

DECREE-LAW 17 October 2024, n. 153

Urgent provisions for the environmental protection of the country, the rationalisation of evaluation and authorisation procedures environmental, the promotion of the circular economy, the implementation of interventions in the field of remediation of contaminated sites and landslides hydrogeological. (24G00174)

(Official Journal n.244 of 10-17-2024)

Effective as of: 10-18-2024

THE PRESIDENT OF THE REPUBLIC

Having seen Articles 77 and 87, fifth paragraph, of the Constitution; Having seen, also, Articles 9 and 41 of the Constitution; Having seen Law No. 400 of 23 August 1988, containing «Regulation

of the Government activity and organization of the Presidency of the Council of Ministers" and, in particular, Article 15;

Having regard to Regulation (EU) 2020/741 of the European Parliament and of the Council of 25 May 2020 laying down minimum requirements for the water reuse;

Having seen Law 15 May 1997, n. 127, containing «Urgent measures for streamlining of administrative activity and procedures decision and control»; Having seen

the legislative decree of 30 March 2001, n. 165, containing «Rules general information on the organization of work for employees public administrations»;

Having seen the legislative decree of 3 April 2006, n. 152, containing «Rules on environmental matters»;

Having seen Law 24 December 2007, n. 244, containing «Provisions for the formation of the annual and multi-annual budget of the State (law financial 2008)»; Having

seen Law 23 December 2009, n. 191, containing «Provisions for the formation of the annual and multi-annual budget of the State (law 2010 financial year)»;

Having seen the legislative decree of 15 March 2010, n. 66, containing the «Code of the military order»;

Having seen the legislative decree of 6 July 2011, n. 98, converted, with amendments, by law 15 July 2011, n. 111, containing «Urgent provisions for financial stabilization»;

Having seen the legislative decree of 6 September 2011, n. 159, containing «Code of anti-mafia laws and preventive measures, as well as new provisions on anti-mafia documentation, in accordance with of Articles 1 and 2 of Law 13 August 2010, n. 136»;

Having seen the legislative decree of 29 December 2011, n. 229, containing «Implementation of Article 30, paragraph 9, letters e), f) and g), of the Law 31 December 2009, n. 196, regarding procedures for monitoring of the implementation status of public works, of verification of the use of funding within the expected timeframes and establishment of the Works Fund and the Projects Fund»;

Having seen the legislative decree of 6 July 2012, n. 95, converted, with amendments, by law 7 August 2012, n. 135, containing «Urgent provisions for the review of public spending with

invariance of services to citizens as well as strengthening measures

assets of companies in the banking sector"; Having regard to Law No. 190 of 6

November 2012, containing "Provisions for the prevention and repression of corruption and illegality in public administration";

Having seen the legislative decree of 23 December 2013, n. 145, converted, with amendments, by law 21 February 2014, n. 9, containing «Urgent interventions to launch the "Destination Italy" plan, for the containment of electricity tariffs and the internationalization, development and digitalization of

gas,

For

companies, as well as measures for the construction of public works and EXPO 2015»;

Having seen the legislative decree of 4 March 2014, n. 45, containing «Implementation of Directive 2011/70/EURATOM, establishing a framework Community for the responsible and safe management of fuel spent nuclear power and radioactive waste»;

Having seen the legislative decree of 24 June 2014, n. 91, converted, with amendments, by law 11 August 2014, n. 116, containing «Urgent provisions for the agricultural sector, environmental protection and the efficiency of university buildings, the relaunch and development of businesses,

scholastic

And

the containment of costs affecting electricity tariffs, as well as for the immediate definition of obligations arising from the legislation "European";

Having seen the legislative decree of 12 September 2014, n. 133, converted, with amendments, by law 11 November 2014, n. 164, containing «Measures urgent for the opening of construction sites, the construction of works public, the digitalisation of the country, the simplification bureaucratic, the emergency of the hydrogeological instability and for the recovery of productive activities»;

Having regard to Law 28 December 2015, n. 221, containing «Provisions in environmental matters to promote green economy measures and for the containment of the excessive use of natural resources»; Having seen the legislative decree

of 18 April 2016, n. 50, containing the "Code of public contracts" and, in particular, Article 23 which, pursuant to the provisions of Article 225, paragraph 9, of the Code of public contracts, pursuant to Legislative Decree 31 March 2023, n. 36, continues to apply to proceedings in progress on the date on which the provisions of the same code have become effective to Legislative Decree no. 36 of 2023; Having seen Law no. 132 of

28 June 2016, establishing the National network system for environmental protection and regulation of the Higher Institute for Environmental Protection and Research»;

Having seen the legislative decree of 2 January 2018, n. 1, containing the «Code of civil protection»;

Having seen the legislative decree of 28 September 2018, n. 109, converted, with amendments, by law 16 November 2018, n. 130, containing «Urgent provisions for the city of Genoa, the safety of the national network of infrastructure and transport, events earthquakes of 2016 and 2017, work and other emergencies»;

Having seen the legislative decree of 14 December 2018, n. 135, converted, with amendments, by law 11 February 2019, n. 12, containing «Urgent provisions on support and simplification for the businesses and for public administration»;

Having seen the legislative decree of 3 September 2019, n. 101, converted, with amendments, by law 2 November 2019, n. 128, containing «Urgent provisions for the protection of work and for the resolution of corporate crises»;

Having seen the legislative decree of 1 March 2021, n. 22, converted, with amendments, by law 22 April 2021, n. 55, containing «Urgent provisions regarding the reorganisation of the powers of the Ministries» and, in particular, Article 2 which renamed the «Ministry of the Environment and Protection of Land and Sea» in «Ministry of Ecological Transition»;

Having seen the legislative decree of 1 April 2021, n. 44, converted, with

amendments, by law 28 May 2021, n. 76, containing «Measures urgent for the containment of the COVID-19 epidemic, in the field of vaccinations against SARS-CoV-2, justice and public competitions»;

Having seen the legislative decree of 1 March 2022, n. 17, converted, with amendments, by law 27 April 2022, n. 34, containing «Measures urgent for the containment of electricity and water costs natural gas, for the development of renewable energy and for the relaunch of industrial policies»;

Having seen the legislative decree of 17 May 2022, n. 50, converted, with amendments, by law 15 July 2022, n. 91, containing «Measures urgent matters regarding national energy policies, productivity of businesses and investment attraction, as well as in the field of social policies and the Ukrainian crisis»;

Having seen the legislative decree of 11 November 2022, n. 173, converted, with amendments, by law 16 December 2022, n. 204, containing «Urgent provisions regarding the reorganisation of the powers of the Ministries» and, in particular, Article 4, which renamed the «Ministry of Ecological Transition» in «Ministry of the Environment and of energy security»;

Having seen Legislative Decree 31 March 2023, n. 36, containing the «Code of public contracts pursuant to Article 1 of Law 21 June 2022, no. 78, delegating the Government in matters of contracts public»;

