

Law No. 319 of 10 May 1976. Standards for the Protection of Water from Pollution.

## Title I Purpose of the Law and Duties of the State

Article 1. The purpose of this law is:

- a) the regulation of public or private, direct or indirect discharges of every type into all surface and underground, inland or marine, and public or private waters, including sewers, onto the ground, and into the subsoil;
- b) the formulation of general criteria for the utilization and discharge of the water of public works;
- c) the organization of public waterworks, sewage and purification services;
- d) the drafting of a general water reclamation plan, on the basis of regional plans;
- e) the systematic survey of qualitative and quantitative characteristics of bodies of water.

The provisions of Presidential Decree No. 185 of 13 February 1964, and subsequent additions and amendments thereto, remain in force.

Article 2. The duties of the State are:

- a) general guidance, promotion, consultation and coordination of public and private activities relating to the application of this law;
- b) the establishment of general criteria and methods for surveying the characteristics of bodies of water, in addition to meteorological criteria for the establishment and updating of registers provided by this law;
- c) the drafting of the general plan and water reclamation plan as per Article 1, point d), on the basis of regional plans, in addition to ensuring the compatibility of the regional water reclamation plan with interregional bodies of water, through ongoing interregional conferences promoted by the Minister of public Works;
- d) the indication of general criteria for proper and rational use of water for productive, industrial and civil purposes and irrigation, through the establishment of standards of consumption, among other things, to encourage maximum economy in the use of water and to promote, among other things, recycling and recovery processes for dispersed substances;
- e) the determination of general technical standards:
  - 1) for the regulation of public works and the operation of waterworks, sewers and purification systems;
  - 2) for the regulation of disposal of liquids onto the ground, including those used for agricultural purposes, provided emissions are directly useful to production, and into the subsoil, except when water-bearing strata may be damaged;
  - 3) for the regulation of the disposal of mud left over from treatment and purification cycles;
  - 4) on the nature and consistency of plant discharges of less than 50 vanes, or 5,000 mc, onto the ground or into the subsoil of civilian facilities, except as otherwise provided by stricter provisions dictated by municipal bodies in accordance with applicable law.

Materials as per letters b), d) and e) of this Article must be regulated within no later than six months of the entry in force of this law.

Article 3. The functions mentioned in Article 2, shall be carried out by an Interministerial Council established by the Ministers of Public Works, of the Merchant Marine, and of Health. The Council shall be chaired by the Minister of Public Works, who shall be joined, accordingly, by the competent Ministers for individual issues under deliberation.

Eight years after the entry in force of this law, the aforesaid Council shall, with the agreement of the Regions and by virtue of presidential decree, amend the values contained in Table A attached hereto, to adjust them to new scientific and technological advances. Any subsequent amendments to the aforesaid Table of values may be made after a period of no less than four years.

The same Interministerial Council may, by presidential decree and at any time, adjust the acceptable limits of discharges, per Tables A and C of this law, to the corresponding values defined by the appropriate directives of the European Economic Community, whenever those values are stricter.

The jurisdiction of the Supreme Council on Health and the Merchant Marine, a scientific and technical body of the Interministerial Council and the Supreme Council on Public Works, shall remain unchanged. The Council of Ministers shall avail itself of the scientific and technical cooperation of the Advanced Institute of Health with regard to questions concerning the use of water for drinking, mussel beds and seaside bathing, and the protection of public health, and of that of the laboratories of the Water Research Institute of the National Research Council for other issues per this law.

## Title II Duties of Territorial Bodies and Consortiums

Article 4. The duties of the Regions are as follows:

- a) the drafting of regional plans for water reclamation;
- b) management of the monitoring system for discharges from public works, in addition to the monitoring of discharges in deep geological formations;
- c) the coordination and verification of the consistency of programs of local bodies;
- d) the survey of the characteristics of bodies of water, in collaboration with the Italian water service, together with Civil Engineering officers, and with the assistance of the offices of the provincial government, with regard to qualitative aspects;
- e) establishing standards for supplementing and implementing the criteria and general standards per points d) and e) of Article 2, and defining zones where the discharge of liquids onto the ground and into the subsoil is permitted, in particular.

With regard to discharges onto the ground for agricultural use, in particular, these may only be established and regulated when emissions are directly useful to agricultural production.

With regard to discharges into the subsoil, these shall not be permitted when they pose any damage to water-bearing strata.

The jurisdiction of the autonomous provinces of Trento and Bolzano, within the meaning of the Consolidation Act on the special status of Trentino-Alto Adige, approved by Presidential Decree No. 670 of 31 August 1972, and corresponding standards for implementation, shall remain in place.

Article 5. It is the duty of the provinces to:

- a) register all public and private discharges into surface bodies of water;
- b) monitor the application of general criteria for proper and rational use of water, per Article 2, letter d).

To perform the duties per the previous point, the provinces shall avail themselves of the offices and services of the individual and associated communes and mountain hamlets.

Article 6. It is the duty of individual and associated communes and mountain hamlets:

- a) to monitor public and private discharges, ensuring that they remain within acceptable limits, and comply with the standards regulating the discharge of mud per letter e), No. 3 of Article 2; b) to monitor discharges from public sewers into the ground or subsoil and ensure they remain within acceptable limits;
- c) to set up and maintain networks for the qualitative monitoring of bodies of water for regional censuses on water resources.

Public waterworks, sewers, used water purification systems, the discharge of mud from manufacturing processes, and treatment plants for waste water are governed by Communes or Intercommunal Consortiums, or by mountain hamlets, or by Consortiums established by the regions with special status, or by Consortiums for areas and foci of industrial development per the Consolidation Act on operations in southern Italy, approved by Presidential Decree No. 218 of 6 March 1978.

Consortiums constituted in accordance with the consolidation act, per the preceding point, shall be considered productive facilities and are as such bound to comply with the provisions of this law.

