly, in agreement with the Minister of Enterprise and Made in Italy. The obligation of the autonomous systems referred to in Article 221-bis to organize their activity with reference to the entire national territory pursuant to paragraph 3, letters a) and c), of this Article remains in place and the provisions of Article 224, paragraph 5-ter shall apply in any case"; a-ter) in Article 224: 1) in paragraph 3, letter n), after the words: "national or foreign," the following are inserted: "or by economic operators, including non-consortium members," and the words: "entering and exiting the national territory and the data of the economic operators involved" are replaced by the following: "transferred to the national territory, including those of cross-border origin or destination, as well as the data of the relevant subjects involved";

2) in paragraph 5-ter, the first sentence is replaced by the following: "The framework programme agreement referred to in paragraph 5 establishes that producers and users who adhere to an autonomous system referred to in Article 221, paragraph 3, letters a) and c), or to one of the consortia referred to in Article 223 shall in any case ensure the coverage of the costs of collection and management of packaging waste produced by them and delivered to the public separate waste collection service; the coverage of such costs must be ensured even if the recovery and recycling objectives have been achieved or exceeded through collection on private surfaces";

in paragraph 3, the words: «decree of the Minister of the Environment and Energy Security of 23 November 2023», wherever they occur, are replaced by the following: «decree of the Minister of the Environment and Energy Security of 23 November 2023»; after paragraph 3, the following is added:

«3-bis. In Article 4 of Law No. 60 of 17 May 2022, paragraph 1 is replaced by the following: "1. In order to promote circular economy objectives for waste in plastic and other materials, accidentally fished and

voluntarily collected, not compatible with the marine ecosystem and of internal waters, the specific criteria and methods for the cessation of the waste qualification are established pursuant to of Article 184-ter, paragraph 2, of the Legislative Decree of 3 April 2006, n. 152"».

In Article 5:

in paragraph 1:

in paragraph 1-quater: in the paragraph: in the

first period, the words: «in paragraph 1-ter» are replaced by the following: «to this article, as well as those coming from the dredging operations of the ports of La Spezia and Marina di Carrara», after the words: «from the System Authority «port of the western Ligurian Sea» the following are inserted: «as well as the Plan approved by the Port System Authority of the Eastern Ligurian Sea», the words: «of the ASL territorially competent, adopts the Plan with a specific decree" are replaced from the following: «of the local health authority (ASL) territorially competent, to be made within fifteen days of the request, adopts with a specific decree the Program» and the word: «community» is replaced by the following: «of the European Union»; after the first period the following is inserted: «The methods and terms for the transfer and reuse of materials and waste from dredging operations ports of La Spezia and Marina di Carrara are defined by the signing of a specific agreement pursuant to Article 15 of Law 7 August 1990, n. 241, between the System Authority Western Ligurian Sea Port Authority and the Port System Authority of the Eastern Ligurian Sea»; in the

second period, the words: «The Plan referred to in the first period» are replaced by the following: «The Programme referred to in first period»; in

letter a), the words: «provided for by the decree» are replaced by the following: "provided for by the regulation referred to in decree";

in letter c), the words: «article 184-bis, of the decree» are replaced by the following: «article 184-bis of the decree» and are added, at the end, the following words: ", including the materials natural and inorganic geological, suitable in terms of characteristics qualitative and granulometric, resulting from rock excavations or from the excavation of natural substrates belonging to the original coastline or to the underlying seabed belonging to the state";

in paragraph 1-quinquies: in the

first period, the words: «The Plan referred to in paragraph 1-quater, for each of the interventions referred to in paragraph 1-ter,» are replaced by the following: «The Programme referred to in paragraph 1-quater, for each of the interventions envisaged in the Plans referred to in the same paragraph 1-quater,»;

in the third period, the words: «The Plan also includes, the results of the procedures» are replaced by the following: «The The programme also includes the results and procedures";

in paragraph 1-sexies, the word: «Piano», wherever it occurs, is replaced by the following: «Programme» and the words: «of which to Article 109, paragraph 2, of Legislative Decree no. 152 of 2006» are replaced by the following: "referred to in Article 109 of the decree legislative n. 152 of 2006".