Having seen the legislative decree of 14 April 2023, n. 39, converted, with amendments, by law 13 June 2023, n. 68, containing «Urgent provisions to combat water scarcity and to the strengthening and adaptation of water infrastructures»;

Having seen the decree of the Minister for Ecological Transition of 4 August 2022, containing "Action plan for the redevelopment of orphan sites in implementation of the measure Mission 2, Component 4, Investment 3.4, of the PNRR», published in the Official Journal no. 239 of 12 October 2022;

Considering the extraordinary necessity and urgency of simplifying the environmental assessment procedures for the promotion of investments in strategic sectors for the development of the country and the timely achievement of the objectives of the National Plan recovery and resilience (PNRR) and the National Integrated Plan for energy and climate (PNIEC), also with a view to increasing the degree of independence in energy supplies;

Considering the extraordinary necessity and urgency of ensuring certainty of the regulatory framework for the prospecting sector and hydrocarbon cultivation, in order to combine the needs of environmental protection with safety energy supplies;

Considering the extraordinary necessity and urgency of introducing provisions for the sustainability of soil and water aimed at prevent the occurrence of emergency events, including through the adoption of measures to ensure the provision of a systematic knowledge framework to oversee the implementation of interventions in the field of soil protection and landslides

hydrogeological;

Considering the extraordinary necessity and urgency of adopting measures essential for the circular economy, with a view to fulfilling to the commitments that the country has undertaken at European level and international, as well as aimed at ensuring the best management of materials and waste resulting from the construction of the dam Genoa's outer harbour and related interventions;

Considering the extraordinary necessity and urgency to provide for order to simplify site remediation procedures polluted and to the strengthening of administrative capacities, to aim to enable the achievement, within the foreseen deadlines, of the objectives of the PNRR and of the redevelopment of the sites themselves;

Considering the extraordinary necessity and urgency of ensuring the strengthening the administrative capacities of public authorities administrations operating in the environmental and safety sectors

energetic;

Having seen the resolution of the Council of Ministers, adopted in meeting of 10 October 2024;

On the proposal of the President of the Council of Ministers and of the Minister of Environment and Energy Security, in agreement with the Ministers of Culture and Civil Protection and Policies of the sea;

And mana
the following decree-law:

Art. 1

**Urgent provisions on assessments and authorisations
environmental**

1. In Part Two of Legislative Decree No. 3 April 2006, n. 152, the following changes are made:

a) in Article 8: 1) in
paragraph 1:

1.1) in the fifth period, the words «give priority to projects» are replaced by the following: «give priority, in order, to the projects relating to the declared programmes of pre-eminent national strategic interest pursuant to Article 13 of the legislative decree of 10 August 2023, n. 104, converted, with amendments, from law 9 October 2023, n. 136, to those having the characteristics referred to in Article 30 of Legislative Decree 17 May 2022, n. 50, converted, with amendments, by law 15 July 2022, n. 91, to the projects»;

1.2) in the sixth period, the words from: «have in any case priority, » up to: «from renewable sources, where applicable» are replaced by the following: «the following typologies are considered priority projects identified by decree of the Minister of the Environment and of energy security, in agreement with the Minister of Culture and with the Minister of Infrastructure and Transport, taking into account of the following criteria: a)

technical and economic reliability and sustainability of the project in relation to its implementation; b) contribution to the achievement of the objectives of decarbonisation envisaged by the PNIEC; c) relevance for the implementation of the investments of the National Recovery and Resilience Plan (NRRP);

d) enhancement of works, plants or infrastructures existing.»; 2) after

paragraph 1 the following are inserted: «1-bis. Pending the adoption of the decree referred to in paragraph

1, sixth period, are to be considered priority, according to the following order:

a) projects concerning green hydrogen plants or renewable referred to in number 6-bis) of Annex II to Part second and the related renewable energy plants; b) modification interventions, even substantial, for remaking, strengthening or complete reconstruction of systems powered by wind or solar sources;

c) on-shore photovoltaic and on-shore agrivoltaic projects with a nominal power of at least 50 MW and on-shore wind projects with a nominal power of at least 70 MW.

1-ter. Projects to be considered priority pursuant to the paragraph 1, sixth period, or paragraph 1-bis, a non-share is reserved more than three fifths of the negotiations, within which the exam is defined in chronological order, for each typology, taking into account the date of communication to the proponent pursuant to Article 23, paragraph 4, second sentence. projects other than the priority ones are treated for each type of system in chronological order taking into account the date of

carrying out the communication to the proponent pursuant to of Article 23, paragraph 4, second period. For the purposes of the application uniform and coherent order of treatment of projects to be to examine in the context of environmental assessment procedures, the Ministry of Environment and Energy Security communicates to Ministry of Culture the order of priority established pursuant to the paragraph 1, sixth period, or paragraph 1-bis, which takes it into account. the provisions of this paragraph do not affect compliance with the terms of the environmental assessment procedures provided for by the legislation in force for the projects included in the PNRR nor those financed from the supplementary fund.»;

3) in paragraph 2-octies, the third period is deleted; 4) after paragraph 2-octies the following is inserted:

«2-novies. Where there are justified contingent needs of functional or organizational nature, the President of the VIA-VAS technical commission and the President of the technical commission PNRR-PNIEC may, by agreement, arrange for the assignment to the Technical commission VIA-VAS of projects due, pursuant to the current legislation, to the PNRR-PNIEC Technical Commission, without prejudice to the application of the procedural discipline relating to the environmental impact assessments of PNRR and PNIEC projects.»;

b) in Article 19: 1) in paragraph

2, first period, the words: «and the adequacy» are suppressed;

2) paragraph 6 is replaced by the following:

«6. Only once and within fifteen days of the expiry of the term referred to in paragraph 4, the competent authority may request to the proponent clarifications or additions aimed at not submission of the project to the EIA procedure, assigning the same a term not exceeding thirty days. If the the proposer does not present the clarifications or additions requested within the deadline assigned, the request is considered rejected and the competent authority is obliged to proceed to archiving.