Mountain hamlets may form Consortiums among themselves, or participate in Intercommunal Consortiums.

Communes and Intercommunal Consortiums are responsible for monitoring systems of production connected to public sewage systems, with regard to acceptable discharges, the operation of appropriate pre-treatment facilities, and compliance with the general criteria for proper and rational water use, per Article 2, point d) of this law, in addition to monitoring discharges onto the ground or into the subsoil.

Title III Assessment of Bodies of Water and Water Reclamation Projects Article 7. Within two years of the entry in force of this law, the following data relating to surface and subterranean bodies of water must be surveyed:

- a) hydrological, physical, chemical and biological characteristics and their development over time;
- b) all direct or indirect uses taking place: uses or derivations or discharges.

The Regions shall assess data on the basis of the standards per Article 2, letter b), and sent to the Council of Ministers per Article 3, for the purpose of drafting a national reclamation plan.

The aforesaid data must be updated every two years.

All persons who supply water independently of public services, must see to the installation and proper operation of appropriate instruments measuring amounts of water removed, and submit a statement to the appropriate offices of the Provinces, Associations or Communes at intervals no further apart than one year.

Article 8. Within and no later than three years of the entry in force of this law, each Region, having heard the recommendations of the Communes concerned, must formulate and send to the Interministerial Council, per Article 3 above, a region water reclamation plan, consisting of the following:

- a) a survey of the actual state of public waterworks, sewers and purification systems;
- b) an identification of the public works requirements affecting the services mentioned in letter a) and a definition of the corresponding priorities for implementation;
- c) a definition of the criteria and temporary limits of acceptability for all types of discharges during the temporary intervention period;

d) an indication of the optimum location for managing the services per letter a), organizing the corresponding technical and administrative structures and monitoring discharges, also in relation to the measures provided by Law No. 833 of 23 December 1978, by the National Health Service.

The objectives of the regional water reclamation plan must be met within and no later than ten years of the entry in force of this law.

#### Title IV Regulation of Discharges

Article 9. One set of guidelines for discharges has been established throughout the national territory on the basis of the prescribed limits of acceptability provided in Tables A, B and C attached hereto.

These apply with the modalities and terms set forth in the following Articles of this title.

Wastes shall be measured immediately upstream of the emission point into the receiving body of water as per Article 1, letter a) of this law, except as otherwise prescribed in the second to last point of this Article. All discharges must be made accessible for sampling by the competent monitoring authority at the measurement point.

The limits of acceptability shall in no case be achieved by diluting waters sampled solely for this purpose.

If the parameters of water removed from a surface body of water exceed the limits established on the Table, the correction of that discharge shall be established by the monitoring authority on the basis of the type of changes and aims for protecting the body of water set defined by the Regions. However, the qualitative and quantitative characteristics of the waters must be restored, with no increase in the size of the body of water from which the samples were taken.

The competent monitoring authority is authorized to carry out all inspections it deems necessary within the productive works to ascertain the conditions creating the formation of the discharges. It may require partial discharges containing substances, as per point 10 of Tables A and C attached hereto, to undergo special treatment prior to their inclusion in the general discharge. However, it is prohibited to dilute those partial discharges with cooling or washing water or samples taken solely for the partial discharge purposes containing substances per No. 10 of Tables A and C, prior to treatment, to bring them to the levels provided herein.

All discharges must be authorized. Authorization is issued by the appropriate monitoring authorities.

Article 10. A new discharge permit must be requested of the competent monitoring authority for productive works subject to use for a different purpose, enlargement or restructuring, or whose activities are being transferred elsewhere subsequent to the entry in force of this law. Certification of the new works is requested of such authorities on the basis of information presented and any other inspections considered necessary, with regard to the restructuring or enlargement of the productive works, whenever the qualitative or quantitative characteristics of discharges differ from those of preexisting discharges. The provisions of the previous point also apply to civil works, as of the date on which the regional regulation provided by the second point of Article 14 enters in force.

Productive works under construction on 13 June 1976 which have not yet been licensed for suitability must adjust their own discharges to the acceptable limits established for new facilities by 30 June 1980.

New productive works able to prove that they have incurred costs for a share in business consortiums or public companies building joint purification systems are classified among those facilities existing as of 13 June 1976.

Civil works in possession of a building permit on 13 June 1976 must comply with the prescriptions indicated for that permit in order to obtain a certificate of suitability.

Article 11. The authorization of direct discharges into sea water is issued by the authority designated by the Region included within the appropriate territory, and is subject to the applicant's compliance with the

prescriptions, limits and indications of acceptability provided herein.

The powers of the Maritime Authority connected with the regulations for the use of the maritime domain and navigation remain in place.

Authorization of discharges into sea water by ships and aircraft is issued in accordance with the provisions of applicable international law and ratified by Italy, according to the directives established by the Interministerial Council per Article 3, in harmony with those of this law.

Following an investigation relating to authorization per this Article, the competent authorities, who are also bound to notify the Ministry of the Merchant Marine of any permits issued so that the latter may notify competent international organizations as prescribed, shall issue the permit in question. Costs shall be paid under the terms of Article 15.

Article 12. Discharges from new productive works are subject to the following standards:

1) if discharges are being made into surface watercourses after these standards enter in force, they must meet acceptable limits established in the attached Table A;

2) if discharges are made into public sewage systems before the centralized purification facilities come on line, they must nonetheless meet acceptable limits as per Table C, and following the startup of the latter, they must be adjusted to meet the acceptable limits of the standards and regulations established by the Communes or Consortiums managing public utilities.

Communes and consortiums may also establish stricter acceptable limits, standards and regulations for their plant before the centralized purification facilities come on line, subject to the approval of the Region and considering the actual state of transportation works and purification plants.

In any case, if the centralized purification plant does not come on line partially or completely by 31 December 1981, the standards set forth in the first part of this number shall apply.