After Article 5 the following is inserted:

«Art. 5-bis (Limit values for the admissibility of waste from landfill). - 1. In accordance with Decision No. 2003/33/EC of the Council of 19 December 2002, Article 16-ter, paragraph 1 of Legislative Decree 13 January 2003, n. 36, are the following amendments were made: a) in letter

c), the words: "30 June 2022" are replaced by the following: "31 December 2027"; b) in letter c-bis), the words: "1 July 2022" are

replaced by the following: "January 1, 2028".

2. The provisions introduced by paragraph 1 apply to starting from the date of entry into force of the conversion law of this decree. Within the following one hundred and eighty days, the holders of authorisations granted pursuant to Article 16-ter of the Legislative Decree 13 January 2003, n. 36, currently valid on the date referred to in the first period, they can request its adjustment to the limit values referred to in the same article 16-ter, as amended from paragraph 1 of this article".

In Article 6:

in paragraph 2, after the words: "of Article 248, paragraph 2," are insert the following: «of the same legislative decree»;

in paragraph 3, letter b), number 1), the words: «with charges» are replaced by the following: ", with charges".

In Article 7:

in paragraph 1, letter b), subsection 1-bis, in the first period, the word: «nominated» is replaced by the following: «nominated» and, in the eighth period, the words: "for each of the annuities" are replaced by the following: «for each of the years» and the words: «yes provides for a corresponding reduction in the projections of the allocation» are replaced by the following: «provision is made by means of corresponding reduction in the allocation"; in paragraph 2, the words:

"decree of the President of the Council of Ministers 22 February 2024" are replaced by the following: «decree of the President of the Council of Ministers of 22 February 2024".

In Article 8:

in paragraph 1, the words: "geographical position, type of bankruptcy and works, as well as" are replaced by the following: «geographical position and typology of the disaster and the works as well as»; in

paragraph 2, the words: «for the purposes of timely insertion in the platform» are replaced by the following: «, for the purposes of timely insertion into the platform.».

In Article 9:

in paragraph 1: in

letter a), the words: «of the legislative decree same» are replaced by the following: «of the same code» and the words: «of which the sixth period is in any case conditioned» are replaced by the following: «pursuant to the sixth period and in each case conditional case»;

in letter b), paragraph 2-ter, after the words: «of the Legislative Decree no. 91 of 2014, the following are inserted: «converted, with amendments, by law no. 116 of 2014.»;

in paragraph 2, the words: «referred to in Article 7, paragraph 2, of the Legislative Decree no. 133 of 2014» are replaced by the following: «of referred to in Article 7, paragraph 2, of Legislative Decree no. 133 of 2014, converted, with amendments, by law no. 164 of 2014, as amended by paragraph 1, letter a), of this Article»;

in paragraph 3:

in letter a), at number 1), after the word: «Piano» are insert the following: «of the risk mitigation interventions hydrogeological» and, at number 2), the words: «of legislative decree no. 133 of 2014. » are replaced by the following: «, of the aforementioned Legislative Decree no. 133 of 2014»; in letter b),

paragraph 2-quinquies, the words: «of Legislative Decree no. 133 of 2014» are replaced by the following: «of cited Legislative Decree no. 133 of 2014" and the words: "every provision of different laws» are replaced by the following: «any provision of a different law";

in paragraph 4, the words: «district authority» are replaced from the following: «District basin authority» and after the words: «referred to in article 7, paragraph 2, of the legislative decree of 12 September 2014, n. 133, converted, with amendments, by law 11 November 2014, n. 164» the following are added: «, as amended by paragraph 1,

letter a), of this article»;

in paragraph 5, the words: "any different legal provision" are replaced by the following: «any different provision of law»; in paragraph 6, after the words:

«decree of the President of Council of Ministers 28 November 2018, » the following are inserted: «published in the Official Journal no. 28 of 2 February 2019,»;

in paragraph 8, letter a), after the words: «of 10 million» are insert the following: «of euros»; after paragraph 8 the following is inserted:

«8-bis. In article 20-octies, paragraph 6, of the legislative decree 1° June 2023, n. 61, converted, with amendments, by law 31

July 2023, n. 100, the following periods are added at the end: "The plans referred to in paragraph 2, letter c), of this article may be prepared and approved also for excerpts, which may have also including design activities only. In such cases, the partial plans are prepared and approved, pursuant to paragraphs 2 and 4, within the limits of the resources specifically allocated to the purpose.