6-bis. The competent authority adopts the provision of verification of eligibility for EIA within sixty days from the date of expiry of the deadline referred to in paragraph 4 or, in the cases referred to in paragraph 6, within forty-five days of receiving the clarifications or of the requested integrations. In exceptional cases, relating to the nature, complexity, location or size of the project, the competent authority may extend, for one time only and for a period not exceeding twenty days, the deadline for the adoption of the provision for verifying the subjection to EIA. **In the cases referred to in the second period, the competent authority shall communicate promptly and in writing to the proposer the reasons that justify the extension and the date by which it is expected the adoption of the measure. This communication is also, published on the authority's institutional website competent.»;** 3) in

paragraph 7:

3.1) in the first period, after the words: «requested by the proposer» the following are inserted: «at the time of presentation of the preliminary environmental study»;

3.2) the second period is deleted;

4) in paragraph 10, after the first period the following are added:

«The provision for verifying the subjection to VIA has the temporal effectiveness, in any case not less than five years, defined in the provision itself, taking into account the time required for the implementation of the project, of the necessary authorization procedures, as well as any proposal formulated by the proponent and inserted in the documentation accompanying the request for verification of subjection to VIA. Once the temporal effectiveness of the verification provision for subjection to EIA without the project has been realized, the related procedure is repeated, **without prejudice to the concession, upon request of the proponent accompanied by**

an updated explanatory report containing the relevant findings regarding the reference environmental context and any changes, including design changes, that have occurred, of specific extension by the competent authority. Except in the case of changes in the reference environmental context or changes, including design changes, the provision with which the extension is arranged pursuant to the third period does not contain provisions that are different or additional to those already provided for in the original EIA subsection verification provision. If the application referred to in the third period is submitted at least ninety days before the expiry of the effectiveness term defined in the EIA subsection verification provision, the same provision continues to be effective until the competent authority adopts the decisions relating to the granting of the extension. Within fifteen days of the submission of the application referred to in the third period, the competent authority verifies the completeness of the documentation. If the documentation is incomplete, the competent authority shall request the applicant to submit additional documentation, assigning a peremptory deadline for submission of the documentation not exceeding twenty days. If the applicant does not submit the additional documentation within the assigned deadline or, following a new verification, to be carried out by the competent authority within ten days of the submission of the requested additions, the documentation is still incomplete, the application shall be considered withdrawn and the competent authority shall proceed with archiving. "; c) in Article 23, paragraph 4, second period, after the words: "by electronic means", the following are inserted: "to the proponent as well as"; d) in Article 24: 1) in paragraph 4, after the second period, the following is inserted: «After seven days have passed from the request for suspension without the Commission referred to in Article 8, paragraph 1, or the Commission referred to in Article 8, paragraph 2-bis having expressed itself, the request itself shall be deemed to have been accepted for the proposed term.»;

2) after paragraph 4, the following is inserted: «4-bis. Within thirty days of the outcome of the consultation or of the submission of counter-arguments by the proponent pursuant to paragraph 3, the Ministry of Culture shall verify the adequacy of the landscape report for the purposes of Article 25, paragraph 2-quinquies. Within the following ten days, the Ministry of Culture shall, for one time only, have the power to assign to the proponent a deadline, not exceeding thirty days, for the submission, in electronic format, of the supplementary documentation. Upon request by the proponent, motivated by the particular complexity of the project, the Ministry of Culture may extend, for one time only and for a period not exceeding a further thirty days, the deadline assigned for the supplements. Upon receipt of the supplementary documentation, the Ministry of Culture shall promptly forward it to the competent authority.

If, within the assigned deadline, the applicant does not submit the additional documentation or, following a new verification, to be carried out by the Ministry of Culture, within fifteen days of the submission of the requested additions, the documentation is again found to be incomplete, the application is considered rejected and the Ministry of Culture shall notify the applicant and the competent authority, which is obliged to proceed with archiving. In cases where the documentation is again incomplete, the communication referred to in the fifth period shall contain the reasons why the documentation does not allow the landscape assessment for the purposes referred to in Article 25, paragraph 2-quinquies.»; e) in Article 25: 1) in paragraph 2, first period, the words: «the competent authority» are replaced by the following: «the competent director

General of the Ministry of the Environment and Energy Security»;

2) in paragraph 2-quinquies: 2.1)

in the first period, the words: «where the documents projects are developed to a level that allows for the complete drafting of the landscape report" are replaced by following: «where the landscape report allows for the expression of a positive assessment of the landscape compatibility of the project";

2.2) after the first period, the following are added: «The

The Ministry of Culture adequately motivates any denial of the concert. In case of dissent of the Ministry of Culture with respect to the favourable opinion of the Commission referred to in Article 8, paragraph 1, or of the Commission referred to in Article 8, paragraph 2-bis, may apply Article 5, paragraph 2, letter c-bis), of Law 23 August 1988, n. 400. In cases where, with the act adopted pursuant to Article 5, paragraph 2, letter c-bis), of law no. 400 of 1988, is exceeded the dissent of the Ministry of Culture, the act itself replaces for all intents and purposes the favorable EIA provision, which includes the authorization referred to in the first period. Any extensions of the favorable EIA provision pursuant to the second period are granted pursuant to paragraph 5.»; 3) in

paragraph 5, third period, after the words: «environmental of reference» the following are inserted: «or of modifications, even design.»;

4) after paragraph 7, the following is added:

«7-bis. In the case of projects subjected to evaluation environmental matters under state jurisdiction, any actions adopted pursuant to article 5, paragraph 2, letter c-bis), of law no. 400 of 1988, replace the VIA provision for all purposes.»;

f) in Article 26-bis, paragraph 3, second period, the words: "preliminary environmental study" are replaced by the following: «environmental impact study» and the words «, of compliance with legal requirements where the urban planning variant is also required» are deleted; g) in Article

29-sexies, paragraph 5: 1) in the first period, the words «The competent authority» are

replaced by the following: «The competent Director General of the Ministry of the Environment and Energy Security»; 2) in the second period, the words «the competent authority» are replaced by the following: "the competent director general of the Ministry of Environment and Energy Security".

2. For energy production projects from renewable sources, the applicant attaches to the EIA request referred to in Article 23 of the Legislative Decree no. 152 of 2006 also a declaration certifying the legitimate availability, for any reason, of the surface area and, if necessary, the resources necessary for the implementation of the projects themselves.

3. For operational support to the Technical Verification Commission of the environmental impact VIA and VAS and to the Technical Commission PNRR-PNIEC referred to in Article 8 of Legislative Decree no. 152 of 2006, the Ministry of Environment and Energy Security can avail of the operational support of the Energy Services Manager - GSE SpA in relation to energy production projects from renewable sources renewable, on the basis of a specific agreement, within the limit of expenditure of 1,000,000 euros per year starting from the year 2025, to which provides for the proceeds of the tariffs referred to in Article 33, paragraph 1, of the same decree. The annual costs arising from the implementation of the first period are defined by the decree referred to in article 8, paragraph 5, of legislative decree no. 152 of 2006.

4. Article 355 of the Military Code, referred to in Legislative Decree 15 March 2010, n. 66, the following changes are made modifications:

a) in paragraph 1, the following period is added at the end: «To this end finally, the Ministry of Defense can define a program of interventions for the energy transition of sites, infrastructure and military state property assets of any kind in

use or supplied, located throughout the national territory.»;

b) in paragraph 4, the following sentence is added at the end:

«If the interventions included in the programme referred to in paragraph 1, even following a subsequent modification of the same, are subjected environmental impact assessment, this assessment is carried out by the PNRR-PNIEC Technical Commission according to the procedures and competences referred to in Part Two of Legislative Decree 3 April 2006, n. 152, is integrated by the strategic environmental assessment for the any planning content and ends with a single measure».

5. The provisions of paragraph 4 apply, insofar as compatible with the interventions referred to in Article 20 of the Legislative Decree March 1, 2022, n. 17, converted, with amendments, by law 27 April 2022, No. 34.