3) discharges may be made onto the ground, also when used for agricultural purposes, if they respect the health standards established by local health authorities, until specific standards are issued by state and regional authorities within the meaning of point 2), item e), of Article 2, and of item e) of Article 4, to which they must be adjusted.

Article 13. Discharges from existing productive works are subject to the following standards:

1) Discharges made into surface watercourses must:

a) meet the limits of acceptability set forth in the attached Table C within three years of the entry in force of this law;

b) comply with the limits of Table A within the subsequent six years, according to the modalities and temporary phases established in regional reclamation plans;

2) if discharges are made into public sewage systems, they must:

a) meet the limits of acceptability set forth in the attached Table C within three years of the entry in force of this law;

b) comply with the limits of acceptability, standards and regulations established by the communes or consortiums managing public utilities, as of the date the centralized purification plant comes on line.

Communes and consortiums may, even before the centralized purification plant comes on line, establish acceptable limits, standards and regulations for the plant itself, which must be approved by the region, taking into account the state of transportation works and the purification plant. Discharges must comply within ninety days of regional approval.

If communes and consortiums adopt the procedures set forth in the above paragraph, they must complete the centralized purification plant within eighteen months of regional approval, and no later than 31 December 1981. Financing pertaining to the construction of the centralized plants, when approved by the region, must be given absolute priority.

Whenever consortiums constituted by public organizations, or by public and private organizations, including those foreseen by Law No. 171 of 16 April 1973, establish that they have begun transportation works and discharge purification facilities, they may complete those works by no later than 31 December 1981.

In any case, if the centralized purification plant does not begin operating fully by 31 December 1981, the standards of the previous letter shall solely apply. 3) discharges may be made onto the ground, also when used for agricultural purposes, or into the subsoil, if they respect the health standards established by local health authorities. However, they must comply with the terms prescribed by point 1), letters a) and b) of this Article.

Final permission is subject to compliance with the specific standards issued by competent state and regional authorities within the meaning of Article 2, item e), point 2), and Article 4, item e).

The same standards as per point 2) of this Article apply to discharges into public sewage systems, on the basis of communal programs per Article 14, provided that they occur by 31 December 1980.

Article 14. Discharges into public sewage systems from public works of any size are defined by the Region, with the respective water reclamation plans set forth in Article 4.

The Regions, in defining the conditions of such discharges, shall take into account the directives mentioned in Article 3, with the agreement of the Interregional Committee as per Article 13 of Law No. 281 of 16 May 1970, in addition to the acceptable limits set forth by the Tables attached to this law, and local situations in relation to the aims of the same reclamation plans.

Pending receipt of a regional reclamation plan, the Communes and Intercommunal Consortiums mentioned in Article 6 of this law shall establish preliminary programs for the operation of the sewer network and shall send them to the Region no later than eighteen months after this law enters in force.

Article 15. The owners of existing discharges originating from civil installations not emptying into public sewers shall be bound to report their position to the municipal authority in the manner and within the time limits prescribed by the authority.

The owners of existing discharges originating from treatment installations must:

- a) if the discharge is not yet authorized, apply for authorization within two months of the effective date of the present law;
- b) if already in possession of authorization, apply for renewal within six months.

The application for authorization or for renewal must be submitted to the responsible controlling authority and must be accompanied by a precise description of the quality and volume of the current terminal discharge, as well as by an indication of the volume of water to be withdrawn in the solar year.

The application must indicate any legally permitted alternative discharge, together with the source of supply.

Until the establishment of intermunicipal consortiums, applications for discharges into public sewers must be submitted to the responsible municipality for the area in accordance with the procedures outlined in the previous paragraphs.

The technical functions of monitoring and overseeing all discharges shall be performed by multi-regional oversight departments and services for the protection of the environmental sanitation, stipulated by

Article 22 of Law No. 833 of 23 December 1978.

Until actions are taken by the multi-regional departments and services mentioned in the previous paragraph, the technical functions of monitoring and overseeing all discharges shall be performed by the provincial sanitation and prophylaxis laboratories.

Final authorizations shall be issued when the discharges satisfy the acceptability limits stipulated in the present law.

Before final authorization is issued, the responsible authorities will issue a temporary authorization which must stipulate the following:

- 1) the progressive adjustment, for discharges into public bodies of water, to the limits shown in Table A enclosed, in accordance with the requirements of the present law and of the regional improvement plan;
- 2) the adjustment to the limits of the attached Table C enclosed, for discharges into public sewers, before the establishment of the intermunicipal consortium, or before the designation is made by the water improvement plan of the responsible municipality for the operation of the public sewers and sewage treatment system;
- 3) the progressive adjustment to the acceptability limits and regulatory standards referred to in Article 12, point 2) and the observance of the particular technical and economic regulations for the use of the public sewers and sewage treatment system, for discharges into public sewers operated by intermunicipal consortiums or by municipalities designated by the regional improvement plan.

Temporary authorization shall be considered as having been issued if the application has not been refused within six months of its submission, without prejudice to the power of the responsible authority to revoke the authorization by force of law or to grant the express authorization subject to any regulations of the case.

In the event of a failure to adjust to the various limits provided for in the present law or in the standards of the consortiums and in the regional improvement plans, the responsible authority shall revoke the authorization to discharge.

The expenses that are necessary to perform the sampling, testing, verification and inspections needed for the consideration of the request for authorization stipulated by the present law are to be paid by the applicant. For the time being, the responsible authority shall determine the sum that the applicant shall be held to pay, as a deposit, as a condition for processing the request. When the evaluation process has been completed, the authority itself shall oversee the definitive liquidation of the expenses incurred.

## Title V Financial Standards

Article 16. For services pertaining to the collection, transport, purification and discharge of waste water from surfaces and public and private manufacturers, including industrial plants and establishments, the managers of the service shall be paid an appropriate rental fee or duty by users. Corresponding proceeds shall be divided among the organizations managing the respective services.