If the partial plans concern only the activities of design, the methods of adopting the concession decree of the contribution and of the possible provision of the advance to the implementing bodies for the design activity are defined by the Extraordinary Commissioner by means of the provisions referred to in the article 20-ter, paragraph 8"»;

in paragraph 9, letter b), subsection 1-bis, the following is added at the end: the following period: «The use of the resources allocated pursuant to the Secretary General of the Authority will take care of the previous period of the affected district basin with the same powers and derogations planned for the Government Commissioner for the fight against financial instability hydrogeological referred to in article 10, paragraph 1, of the aforementioned Legislative Decree 24 June 2014, no. 91, without new or increased charges to burden on public finances"; after paragraph

9 the following are inserted:

«9-bis. For the strengthening of activities aimed at strengthen land protection and water management as well as to the mitigation of hydrogeological instability and climate change climate, with particular attention to planning activities and updating of planning tools, the Authorities of district basins referred to in Article 63 of Legislative Decree 3 April 2006, n. 152, are authorized, within the limit of an expenditure total amounting to 6 million euros per year starting from the year 2026, to recruit and hire, within the limits of the current allocation organic, staff with a fixed-term employment contract indeterminate, through the announcement of competitive procedures public or the scrolling of current competition rankings public. By decree of the Minister for Public Administration, in agreement with the Minister of Economy and Finance and the

Minister of Environment and Energy Security, to be adopted by 30 April 2025, based on the requests of the aforementioned Basin authorities consistent with their respective three-year plans personnel needs, the resources referred to in the first paragraph are distributed period. 9-

ter. To the charges deriving from paragraph 9-bis, equal to 6 million of euros per year starting from the year 2026, is provided for by corresponding reduction in the Fund for structural interventions of economic policy, referred to in Article 10, paragraph 5, of the Legislative Decree 29 November 2004, n. 282, converted, with amendments, by law 27 December 2004, n. 307"; in paragraph 10, the words: "as introduced" are replaced

from the following: "as introduced".

In Article 10:

in paragraph 2, subsection 7, in the first period, after the words: «of the director» the following are added: «of the ISIN», to the second period, the words: «of the public administration» are replaced from the following: «of public administrations» and, on the third period, the words: «of the legislative decree n. 201 of 2011» are

replaced by the following: «of the aforementioned legislative decree no. 201 of 2011»; in

paragraph 3, after the words: «of Article 6, paragraph 7, of Legislative Decree no. 45 of 2014» the following are inserted: «, as amended by paragraph 2 of this Article,»; after paragraph 4 the following is added:

«4-bis. Pending the transposition of the directive (EU) 2024/1788 of the European Parliament and of the Council of 13 June 2024, starting from the date of entry into force of the law conversion of this decree, the major transport company of the natural gas referred to in Article 10, paragraph 1, letter a), of the decree legislative 1st June 2011, n. 93, participates as National Representative for Italy at the European Network of Managers of the hydrogen network (ENNOH), referred to in Article 57, paragraph 1, of Regulation (EU) 2024/1789 of the European Parliament and of the Council, of 13 June 2024».

After Article 10 the following is inserted:

«Art. 10-bis (Urgent provisions for the strengthening of investments in African countries to protect the environment and energy security). - 1. In order to strengthen investments of the Mattei Plan in African countries with the aim of combining the energy security needs with those of environmental protection, through the development of sustainable infrastructure and the reduction of greenhouse gas emissions, in Article 10 of Legislative Decree 29 June 2024, n. 89, converted, with amendments, by law 8 August 2024, n. 120, the following changes are made:

a) in paragraph 5, the words: "for the year 2024" are replaced from the following: "by the year 2025"; b) the following periods are added at the end of paragraph 8: "In event of non-fulfilment of payment obligations by the debtor, Cassa Depositi e Prestiti Spa sends a request for questioning the Ministry of Economy and Finance which, within one hundred and eighty days from receipt thereof, proceeds to payment of the amount due. Following the payment referred to in the previous period, Cassa Depositi e Prestiti Spa can manage, upon request, recovery activities, also on behalf of the Ministry of Economy and finances, and any sums recovered from it are retroceded in relation to the guaranteed quota"; c) in paragraph 10, the words: "made out to the Cassa Depositi e loans" are replaced by the following: "in the name of the Ministry of the economy and finance".

In Article 11:

in paragraph 1, the words: "of Article 7, paragraphs 1 and 2," are replaced by the following: «of Articles 7, paragraphs 1 and 2, and 9, paragraphs 9-bis and 9-ter,».