Art. 2

Urgent provisions to combine safeguard needs of the environment with the needs of security of supplies

1. In Article 11-ter of Legislative Decree 14 December 2018, n. 135, converted, with amendments, by law 11 February 2019, n. 12, the following amendments are made: a) paragraphs 1, 2, 3, 4, 5, 6, 7 and 8 are repealed; b) in paragraph 10, the words: «Upon termination of the suspension of referred to in paragraph 6, the "fees" are replaced by the following: "The fees"; c) paragraph 13 is repealed; d) the heading is replaced by the following: "Provisions in matter of fees for concessions and research permits in the hydrocarbon sector".

2. From the date of entry into force of this decree, the granting of research permits and concessions cultivation of liquid hydrocarbons on the national territory and at sea is not allowed. The first period does not apply in the case of concessions for the cultivation of liquid hydrocarbons to be conferred in relation to research activities carried out on the basis of permits issued before the effective date of this decree, even if not concluded on the same date. The activities of liquid hydrocarbon production carried out on the basis of concessions already conferred on the date of entry into force of this decree or to be conferred pursuant to the second period continue for the duration of useful life of the deposit.

3. In the issuing of extensions of cultivation concessions of hydrocarbons pursuant to Article 29 of Law No. 21 July 1967, 613, of article 13, paragraph 1, of the legislative decree of 25 November 1996, n. 625, and of article 9, paragraph 8, of the law of 9 January 1991, n. 9, the competent administration also takes into account the reservations and of the mineral potential still to be produced and of the time needed for complete the production of the reserves themselves up to the duration of useful life of the deposit, as well as taking into account the area in concession effectively functional to the production activity and of research and development still to be carried out, with re-perimetering of the areas no longer functional in this sense.

4. In Article 6, paragraph 17, second period, of the decree legislative 3 April 2006, n. 152, the word: «twelve» is replaced from the following: «nine».

5. In Article 16 of Legislative Decree 1 March 2022, n. 17, converted, with amendments, by law 27 April 2022, n. 34, the following changes are made:

a) in paragraph 1, the words: «and 4» are deleted; b) in paragraph 2, the words: «existing ones whose installations natural gas fields are located in whole or in part in areas considered compatible within the scope of the Transition Plan sustainable energy of suitable areas, approved by decree of Minister for Ecological Transition 28 December 2021, referred to in

press release published in the Official Journal no. 35 of 11 February 2022, even in the case of unproductive concessions or in conditions of voluntary suspension of activities and considering, also for the purposes of research and development activity with new infrastructures mining, the only constraints classified as absolute by the Plan same and already constituted on the date of entry into force of the this provision, as well as guaranteeing, to the extent not provided therein expected, compliance with European Union legislation and international agreements» are replaced by the following: «of cultivation of existing or to be delivered natural gas in compliance of the limits imposed by current legislation, of the regulations of the European Union and international agreements»;

c) paragraph 3 is replaced by the following:

«3. In the stretch of sea between the parallel passing through the mouth of the Goro branch of the Po river and the parallel distant from the latter 15 kilometers to the south and at least 9 miles away maritime from the coastlines, it is permitted, in derogation from the article 6, paragraph 17, first and second period, of Legislative Decree 3 April 2006, n. 152, and for the sole purpose of participation in the procedures for long-term procurement referred to in paragraph 1, the release of natural gas cultivation concessions on on the basis of requests already submitted on the date of entry into force of the this provision, for the useful life of the deposit and, provided that the relevant deposits have potential gas mining for a quantity of proven reserves greater than a threshold of 500 million cubic meters.»; d) paragraph 4 is repealed; e) in paragraphs 5, 10 and 13, the words: ", 3 and 4" are replaced from the following: «and 3».

6. In Article 5-bis of Legislative Decree no. 50 of 7 May 2022, converted, with amendments, by law 15 July 2022, n. 91, the following amendments are made: a) in paragraph 1, the words: «15 October 2024» are replaced by

following: «31 October 2025»; b) in

paragraph 4, first period, after the words: «10 December 2024» the following are added: "for an amount equal to 1,000 million euro and by 10 December 2025 for the remaining amount".

Art. 3

Urgent measures to manage the water crisis

1. In Part Three of Legislative Decree No. 152 of 3 April 2006, the following amendments are made: a) in Article 74, paragraph 1, after letter i), the following is inserted: following: «i-

bis) refined waters: in addition to the urban waste waters referred to in Article 3, point 4), of Regulation (EU) 2020/741 of European Parliament and of the Council of 25 May 2020, the waters domestic and industrial wastewater treated in accordance with Annex 5 to Part Three of this Decree and subjected to further treatment in a refinement plant, compatible with the European Union legislation;»; b) in

Article 77: 1) in paragraph

10, the paragraph is replaced by the following: «The regions and the autonomous provinces of Trento and Bolzano do not violate the provisions of this third part if, in the event of temporary deterioration of the state of the water body due to exceptional natural or force majeure circumstances which are reasonably unforeseeable, such as severe floods and droughts prolonged, or resulting from reasonably unforeseeable accidents, provided that each of the following conditions applies:»;

2) in paragraph 10-bis:

2.1) in the paragraph, after the words: «The regions» are inserted the following: «and the autonomous provinces of Trento and Bolzano» and the

And

words: "the provisions of this decree" are replaced by the following: "the provisions of this third part";

2.2) in letter a), after the words: «the deterioration»

the following are inserted: «, even temporary,»;

2.3) in letter b), after the words: «the deterioration»

the following are inserted: «, even temporary,» and the words from: «provided they exist» to: «they guarantee better environmental solutions» are suppressed;

3) after paragraph 10-bis, the following are added:

«10-ter. Paragraph 10-bis applies provided that each

of the following conditions: a) possible

mitigation measures have been initiated

the negative impact on the status of the water body; b) are indicated in

detail and illustrated in the management plans

referred to in Articles 117 and 121 the reasons for the changes or alterations and protection objectives are reviewed every six years;

c) the reasons for the changes or alterations of

which in letter b) of paragraph 10-bis are of primary interest public and the benefits for the environment and society resulting from the achievement of the objectives referred to in paragraph 1, are lower in relation to the benefits resulting from the modifications or alterations for human health, for the maintenance of human safety or for sustainable development;

d) for reasons of technical feasibility or costs

disproportionate, the advantages resulting from the changes or alterations to the water body cannot be achieved with other

means that guarantee better environmental solutions. 10-quater. The regions and

the autonomous provinces of Trento and Bolzano

promptly communicate the measures adopted pursuant to paragraphs 10 and 10-bis to the competent basin authorities.»;

c) in Article 78-quater, paragraph 1, letter c), the words: «paragraphs 6, 7 and 10» are replaced by the following: «paragraphs 6, 7, 10, 10-bis and 10-ter.»; d) in

Article 104, paragraph 4-bis: 1) in the first period,

after the words: «underground water» are

insert the following: «as well as in cases of water crisis»;

2) in the second period, after the words: «or underground,» are

insert the following: «including, in accordance with the legislation European Union, the refined waters referred to in Article 74, paragraph 1, letter i-bis,»;

e) in article

141, paragraph 2, after the words: «and purification»

the following are inserted: ", as well as reuse".