The rate is based on the sum of two parts, corresponding to sewage service and purification, respectively. The first part is determined in relation to the amount of water actually discharged. The second part is determined in relation to the amount and quality of the water discharged, with regard to discharges from productive works.

Article 17. For water coming from city installations, the fees are determined in the following manner: for the part pertaining to sewer services, the fee shall be equal to twenty liras per cubic meter of water discharged;

for the part pertaining to water purification services, if instituted, the fee shall be equal to twenty liras per cubic meter of water discharged.

The service managers, through a special decision to be adopted by 30 October of each year, for the

following year, to be submitted to the regional regulatory commission for approval and to the Ministry of Finance for ratification, can raise the fees set in the previous paragraph to in keeping with increases in operating costs, up to a maximum of 50 liras for the part pertaining to the sewer services and up to 80 liras for the water purification services. For the year 1983, the decision may be adopted by 31 March of the same year.

The part pertaining to water purification is due from sewer service users when the centralized city water purification plant is in place even if it is not yet able to oversee the purification of all the water coming from city installations.

The volume of water discharged is determined in equal measure to eighty percent of the volume of water removed.

For those utilizing the public aqueduct, the fees and rights are to be stipulated in the same manner and with the same terms for the payment of the fees relating to the provision of water.

Those who utilize, either in whole or in part, sources of water other than the public aqueduct must make claims for the volume of water utilized according to the terms and the stipulations established by the service provider as per Article 16, first paragraph. The bill is settled and collected by the service provider and the payment must be made within thirty days from the date of the request.

When the services discussed in Article 16, first paragraph, are managed by service providers other than those managing the aqueduct, the fees or rights shall be paid by that service provider, with the obligation of making compensation for these to the party directly responsible for paying the fees or rights. In this case,

payment must be made within thirty days of the payment due date for drinking water based on a combined statement showing the total volume of water utilized in the period by each user.

Article 17-bis. For water coming from production installations, the inter-ministerial commission as per Article 3, in conjunction with the Ministry of Finance, shall stipulate the formula for the determination of the fees and the application of the tariff as per Article 16, to be issued through a Decree of the President of the Republic.

On the basis of this formula, the regions shall, by 30 June of each year, for the following year, oversee the calculation of the individual fees for the various user categories with a determination of their respective limits,

both minimum and maximum, to be imposed on service providers, and the establishment of the methods and terms for the declaration of the elements necessary for the absolute determination of fees and rights. If this determination should not be adopted by the date indicated, the methods and terms for the subsequent year shall remain those set for the current year.

By 31 October of each year, the service provider, through an application to be submitted to the regional regulatory commission overseeing local providers and to the Ministry of Finance for approval and ratification, shall establish the fees to be applied during the next year. If this determination should not be adopted by the date indicated, the methods and terms for the subsequent year shall remain those set for the current year.

If the sewer and water purification services are managed by different service providers, the fees or rights shall be applied and collected by the service provider managing the sewer service, and shall assign the part relating to the water purification service to that service provider.

Article 17-ter. The calculation of the fees or rights shall be done according to the provisions set in the text for local finances (Royal Decree No. 1175 of 14 September 1931) when applicable.

Collection shall be made according to the provisions set in the text approved by Royal Decree No. 639 on 14 April 1910.

Contests to these determinations are subject to the stipulations of Article 20 of Decree of the President of the Republic No. 638 of 26 October 1972.



For failure to declare, or for late declarations, relating to the quantity and quality of the water discharged, when due, a surcharge equal to the amount of the fee shall be imposed.

The surcharge shall be reduced to one fourth the amount if the delay does not exceed thirty days.

When the fees as definitively established exceed by more than one quarter the amount resulting from the declaration, a surcharge equal to 50 percent of the greater amount shall be imposed.

For failure to pay, or late payment of the fees, a surcharge of 20 percent of the amount shall be imposed.

If the delay in payment of the fees or rights should extend beyond the period of one year, the user shall forfeit the authorization discussed in the previous Articles; this forfeiture shall be pronounced by the same authority that will handle the reissuance of said authorizations when payment of the amount due is made.

Article 18. From the effective date of the present law to the date upon which the (private or public) apparatuses are in place for achieving final discharge sanitation goals, all existing treatment complexes licensed for the gradual achievement of these goals must pay to the municipalities or to the intermunicipal consortiums in addition to the fees referred to in the previous Article, by way of partial compensation for the damage caused by their own discharges, a sum commensurate with the volume and quality of the treated water, according to the criteria to be stipulated, within ninety days of the effective date of the present law by the Interministerial Committee referred to in Article 3, jointly with the Minister of Finance, for each category of production installation.

The standard will not apply if the said production complexes have been taken out of public service and are planning to adjust their own discharges to the final objectives within two years of the effective date of the present law.

Article 19. To build and modernize facilities needed for utilities, as per Article 6.1, Communes, Intercommunal Consortiums, and Provinces may use contributions from Regional interest and capital accounts for costs relating to the facilities, as per point e) of Article 5.

To determine the percentage of the contribution, the Regions shall consider the reclamation programs and discharge purification requirements.

The contribution shall be granted formally after the most extensive technical descriptions of the works have been approved by regional bodies, and is subject to the proof by the smaller organizations that they shall have the necessary financial means to meet their share of the costs.

The contribution shall be paid directly to the smaller organization, and shall equal up to nine-tenths of the total, on the basis of the status of the works, approved by regional bodies. Payment of the balance shall take place after the completion of a successful inspection, or the issuance of a certificate of the proper execution of work, in relation to the costs incurred for that purpose, that have been ascertained and recognized to be available for the above use.