2. Without prejudice to the purposes set out in Article 2, paragraph 2, of the

Legislative Decree 29 December 2016, n. 243, converted, with

amendments, by law 27 February 2017, n. 18 and of which

to article 4-septies, paragraph 1, of the legislative decree of 18 April 2019, n.

32, converted, with amendments, by law 14 June 2019, n. 44

and limited to the agglomerations included in the scope of application

of the same provisions for which, on the date of entry into force

force of this decree, the process of

adaptation to European Union legislation, the Single Commissioner

appointed by decree of the President of the Council of Ministers 7

August 2023, pursuant to Article 5, paragraph 6, of Legislative Decree 14

October 2019, n. 111, converted, with amendments, by law 12

December 2019, n. 141, can exercise coordination and

management of wastewater reuse interventions, where functional

to ensure rational use of water resources and to

to counteract situations of crisis of the resources themselves, in compliance

of the provisions of Regulation (EU) No. 2020/741 of

European Parliament and of the Council of 25 May 2020 as

amended by Delegated Regulation (EU) No 2024/1765 of the

European Commission, of 11 March 2024, as well as those established

pursuant to Article 99 of Legislative Decree no. 152 of 2006,

without new or increased burdens on public finances.

Art. 4

Further urgent provisions for the circular economy

1. From the date of entry into force of this decree, the working group established in implementation of the article 14-bis, paragraph 5, of Legislative Decree 3 September 2019, n. 101, converted, with amendments, by law 2 November 2019, n. 128, It is located at the General Directorate of the Ministry of the Environment and energy security competent in economic matters circular.

2. In Part Four of Legislative Decree No. 152 of 3 April 2006, the following changes are made:

a) in Article 212:

1) in paragraph 2, second period, the word: «nineteen» is replaced by the following: «twenty-one»; 2) in paragraph 2, letter i), the word: «eight» is replaced from the following: «ten» and the words: «two from the organizations representatives of the category of hauliers and two from organizations representing waste managers» are replaced by the following: «three from the representative organizations of the category of hauliers and three from the organizations representing waste managers»;

3) after paragraph 16, the following is inserted:

«16-bis. The legal representative of the company can assume the role of technical manager for the same company provided who has held the role of technical manager at the same for at least five consecutive years.»; b) in Annex L-

quinquies, after number 20, the following is inserted: following:

«20-bis. Landscape and garden care and maintenance activities public and private greenery.».

3. The National Committee of the National Register of Environmental Managers, of referred to in the decree of the Minister of the Environment and Security energy November 23, 2023, is integrated by two members, one designated by the representative organizations of the category of designated hauliers organizations a from representatives of waste managers, appointed by decree of Minister of Environment and Energy Security. Members additional pursuant to the first period remain in office until deadline set for the members appointed with the same decree of Minister of Environment and Energy Security November 23, 2023.

Art. 5

Urgent measures for the promotion of sustainability policies and circular economy in the implementation of interventions infrastructure

1. In Article 9-bis of Legislative Decree no. 109 of 28 September 2018, converted, with amendments, by law 16 November 2018, n. 130, after paragraph 1-ter the following are added:

«1-quater. In order to promote sustainability policies and circular economy, encouraging waste recovery operations and of reuse of materials from the production of interventions referred to in paragraph 1-ter, also with the aim of reducing the landfilling of waste, within thirty days from the date of entry into force of this provision, the Commissioner extraordinary referred to in Article 1, having received the approved Plan from the Western Ligurian Sea Port System Authority, having acquired the binding opinions of the Liguria region, of the Agency Regional Environmental Protection Agency (ARPA) and the ASL territorially competent, adopts with a specific decree the Plan for the integrated and circular management of waste and materials that ensures the best use, in compliance with the discipline

Community and national legislation on waste management. The Plan referred to in the first period, after verification by means of specific analytical investigations of the characteristics of the materials and waste, provides for the use of: a) materials excavated from seabeds or brackish waters or emerged coastal lands, pursuant to

Article 109, paragraph 1, letter a), of Legislative Decree no. 152 of 3 April 2006, in compliance with the provisions of the Decree of the Minister for the Environment and Protection of Land and Sea no. 173 of 15 July 2016;

b) of inert materials, inorganic geological materials and manufactured articles for the sole purpose of use, where their compatibility and environmental harmlessness is demonstrated pursuant to Article 109, paragraph 1, letter b), of Legislative Decree no. 152 of 2006; c) of by-products which satisfy the conditions and criteria of

referred to in Article 184-bis of Legislative Decree no. 152 of 2006;

d) of inert materials and inorganic geological materials that cease to be waste following a recovery operation, including recycling, in compliance with the conditions set out in Article 184-ter, paragraph 1, of Legislative Decree no. 152 of 2006, or in compliance with the conditions set out in Article 184-quater, paragraphs 1 and 2, of the same decree.

1-quinquies. The Plan referred to in paragraph 1-quater, for each of the interventions referred to in paragraph 1-ter, contains a timetable of activities aimed at the recovery of waste and the reuse of materials resulting from the implementation of the interventions, with an indication of the maximum quantities of waste recovered and materials whose reuse is expected, broken down by work, type of material and characteristics, as well as the declarations of conformity of each producer, holder or user of the materials, made pursuant to Articles 46 and 47 of the Consolidated Law on Legislative and Regulatory Provisions on Administrative Documentation, referred to in Presidential Decree no. 445 of 28 December 2000, certifying compliance with the conditions referred to in paragraph 1-quater. The declarations of conformity referred to in the first period include the type and quantity of materials subject to each use, the necessary management activities, the site of origin and destination and the methods of use envisaged. The Plan also includes the results of the sampling and characterization procedures for materials and waste referred to in paragraph 1-quater. 1-sexies. The adoption of the Plan referred to in paragraph 1-quater replaces all authorizations, agreements, concessions, licenses, opinions, concert, authorizations and consents of any kind, necessary for the implementation of the interventions contained in the same Plan, including the authorizations referred to in Article 109, paragraph 2, of Legislative Decree no. 152 of 2006. Any interventions contained in the Plan to be subjected to environmental compatibility assessments remain subject to the provisions of Part Two of Legislative Decree no. 152 of 2006. The Extraordinary

Commissioner referred to in Article 1, where necessary, shall update the Plan using the methods referred to in paragraphs 1-quater and 1-quinquies.

1-septies. The implementation of the provisions referred to in paragraphs 1-quater, 1-quinquies and 1-sexies must not result in new or increased burdens on public finances.».

Art. 6

Urgent measures regarding remediation

1. The following provisions apply to the interventions envisaged in the Action Plan for the redevelopment of orphan sites, adopted by decree of the Minister for Ecological Transition dated 4 August 2022, published in the Official Journal no. 239 of 12 October 2022, in implementation of Mission 2, Component 4, Investment 3.4, of the National Recovery and Resilience Plan:

a) in derogation from Article 242, paragraph 3, of Legislative Decree 3 April 2006, n. 152, the characterization plan referred to in the same Article 242, paragraph 3, is agreed with the Regional Agency for territorially competent environmental protection which pronounces within thirty days of the request of the proposer, possibly establishing specific requirements. In the event of failure to pronouncement within the terms set out in the first period by the Agency regional for the protection of the environment territorially competent, the characterization plan is agreed with the Higher Institute for Environmental Protection and Research (ISPRA), which issues a decision within fifteen days subsequent ones upon notification by the proposer; b) the results of the characterisation investigations, of the analysis of site-specific environmental health risk, where applicable, as well as the project of the interventions can be approved jointly by the competent authority.

2. To carry out the analytical activities preparatory to the definition of the underlying values referred to in Article 242, paragraph 13-ter, of Legislative Decree no. 152 of 2006 and to the assessment pursuant to Article 248, paragraph 2, the Regional Agency for territorially competent environmental protection can avail itself of of the laboratories of other entities belonging to the national system network for environmental protection (SNPA), of research institutions or private laboratories accredited in accordance with the legislation in force, without new or increased costs for finance public.

3. In Title V of Part Four of Legislative Decree No. 152 of 2006 the following amendments are made: a) to Article 242, paragraph 13-ter: 1) in the first period, the words "referred to in columns A and B of the table 1 of the Annex" are replaced by the following: «referred to in tables 1 and 2 of the Annex»; 2) in the fifth and sixth periods, the word «CSC» is replaced from the following: «concentrations»; (b) to Article 244:

1) in paragraph 2, after the words "responsible for the event of "overcoming" the following are inserted: "with costs borne by the same,»; 2) after paragraph 4, the following is added: «4-bis. For the activities entrusted to the provinces pursuant to this article, the provinces themselves avail themselves of the support ARPA technician with territorial jurisdiction, without new or major costs borne by public finances.».

Art. 7

Establishment of the support structure for the extraordinary commissioner for the site of national interest of Crotona - Cassano and Cerchiara

1. In Article 4-ter of Legislative Decree 23 December 2013, n. 145, converted, with amendments, by law 21 February 2014, n. 9, the following changes are made:

a) in paragraph 1, second period, the words "With subsequent" are replaced by the following: «For the purposes referred to in the first period, to be completed by 31 December 2029, with subsequent»;

b) after paragraph 1 the following is inserted: «1-bis. The extraordinary commissioner referred to in paragraph 1 makes use of also of a support structure composed of a contingent maximum staff of five non-managerial level units and a non-general management level unit, belonging to the roles of public administrations referred to in Article 1, paragraph 2, of the legislative decree of 30 March 2001, n. 165, with the exclusion of teaching, educational, administrative, technical and auxiliary staff of the educational institutions, appointed by decree of the Minister of the environment and energy security. It applies, in relation

to the methods of recruitment and the remuneration of non-managerial staff, as provided for in Article 11-ter, paragraph 3, of Legislative Decree No. 44 of 1 April 2021, converted, with amendments, by Law No. 76 of 28 May 2021. Upon the placement outside the role of the aforementioned staff, a number of positions in the organic endowment of the administration of origin that are equivalent from a financial point of view are made unavailable for the entire duration of the placement outside the role. Without prejudice to the methods of recruitment referred to in the second period, managerial level staff are recognized the position remuneration in an amount equivalent to the maximum economic values attributed to holders of non-general level managerial positions of the Presidency of the Council of Ministers, as well as an allowance in lieu of performance-related remuneration, determined by order of the extraordinary commissioner, in an amount not exceeding 50 percent of the position remuneration. The management personnel referred to in the fourth period are placed, pursuant to Article 17, paragraph 14, of Law No. 127 of 15 May 1997, in a position of command, secondment, secondment or other similar institution provided for by the respective regulations, and retain the legal status and basic economic treatment of the administration to which they belong, which remains the responsibility of the same, while the accessory treatment is the exclusive responsibility of the commissioner structure. In addition to the personnel of the support structure, the commissioner may also appoint, with his own provision, up to two experts in technical and legal matters. The structure ceases upon expiry of the term referred to in paragraph 1, second period. The costs referred to in this paragraph, equal to 76,060 euros for the year 2024 and 456,358 euros per year for each of the years from 2025 to 2029, of which 50,873 euros for the year 2024 and 305,238 euros per year for each of the years from 2025 to 2029 for personnel expenses, 5,000 euros for the year 2024 and 30,000 euros per year for each of the years from 2025 to 2029 for the operating expenses of the structure and 20,187 euros for the year 2024 and 121,120 euros per year for each of the years from 2025 to 2029 for the expenses of the experts, are provided for by means of a corresponding reduction in the projections of the allocation of the special fund of the current part registered, for the purposes of the budget. three-year period 2024-2026, within the framework of the «Reserve and special funds» program of the «Funds to be distributed» mission of the budget of the Ministry of Economy and Finance for the year 2024, for this purpose partially using the reserve relating to the Ministry of the Environment and Energy Security.».

2. The extraordinary commissioner delegated to coordinate, accelerate and promote the implementation of the remediation and repair of environmental damage at the contaminated site of national interest of Crotona - Cassano and Cerchiara, appointed by decree of the President of the Council of Ministers of 14 September 2023, is awarded, starting from the date of the relevant appointment and until the redetermination of the compensation established by decree of the President of the Council of Ministers of 22 February 2024, an additional compensation, as a fixed part, up to the achievement of the compensation determined in the maximum amount of 50,000 euros gross per year and, as a variable part, strictly related to the achievement of the objectives and compliance with the implementation times of the interventions covered by the assignment, up to a maximum of 50,000 euros gross per year. The costs referred to in the first period, equal to 28,117 euros for the year 2024, are covered by a corresponding reduction in the allocation of the special current fund entered, for the purposes of the three-year budget 2024-2026, within the scope of the "Reserve and special funds" program of the "Funds to be distributed" mission of the budget forecast of the Ministry of Economy and Finance for the year 2024, for this purpose partially using the provision relating to the Ministry of the Environment and Energy Security.

Art. 8

Provisions for the census and monitoring of interventions in
soil protection matter

1. In order to ensure the completeness of the technical framework knowledge of the interventions financed to mitigate the landslide hydrogeological on the national territory, the subjects to whom it is entrusted the implementation of soil protection interventions fuel promptly the National Repertoire of interventions for the soil protection hereinafter «ReNDiS platform», regardless of the source of funding. In the case of interventions for the mitigation of hydrogeological risk subject to financing and already recorded in the ReNDiS platform, the subjects referred to in the first period insert in the platform itself the technical information, where missing, relating to geographical position, type of disaster and works, as well as the design documents of the interventions themselves within six months from the date of entry into force of this decree.