Article 20. Businesses with facilities already in operation on 1 January 1975, which are building or modifying purification or pre-treatment plants in order to make the necessary changes to discharges already existing on the same date of 1 January 1975, may use Regional contributions from interest and/or capital accounts to comply with regional law, according to the methods and times foreseen in the body of legislation of the European Economic Community.

## Title VI Sanctions

Article 21. Initiating or releasing new discharges into the waters indicated in Article 1 of this Law, onto the ground or into the subsoil, without previously applying for the prescribed permit, or continuing to release and maintain such discharges after a permit has been refused or revoked, is punishable by a jail sentence of two months to two years, or by a fine of 500,000 to 10 million lire.

The following are also subject to the above penalty: anyone releasing discharges into the bodies mentioned above when the law enters in force, without applying for a permit or for renewal, as per Article 15.2, letters a) or b); anyone who does not comply with the provisions of Article 25; or anyone who, having filed an application, continues to release discharges after that application has been rejected, or after the permit has been revoked.

A jail sentence may also apply if the discharge exceeds the acceptable limits set forth in the Tables attached to this law, in its respective limits and modes of application.

An arrest warrant shall be issued if the specific offenses mentioned in points one, two and three of this Article are repeated.

Article 22. Carrying out or maintaining a discharge without observing all the prescriptions indicated in the provisions of the permit is punishable by a jail sentence of up to two years, or by a fine of up to 10 million lire.

Article 23. Initiating or releasing new discharges prior to receiving the permit requested as prescribed, is punishable by a fine of up to 5 million lire. If the permit is not granted, points one and three of Article 1 are applicable.

Article 23-bis. Violation of the provisions of the last and second to last points of Article 7 is punishable by a fine of one hundred thousand to one million lire.

Article 24. If a party is convicted, a conditional suspended sentence may be granted subject to the exact fulfillment of the stipulations of the sentence itself. For that purpose, the judge shall request the appropriate instructions from the administrative Authority, when necessary.

Article 24-bis. A jail sentence of two months to two years also applies if the discharge into sea water by ships and aircraft contains substances and materials whose discharge is absolutely prohibited, within the meaning of the provisions of applicable international conventions, ratified by Italy, unless they are in amounts that may be rapidly rendered harmless by physical, chemical and biological processes occurring naturally in the sea.

Prior authorization, in the latter case, remains obligatory.

#### Title VII Temporary and Final Provisions

Article 25. Persons releasing already existing discharges, from either productive or civil works, must, until such time as they must observe the limits of acceptability established by this law, take the necessary steps to avoid an increase, albeit temporary, in pollution. They are thus bound to observe the prescriptions established by the Regions or by local bodies insofar as they are compatible with the qualitative and temporary provisions of this law and in particular with the contents of Table C, attached hereto. For discharges on the open sea, the prescriptions of Article 11.3 of this law must be observed.

With regard to health protection guidelines, the provisions of the last point Article 26 of this law are applicable.

Whenever it may be ascertained that standards and prescriptions, as per Article 15.2, letters a) and b), and as per this Article, are observed, incidents relating water pollution, as per Article 1, letter a), that are considered a breach of the previous provisions of the law, are not punishable.

Article 26. Discharges as per Article 1, letter a), are regulated solely by this law. All other standards that directly or indirectly regulate materials discharged into the water, onto the ground, or into the subsoil, and consequently regulate pollution are therefore abrogated.

The provisions set forth in Law No. 171 of 16 April 1973, concerning interventions for the safeguarding of Venice, in addition to Presidential Decree No. 962 of 20 September 1973, concerning the protection of the city of Venice and its territory from water pollution, remain in force.

The term set forth in Article 9.2 of Law No. 171 of 16 April 1973, is extended for three years.

The provisions of the penal code relating to crimes against life, and personal and public safety, remain in force.

Specific and reasonable restrictive or supplementary interventions by competent Health Authorities with regard to the use of drinking water, mussel beds, seaside bathing, and the protection of public health, remain in force.

Issued in Rome, 10 May 1976

Leone

Moro - Gullotti - Gioia - Dal Falco -

Stammati - Bonifacio - Donat-Cattin

Seen by the Chancellor: Bonitacio

Table A

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No.	Parameters	Concentrations	Notes
1	1	1	1
1	pH	5.5 - 9.5	The pH value of the recipient must be between 6.5 and 8.5 within a radius of 50 meters from the discharge.
2	Temp. C	--	For watercourses, the maximum variation between the mean temperature of any section of the watercourse upstream and downstream of the discharge emission must not exceed 3C. On at least half of any downstream section, that variation must not exceed 1C.
			For lakes, the discharge temperature must not exceed 30C and the temperature increase of the recipient body must in no case exceed 3C further than 50 meters away from the emission point.
			For man-made canals, the maximum mean value of the water temperature of any section of the canal downstream of the point discharge emission must in no case exceed 35C. The above condition is subject to the approval of the authority put in charge of canal management.
			For the sea, the discharge temperature must not exceed 35C and the temperature increase of the recipient body must in no case exceed 3C further than 1,000 meters away from the emission point. Moreover, the formation of heat barriers at the mouth of rivers must also be avoided.
3	Color		Imperceptible after a dilution of 1:20 for a thickness of 10 centimeters.

1 1 1

4 1 Odor 1 1 Must not cause inconvenience or annoyance

1 1 1 of any type.

1 1 1

5 1 Coarse 1 Absent 1 The category "coarse materials" refers to

1 Materials 1 1 objects of a linear size larger than 1 cm,

1 1 1 regardless of their nature.

1 1 1

6 1 Decantable 1 0.5 1 Decantable materials are measured in

1 Materials 1 1 Imhoff cone after 2 hours.

1 ml/1 1 1

1 1 1

7 1 Materials 1 80 1 "Materials in total suspension,"

1 in total 1 1 regardless of their nature, are those

1 suspension 1 1 whose size does not allow them to pass

1 mg/1 1 1 through a filter with a porosity of 0.45

1 1 1 microns.