2. The subjects referred to in paragraph 1 identify any soil protection interventions, regardless of the source of financing, which are not recorded in the ReNDiS platform and they transmit the list, complete with the relevant unique codes of project (CUP), at the Higher Institute for Protection and Research environmental (ISPRA) for the purpose of timely inclusion in the platform and to the Ministry of Economy and Finance.

3. The Government Commissioners, the President of the Valle region of Aosta and the Presidents of the autonomous provinces of Trento and Bolzano verify the timely and exhaustive feeding of the database of the public administrations referred to in Article 2 of the decree Legislative Decree 29 December 2011, no. 229, and the systems connected to it.

4. Within sixty days from the date of entry into force of this decree, the decree of the President of the Council of ministers 27 September 2021, published in the Official Journal no. 272 of 15 November 2021, is adapted to the provisions of the paragraphs 1, 2 and 3.

Art. 9

Programming and financing of interventions entrusted to the
Government Commissioners for the fight against hydrogeological instability

1. In Article 7 of Legislative Decree 12 September 2014, n. 133, converted, with amendments, by law 11 November 2014, n. 164, the following amendments are made: a) in paragraph 2, after the fifth period, the following are inserted:

«For the purposes of inclusion in the Mitigation Interventions Plan priority is also given to interventions in the context of hydrogeological risk whose design was financed through the Fund referred to to article 55 of law 28 December 2015, n. 221 and has achieved at least the level of design that can be classified as technical-economic feasibility project pursuant to Article 41 of the public contracts code, pursuant to legislative decree 31 March 2023, n. 36 or, in the case referred to in Article 225, paragraph 9, third period, of the legislative decree itself, as a definitive project pursuant to Article 23 of the Public Contracts Code, of which to the legislative decree of 18 April 2016, n. 50. The inclusion in the Plan of the interventions to mitigate the hydrogeological risk referred to in sixth period is in any case conditional on the renewal of the positive evaluation by the competent Basin Authority district, to be carried out in relation to the last level of design achieved.»; b) after paragraph 2, the

following are inserted: «2-bis. For interventions whose design has been

financed through the Fund referred to in Article 55 of Law No. 221 of 2015, the resources are revoked if, after twelve months

from admission to financing and in the absence of causes of objective impossibility arising or force majeure, the interventions themselves, even in the case referred to in Article 225, paragraph 9, third period, of the code referred to in Legislative Decree no. 36 of 2023, have not achieved at least the level of planning that can be classified as a technical and economic feasibility project or as a definitive project pursuant to Article 23 of the code referred to in Legislative Decree no. 50 of 2016. 2-ter. The financial resources credited to the special accounts referred to in Article 10, paragraph 1, of Legislative Decree no. 91 of 2014, registered to the Government Commissioners for the fight against hydrogeological instability, cannot be subject to seizure or sequestration.».

2. Any savings resulting from the program agreements referred to in Article 2, paragraph 240, of Law No. 191 of 23 December 2009, for the portion deriving from budget resources of the Ministry of the Environment and Energy Security, integrate the financial allocation allocated to the Plan of interventions for the mitigation of hydrogeological risk referred to in Article 7, paragraph 2, of Legislative Decree No. 133 of 2014.

3. The following amendments are made to Article 10 of Legislative Decree No. 91 of 24 June 2014, converted, with amendments, by Law No. 116 of 11 August 2014:

a) in paragraph 2-ter: 1) the first sentence is replaced by the following: «With his own provision, the Government Commissioner for the fight against hydrogeological instability may appoint an implementing body of the Plan to whom he may delegate the performance of the activities referred to in Article 7, paragraph 2, of Legislative Decree no. 133 of 12 September 2014, converted with amendments by Law no. 164 of 11 November 2014, who operates with the same powers and exemptions provided for the Government Commissioner.»;

2) the third period is replaced by the following: «The appointment provision referred to in the first period establishes the compensation to be paid to the body implementing the Plan, in the amount and with the methods referred to in Article 15, paragraph 3, of Legislative Decree no. 98 of 6 July 2011, converted, with amendments, by Law no. 111 of 15 July 2011, which finds financial coverage in the economic frameworks of the interventions, as resulting from the information systems of the General Accounting Office of the State, as well as the objectives, for the purposes of payment of the variable part of the compensation, which also include the monitoring and reporting activity referred to in Article 7, paragraph 2 of Legislative Decree no. 133 of 2014.»; b) after paragraph 2-ter the following are inserted:

«2-quater. The Government Commissioners for the fight against hydrogeological instability are also assigned the functions of responsible for the prevention of corruption and transparency pursuant to Law No. 190 of 6 November 2012, which may be delegated by the same Commissioners to the implementing bodies referred to in paragraph 2-ter. 2-quinquies. For the performance of the activities referred to in Article 7, paragraph 2, of Legislative Decree No. 133 of 2014, the Government Commissioners, the President of the Valle d'Aosta Region and the Presidents of the autonomous provinces of Trento and Bolzano may directly

assume the functions of contracting authority and operate in derogation from any provision of law other than those in criminal matters, without prejudice to compliance with the provisions of the anti-mafia code and the prevention measures referred to in Legislative Decree No. 159 of 6 September 2011, as well as the mandatory constraints deriving from membership of the European Union.».

4. In order to speed up the construction of the hydraulic defence works of the Grave di Ciano, the general secretary of the Eastern Alps district authority is identified as extraordinary commissioner for the performance of the activities referred to in article

7, paragraph 2, of Legislative Decree 12 September 2014, n. 133, converted, with amendments, by law 11 November 2014, n. 164.

5. The commissioner referred to in paragraph 4 operates with the same powers and the exemptions provided for the Government Commissioner for the fight against hydrogeological instability referred to in article 10, paragraph 1, of the Legislative Decree 24 June 2014, n. 91, converted, with amendments, from the law of 11 August 2014, n. 116, without new or greater charges to burden of public finances. The commissioner referred to in paragraph 4 is authorized to directly assume the station functions

contracting party and operates in derogation from any legal provision other than those in criminal matters, without prejudice to compliance with the provisions of the anti-mafia law code and of the preventive measures referred to to Legislative Decree no. 159 of 2011, as well as the constraints non-derogable from membership of the European Union.

commissioner referred to in paragraph 4 is not entitled to compensation, fees **presence, reimbursement of expenses or other emoluments however denominated.**

6. The allocation of resources for funded interventions from the Fund referred to in Article 1, paragraph 140, of Law 11 December 2016, n. 232, distributed by decree of the President of the Council of ministers 28 November 2018, carried out by the Presidency of the Council of ministers - Department of Housing Italy for the financing of interventions aimed at securing the country in relation to the hydrogeological risk pursuant to the decree of the President of the Council of Ministers 18 June 2021, is revoked if the subjects actuators referred to in article 1, paragraph 9, of the aforementioned decree Prime Minister June 18, 2021, within six months from the date of entry into force of this decree, in the absence of causes of objective impossibility that have arisen or force majeure, fail to transmit to the administration database

public - Monitoring of Public Works (BDAP-MOP), in compliance with as provided for by Legislative Decree 29 December 2011, n. 229, i data relating to payments made and invoices issued for the purpose of the subsequent verification of the amount of expenses incurred in amount equal to or greater than 15 percent of the amount of the first advance obtained pursuant to Article 1, paragraph 10, of the same decree of the President of the Council of Ministers 18 June 2021.