1 1 1

8 1 BOD(5) 1 40 1 For industrial discharges whose

1 mg/1 1 1 oxidizability differs from that of

1 1 1 household liquids, the concentration limit

1 1 1 should be at least 70% of the total BOD.

1 1 1

9 1 COD mg/1 1 160 1 The COD is determined by potassium

1 1 1 bichromate after boiling for 2 hours.

1 1 1

10 1 All metals 1 3 1 C(1) C(2) C(3) C(n)

1 and 1 1 ---- + ---- + ---- ... + ---- .

1 non-toxics 1 1 L(1) L(2) L(3) L(n)

1 [As-Cd-Cr 1 1

1 (VI) Cu- 1 1 Since the limit set for each individual

1 Hg-Ni-Pb- 1 1 element may still not be surpassed, the

1 Se-Zn] 1 1 sum of the ratios between the

1 1 1 concentrations of each individual element

1 1 1 is reached, and the corresponding

1 1 1 concentration limit must not be greater

1 1 1 than 3.

1 1 1

1 1 1 The limit refers to the element in a

1 1 1 solution such as ionium, in complex form,

1 1 1 and in suspension.

1 1 1

1 1 1 Aluminum 1 1 1 The limit refers to the element in a

1 mg/1 as Al 1 1 solution such as ionium, in complex form,

1 1 1 and in suspension, after decanting for

1 1 1 2 hours.

1 1 1

1 2 1 Arsenic 1 0.5 1 The limit refers to the element in a

1 mg/1 as As 1 1 solution such as ionium, in complex form,

1 1 1 and in suspension.

1 1 1

1 3 1 Barium 1 20 1 The limit refers to the element in a

1 mg/1 as Ba 1 1 solution such as ionium, in complex form,

1 1 1 and in suspension, after decanting for

1 1 1 2 hours.

1 1 1

14 | Boron | 2 | The limit refers to the element in a  
1 mg/l as B solution such as ionium, in complex form,  
and in suspension, after decanting for  
2 hours.

15 | Cadmium | 0.02 | The limit refers to the element in a  
1 mg/l as Cd solution such as ionium, in complex form,  
and in suspension.

16 | Chromium | 2 | The limit refers to the element in a  
1 mg/l solution such as ionium, in complex form,  
as Cr and in suspension, after decanting for  
2 hours.

17 | Chromium | 0.2 | The limit refers to the element in a  
1 mg/l solution such as ionium, in complex form,  
as Cr and in suspension.

18 | Iron | 2 | The limit refers to the element in a  
1 mg/l as Fe solution such as ionium, in complex form,  
and in suspension, after decanting for  
2 hours.

19 | Manganese | 2 | The limit refers to the element in a  
1 mg/l as Mn solution such as ionium, in complex form,  
and in suspension, after decanting for  
2 hours.

20 | Mercury | 0.005 | The limit refers to the element in a  
1 mg/l as Hg solution such as ionium, in complex form,  
and in suspension.

21 | Nickel | 2 | The limit refers to the element in a  
1 mg/l as Ni solution such as ionium, in complex form,  
and in suspension.

22 | Lead | 0.2 | The limit refers to the element in a  
1 mg/l as Pb solution such as ionium, in complex form,  
and in suspension.

23 | Copper | 0.1 | The limit refers to the element in a  
1 mg/l as Cu solution such as ionium, in complex form,  
and in suspension.

24 | Selenium | 0.03 | The limit refers to the element in a  
1 mg/l as Se solution such as ionium, in complex form,  
and in suspension.

25 | Tin | 10 | The limit refers to the element in a  
1 mg/l as Sn solution such as ionium, in complex form,  
and in suspension, after decanting for  
2 hours.

26 | Zinc | 0.5 | The limit refers to the element in a  
1 mg/l as Zn solution such as ionium, in complex form,  
and in suspension.

111  
271 Total 1 0.5 1  
1 cyanides 11  
1 mg/l as CN 11  
111  
281 Active 1 0.2 1  
1 chlorine 11  
1 mg/l as 11  
1 Cl(2) 11  
111  
291 Sulfides 1 1 1  
1 mg/l as 11  
1 H(2)S 11  
111  
301 Sulfites 1 1 1  
1 mg/l as 11  
1 SO(3) = 11  
111  
311 Sulfates 1 1,000 1  
1 mg/l as 11  
1 SO(4) = 11  
111  
321 Chlorine 1 1,200 1  
1 mg/l as Cl 11  
111  
331 Fluorines 1 6 1  
1 mg/l as F 11  
111  
341 Total 1 10 1 The limit is reduced to 0.5 when  
1 Phosphorus 1 1 directly released into lakes, or within  
1 mg/l as P 1 10 km of the coastline.  
111  
351 Total 1 15 1  
1 ammoniacal 11  
1 nitrogen 11  
1 mg/l as 11 (Applies to nos. 35, 36 and 37)  
1 NH(4)+ 11  
111 For direct or direct discharge into  
361 Nitrous 1 0.6 1 lakes within 10 km of the coastline,  
1 nitrogen 11 complex nitrogen (organic + ammoniacal  
1 mg/l as N 11 + nitrous + nitric) must not exceed  
111 10 mg N/l.  
371 Nitric 1 20 1  
1 nitrogen 11  
1 mg/l as N 11  
111  
381 Animal & 1 20 1  
1 vegetable 11  
1 fats and 11  
1 oils mg/l 11  
111  
391 Mineral 1 5 1  
1 oils mg/l 11  
111  
401 Phenols 1 0.5 1  
1 mg/l as 11

1 C(5)H(5)OH 1 1  
 1 1 1  
 41 1 Aldehydes 1 1 1  
 1 mg/l as 1 1  
 1 H-CHO 1 1  
 1 1 1  
 42 1 Organic 1 0.2 1  
 1 solvents 1 1  
 1 mg/l 1 1  
 1 1 1  
 43 1 Nitrogenous 1 0.1 1  
 1 organic 1 1  
 1 solvents 1 1  
 1 mg/l 1 1  
 1 1 1  
 44 1 Chlorinated 1 1 1  
 1 solvents 1 1  
 1 mg/l 1 1  
 1 1 1  
 45 1 Surfactants 1 2 1  
 1 mg/l 1 1  
 1 1 1  
 46 1 Chlorinated 1 0.05 1  
 1 pesticides 1 1  
 1 mg/l 1 1  
 1 1 1  
 47 1 Phosphorated 1 0.1 1  
 1 pesticides 1 1  
 1 mg/l 1 1  
 1 1 1  
 48 1 Toxicity 1 1 The sample diluted at 1:1 with regular  
 1 test 1 1 water should allow, under aerated  
 1 1 1 conditions, the survival of at least 50%  
 1 1 1 of the animals used for the test, for a  
 1 1 1 period of 24 hours, at a temperature of  
 1 1 1 15C. The species used for the test  
 1 1 1 should be *Salmo gairdnerii* Rich.  
 1 1 1  
 49 1 Total 1 20,000 1  
 1 coliforms 1 1  
 1 MPN/100 ml 1 1  
 1 1 1 Parameters 49 - 50 - 51  
 50 1 Fecal 1 12,000 1 The limit applies when, at the  
 1 coliforms 1 1 discretion of the competent monitoring  
 1 MPN/100 ml 1 1 authority, the concomitant use of the  
 1 1 1 receiving body of water is required.  
 51 1 Fecal 1 2,000 1  
 1 strepto- 1 1  
 1 cocchi 1 1  
 1 MPN/100 ml 1 1  
 1 1 1

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Analyses shall be taken of either instantaneous or composite samples, over variable time intervals in relation to the type of manufacturing cycle, times and methods of discharge, and extent and duration of discharges.

The authority taking the sample must indicate why various sampling methods were used.

Analytical and sampling methods to be used in determining parameters are described in the volumes "Metodi analitici per le acque," published by the Water Research Institute [Istituto di Ricerca sulle Acque] (CNR) in Rome, and subsequent updates thereof.

Table B

Suspended by Article 23 of Law No. 650/79.

Table C

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No.	Parameters	Concentrations	Notes
1	1	1	1
1	pH	5.5 - 9.5	The pH value of the recipient must be between 6.5 and 8.5 within a radius of 50 meters from the discharge.
2	Temp. C	--	For watercourses, the maximum variation between the mean temperature of any section of the watercourse upstream and downstream of the discharge emission must not exceed 3C. On at least half of any downstream section, that variation must not exceed 1C.
			For lakes, the discharge temperature must not exceed 30C and the temperature increase of the recipient body must in no case exceed 3C further than 50 meters away from the emission point.
			For man-made canals, the maximum mean value of the water temperature of any section of the canal downstream of the point of the discharge emission must in no case exceed 35C. The above condition is subject to the approval of the authority put in charge of canal management.
			For the sea, the discharge temperature must not exceed 35C and the temperature increase of the recipient body must in no case exceed 3C further than 1,000 meters away from the emission point.
3	Color		Imperceptible after dilution of 1:40 for a thickness of 10 centimeters.
4	Odor		Must not cause inconvenience or annoyance



111 of any type.

111

51 Coarse1 absent1 The category "coarse materials" refers to

1 Materials11 objects of a linear size larger than 1 cm,

111 regardless of their nature.

111

61 Decantable1 21 Decantable materials are measured in

1 materials11 Imhoff cone after 2 hours.

1 ml/111

111

71 Materials1 No more than1 "Materials in total suspension,"

1 in total1 40% of the1 regardless of their nature, are those

1 suspension1 value upstream1 whose size does not allow them to pass

11 of the purif.1 through a filter with a porosity of 0.45

11 plant.\*1 microns.

111

81 BOD(3)1 No more than1

1 mg/11 70% of the1

11 value upstream1

11 of the purif.1

11 plant.\*\*1

111

91 COD mg/11 No more than1 The COD is determined by potassium

11 70% of the1 bichromate after boiling for 2 hours.

11 value upstream1

11 of the purif.1

11 plant.\*\*\*1

111

101 All metals1 31 C(1) C(2) + C(3) C(n)

1 and non-11 ---- + ---- + ---- ... + ---- .\*\*\*\*

1 metal11 L(1) L(2) L(3) L(n)

1 toxics11

1 [As-Cd-Cr11

1 (V) Cu-11

1 Hg-Ni-Pb-11

1 Se-Zn]11

111

111 Aluminum1 21 The limit refers to the element in a

1 mg/1 as Al11 solution such as ionium, in complex form,

111 and in suspension, after decanting for

111 2 hours.

111

121 Arsenic1 0.51 The limit refers to the element in a

1 mg/1 as As11 solution such as ionium, in complex form,

111 and in suspension.

111

131 Boron1 41 The limit refers to the element in a

1 mg/1 as B11 solution such as ionium, in complex form,

111 and in suspension, after decanting for

111 2 hours.

111

141 Cadmium1 0.021 The limit refers to the element in a

1 mg/1 as Cd11 solution such as ionium, in complex form,

111 and in suspension.