7. The state of emergency declared by the resolution of the Council of Ministers of 27 November 2022, published in the Official Journal Official No. 283 of 3 December 2022, as a consequence of the events meteorological events that occurred in the territory of the island of Ischia starting from November 26, 2022, extended by resolution of the Council of Ministers of 5 October 2023, published in the Official Journal Official No. 240 of 13 October 2023, is further extended until as of December 31, 2024, without new or increased costs for finance public.

8. In Article 20-ter of Legislative Decree no. 61 of 1 June 2023, converted, with amendments, by law 31 July 2023, n. 100, the following amendments are made: a) in paragraph 8, second period after the words: «for the year 2023»

the following are added: "and 10 million for the year 2024";

b) in paragraph 10, paragraph, the words: «5 million euros for the year 2024» are replaced by the following: «15 million euros for the year 2024»; c)

in paragraph 10, after letter b) the following is added:

«b-bis) as to 10 million euros for the year 2024 to be used on the financial resources allocated and available in the accounting special referred to in Article 20-quinquies.».

9. Article 57 of Legislative Decree 3 April 2006, n. 152, the following amendments are made: a) in paragraph 1, letter b), the words: «the national programme of intervention» are replaced by the following: «subject to the opinion of the Unified Conference referred to in Article 8 of Legislative Decree 28 August 1997, no. 281:

1) the national intervention programme;

2) the criteria and methods for establishing the priorities that the State administrations are required to observe in the assignment of resources allocated to risk mitigation interventions

hydrogeological, taking into account the provisions of the decree of President of the Council of Ministers adopted in implementation of Article 10, paragraph 11, of Legislative Decree 24 June 2014, n. 91, converted, with amendments, by law 11 August 2014, n. 116;

3) the criteria and methods for monitoring and revocation of state resources allocated to mitigation interventions hydrogeological risk where, in the absence of causes of impossibility objective supervening or force majeure, the sums awarded do not are committed and paid by the competent implementing bodies in the terms provided for.»; b) after

paragraph 1, the following is inserted: «1-bis. In the event of revocation pursuant to paragraph 1, letter b),

number 3), the resources are however reassigned to the authority of district basin territorially competent to be employed within the same territory and with the same destination".

10. The provisions of paragraph 9 do not apply to the cycles of financial planning already started on the date of entry into force of this decree which continue to be regulated by the specific discipline of the relevant sources of financing. Consequently, they remain valid until the conclusion of the relevant financial programming cycle, the specific provisions containing criteria and rules for monitoring, revoking and the allocation of state resources intended for interventions mitigation of hydrogeological risk. The provisions also remain in force international obligations and the constraints arising from membership to the European Union, as well as the provisions relating to the Plan National Recovery and Resilience Plan (PNRR). To the Fund for Development and the cohesion referred to in Article 4 of the Legislative Decree of 31 May 2011, n. 88, and to the revolving fund referred to in article 5 of the law 16 April 1987, n. 183, the relevant provisions continue to apply provisions, in compliance with the criteria and methods of identification of the priorities established by the decree referred to in Article 57, paragraph 1, letter b), number 2), of the decree Legislative Decree no. 152 of 2006, as introduced by paragraph 9 of the this article, as compatible.

Art. 10

Urgent provisions for the functionality of public administrations operating in the environmental and social sectors energy security

1. The following amendments are made to Law No. 132 of 28 June 2016: modifications:

a) in Article 3, after paragraph 1, the following is inserted:

«1-bis. For the purposes of carrying out the functions referred to in paragraph 1, the Minister of the Environment and Energy Security, on proposal of the National System, can adopt guidelines for specific sectors.»; b) in Article 4,

paragraph 4, after the words: «with the contribution of the agencies» the following are inserted: «and on the basis of the guidelines guide referred to in Article 3, paragraph 1-bis, where adopted".

2. In Article 6 of Legislative Decree 4 March 2014, n. 45, the paragraph 7 is replaced by the following:

«7. Without prejudice to the application of Article 23-ter, paragraph 1, of the legislative decree of 6 December 2011, n. 201, converted, with amendments, by law 22 December 2011, n. 214, with decree of President of the Council of Ministers, on the proposal of the Minister of the environment and energy security, in concert with the Minister of Economy and Finance, the treatment is determined economic director. If belonging to the roles of the public administration referred to in article 1, paragraph 2, of the decree

legislative 30 March 2001, n. 165, the director of the ISIN is placed in a position of out-of-role, expectation or similar position for the entire duration of the assignment, even in derogation to the membership order, choice **Of** keeping, to of the interested party, the overall economic treatment enjoyed. The application of Article 23-ter, paragraph 2, of the Legislative Decree no. 201 of 2011. With the same decree referred to in the first period also determines the economic treatment of the members of the Consulta and the Board of Auditors. The charges arising from the implementation of this paragraph are covered by the **resources available pursuant to paragraphs 15 and 17.**».

3. The economic treatment established pursuant to Article 6, paragraph 7 of Legislative Decree no. 45 of 2014 also applies to bodies of the National Inspectorate for Nuclear Safety and radiation protection (ISIN) in force on the date of entry into force of this decree, with effect from the relevant date of appointment.

4. In order to strengthen administrative capacity and strengthen the activities necessary to ensure full achievement of the objectives of the National Recovery Plan and resilience under the jurisdiction of the Ministry of the Environment and Security energy, until 31 December 2026, the Ministry itself can to assign four additional managerial positions at non-executive level general of a technical-specialist nature beyond the limits of which in Article 19, paragraph 6, of Legislative Decree 30 March 2001, n. 165. The tasks referred to in the first period are conferred pursuant to on the available financial resources and within the limits of the faculties hiring provided for by current legislation.

Art. 11

Financial provisions

1. From the implementation of this decree, with the exception of Article 7, paragraphs 1 and 2, must not result in new or greater charges being incurred of public finance. The administrations concerned shall provide to the activities envisaged by the same decree through the use of the human, instrumental and financial resources available to current legislation.

Art. 12

Entry into force

1. This decree enters into force on the day following that of its publication in the Official Journal of the Italian Republic and will be presented to the Chambers for conversion in law.

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

Given in Rome, this 17th day of October 2024

MATTARELLA

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

**Picket Fratin, of Minister
the environment and safety
energetic**

Giuli, Minister of Culture

Musumeci, Minister the for
civil protection and policies
of the sea

Seen, the Keeper of the Seals: Nordio