111

151 Chromium1 41 The limit refers to the element in a

13 III 1 l solution such as ionium, in complex form,  
1 mg/l as Cr 1 l and in suspension, after decanting for  
1 l 2 hours.  
1 l 1  
16 I Chromium 1 0.2 l The limit refers to the element in a  
1 VI 1 l solution such as ionium, in complex form,  
1 mg/l as Cr 1 l and in suspension.  
1 l 1  
17 I Iron 1 4 l The limit refers to the element in a  
1 mg/l as Fe 1 l solution such as ionium, in complex form,  
1 l 1 and in suspension, after decanting for  
1 l 2 hours.  
1 l 1  
18 I Manganese 1 4 l The limit refers to the element in a  
1 mg/l as Mn 1 l solution such as ionium, in complex form,  
1 l 1 and in suspension, after decanting for  
1 l 2 hours.  
1 l 1  
19 I Mercury 1 0.005 l The limit refers to the element in a  
1 mg/l as Hg 1 l solution such as ionium, in complex form,  
1 l 1 and in suspension.  
1 l 1  
20 I Nickel 1 4 l The limit refers to the element in a  
1 mg/l as Ni 1 l solution such as ionium, in complex form,  
1 l 1 and in suspension.  
1 l 1  
21 I Lead 1 0.3 l The limit refers to the element in a  
1 mg/l as Pb 1 l solution such as ionium, in complex form,  
1 l 1 and in suspension.  
1 l 1  
22 I Copper 1 0.4 l The limit refers to the element in a  
1 mg/l as Cu 1 l solution such as ionium, in complex form,  
1 l 1 and in suspension.  
1 l 1  
23 I Selenium 1 0.03 l The limit refers to the element in a  
1 mg/l as Se 1 l solution such as ionium, in complex form,  
1 l 1 and in suspension.  
1 l 1  
24 I Zinc 1 1 l The limit refers to the element in a  
1 mg/l as Zn 1 l solution such as ionium, in complex form,  
1 l 1 and in suspension.  
1 l 1  
25 I Total 1 1 l  
1 cyanides 1 l  
1 mg/l as CN 1 l  
1 l 1  
26 I Active 1 0.3 l  
1 chlorine 1 l  
1 mg/l as 1 l  
1 Cl(2) 1 l  
1 l 1  
27 I Sulfides 1 2 l  
1 mg/l as 1 l  
1 H(2)S 1 l  
1 l 1  
28 I Sulfites 1 2 l

1 mg/l as 11  
1 SO(3) = 11  
111  
29 1 Sulfates 1 1,000 1 Not applicable to discharges into sea  
1 mg/l as 11 water.  
1 SO(4) = 11  
111  
30 1 Chlorine 1 1,200 1 Not applicable to discharges into sea  
1 mg/l as Cl 11 water.  
111  
31 1 Fluorines 1 12 1  
1 mg/l as F 11  
111  
32 1 Total 1 10 1 The limit is reduced to 0.5 when  
1 Phosphorus 11 directly released into lakes, or within  
1 mg/l as P 11 10 km of the coastline.  
111  
33 1 Total 1 30 1  
1 ammonia 11  
1 mg/l as 11  
1 NH(4)+ 11 (Applies to nos. 33, 34 and 35)  
111  
34 1 Nitrous 1 0.6 1 For direct or direct discharge into  
1 nitrogen 11 lakes within 10 km of the coastline,  
1 mg/l as N 11 complex nitrogen (organic + ammoniacal  
11 + nitrous + nitric) must not exceed  
35 1 Nitric 1 30 1 10 mg N/l.  
1 nitrogen 11  
1 mg/l as N 11  
111  
36 1 Animal and 1 40 1  
1 vegetable 11  
1 fats and 11  
1 oils mg/l 11  
111  
37 1 Mineral 1 10 1  
1 oils mg/l 11  
111  
38 1 Total 1 1 1  
1 phenols 11  
1 mg/l as 11  
1 C(6)H(5)OH 11  
111  
39 1 Aldehydes 1 2 1  
1 mg/l as 11  
1 H-CHO 11  
111  
40 1 Organic 1 0.4 1  
1 aromatic 11  
1 solvents 11  
1 mg/l 11  
111  
41 1 Nitrogenous 1 0.2 1  
1 organic 11  
1 solvents 11  
1 mg/l 11

1 1 1  
 42 1 Chlorinated 2 1  
 1 solvents 1 1  
 1 mg/1 1 1  
 1 1 1  
 43 1 Surfactants 4 1  
 1 mg/1 1 1  
 1 1 1  
 44 1 Chlorinated 0.05 1  
 1 pesticides 1 1  
 1 mg/1 1 1  
 1 1 1  
 45 1 Phosphorated 0.1 1  
 1 pesticides 1 1  
 1 mg/1 1 1  
 1 1 1  
 46 1 Toxicity 1 1 The sample diluted at 1:1 with regular 1 test 1 1 water should allow, under aerated  
 1 1 1 conditions, the survival of at least 50%  
 1 1 1 of the animals used for the test, for a  
 1 1 1 period of 24 hours, at a temperature of  
 1 1 1 20C. The species used for the test  
 1 1 1 should be *Carassius auratus*.  
 1 1 1  
 47 1 Total 1 20,000 1  
 1 coliforms 1 1  
 1 MPN/100 ml 1 1  
 1 1 1 Parameters 47 - 48 - 49.  
 48 1 Fecal 1 12,000 1 The limit applies when, at the  
 1 coliforms 1 1 discretion of the competent monitoring  
 1 MPN/100 ml 1 1 authority, the concomitant use of the 1 1 1 receiving body of water is required.  
 49 1 Fecal 1 2,000 1  
 1 strepto- 1 1  
 1 cocci 1 1  
 1 MPN/100 ml 1 1  
 1 1 1

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Analytical determinations must also be carried out on an average sample drawn within a minimum time period of 3 hours.

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 \* Minimum imposable limit: that of Table A; maximum limit: 200

\*\* Minimum imposable limit: that of Table A; maximum limit: 250

\*\*\* Minimum imposable limit: that of Table A; maximum limit: 500

\*\*\*\* Without prejudice to the fact that the limit set for each individual element must not be exceeded, the sum of the ratios between the concentration with which each individual element is present and the relative concentration limit must not exceed the value of 3.