

Brussels, 19 June 2026
(OR. en)

10777/26

Interinstitutional Files:

2025/0391 (COD)
2025/0393 (COD)
2025/0394 (COD)
2025/0395 (COD)
2025/0396 (COD)
2025/0397 (COD)

LIMITE

**SIMPL 161
ANTICI 167
ENV 782
ENT 169
MI 671
IND 432
COMPET 801
SAN 505
AGRI 526
STATIS 55
RECH 292
TELECOM 334
CODEC 1252**

NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Simplification of administrative burdens in environmental legislation (Omnibus VIII) - Mandate for negotiations with the European Parliament

I. BACKGROUND

1. As a follow-up to the call by EU Leaders, since autumn 2024, to ambitiously simplify rules and reduce administrative burdens, the Commission, since February 2025, has put forward ten ‘Omnibus’ packages aiming to simplify EU legislation.
2. In this context, on 10 December 2025, the Commission presented the Omnibus VIII package, comprising of measures to simplify environmental legislation in the areas of industrial emissions, circular economy, environmental assessments and geospatial data. The package includes six legislative proposals:
 - A. Regulation suspending the application of the rules on the appointment of an authorised representative for extended producer responsibility;

- B. Directive suspending the application of the rules on the appointment of an authorised representative for extended producer responsibility;
- C. Directive amending the INSPIRE Directive;
- D. Regulation on simplification and reduction of administrative burden;
- E. Directive on simplification and reduction of administrative burden;
- F. Regulation on speeding up environmental assessments.
3. Both the European Economic and Social Committee and the European Committee of the Regions were consulted and delivered their opinions on 18 March and 7 May 2026, respectively.
4. In the European Parliament, all six legislative proposals have been referred to the Committee on the Environment, Climate and Food Safety (ENVI). Three rapporteurs¹ have been appointed to lead the six negotiating teams established for each file. The plenary vote on the Parliament's mandates is expected in October 2026.
5. In the Council, the Omnibus VIII package was allocated to the Antici Group (Simplification) (AGS), a dedicated group set up on 21 February 2025 to work on simplification omnibus proposals.

II. WORK IN THE COUNCIL AND KEY COMPROMISE ELEMENTS

6. The Omnibus package was presented at the meeting of the AGS on 15 December 2025 and discussed at the subsequent AGS meetings on 19 January, 9 and 23 February, 10 and 30 March, 17 April, 11 May, 1, 8, 12 and 17 June 2026. COREPER also provided guidance on the package on 22 April 2026.

¹ Susana Solís Pérez (EPP) for Simplification Regulation and Directive; Ingeborg Ter Laak (EPP) for the Suspending Regulation and Directive; Emma Wiesner (Renew) for the RSEA and INSPIRE Directive.

7. Given the above, the AGS has examined each proposal and achieved substantial progress on the package with the Presidency putting forward a number of compromise texts with the aim to strike the right balance between simplifying the regulatory landscape for operators and competent authorities and maintaining a high level of environmental protection.
8. The constructive work in the AGS has resulted in the current set of four compromise texts, presented below (points C-F), and the decision to halt work on two files which were opposed by an overwhelming majority of delegations (points A-B).

A-B. Regulation and Directive suspending the application of the rules on the appointment of an authorised representative for extended producer responsibility (EPR)

9. The proposed Regulation and Directive aim to alleviate the burden associated with the obligation for economic operators to appoint an authorised representative (AR), in order to fulfil their EPR obligations, in every Member State where they are not established and sell products. The suspension of this obligation is proposed to last until 1 January 2035.
10. Following several rounds of discussions in the AGS on 19 January, 9 February and 10 March, the Presidency informed COREPER on 22 April that the negotiations on the two proposals would be discontinued given the strong reservations by the overwhelming majority of Member States and the upcoming comprehensive review of EPR frameworks under the Circular Economy Act, expected in autumn 2026.

C. INSPIRE Directive

11. The proposal to modernise the INSPIRE Directive streamlines technical requirements for data and data sharing, thereby aligning it with current EU data legislation. This would ensure legal coherence and reduced administrative burden, while maintaining accessibility, quality, and interoperability of environmental spatial data.

12. The AGS held exhaustive technical consultations on the file, including at an informal videoconference of the AGS on 23 April 2026. This was followed by the presentation and examination of three Presidency compromise texts² on 11 May, 1 and 8 June 2026. The outcome of technical negotiations is reflected in the current Presidency compromise text³, which maintains an appropriate balance between simplification, legal clarity, flexibility, and proportionality.
13. More specifically, in order to reflect technological developments since the INSPIRE Directive took effect in 2007, and to align with the EU's horizontal data acquis, the definitions of terms such as 'infrastructure for spatial information' and 'metadata' have been clarified. Additionally, new definitions have been introduced for terms such as 'services', 'application programming interface (API)', and 'machine-readable format'.
14. The compromise text reintroduces data sharing between public authorities and minimum interoperability requirements to ensure the 'seamless use of data' across the EU and beyond. The right of Member States to limit public access to data for reasons related to public security or similar issues has been further specified. Furthermore, the text ensures that the existing INSPIRE governance framework, including the established Commission expert group, remain relevant.

D. Regulation on simplification and reduction of administrative burden

15. The proposed Regulation amends the Batteries Regulation, notably by reducing redundant reporting and by simplifying the removability and replaceability requirements for light means of transport (LMT) battery packs. Under the Industrial Emissions Portal Regulation (IEPR), the proposal simplifies reporting for livestock and aquaculture operators.

² ST 8790/26; ST 9758/26; ST 10038/26.

³ ST 10772/26.

16. The AGS examined the proposal on 19 January, 9 and 23 February, which was followed by the examination of four Presidency compromise texts⁴ on 30 March, 11 May, 1 June and 8 June 2026. The latest Presidency compromise text⁵, resulting from several rounds of discussions, includes the following main changes:

- a) The ‘substance of concern’ concept under the Batteries Regulation is modified and moved from Article 3 to Annex XIII, point 1(b), which avoids duplication with other definitions across legal acts and, at the same time, lowers the number of substances to be considered by operators when labelling their presence in batteries.
- b) A targeted postponement of the removability and replaceability requirements under Article 11 of the Batteries Regulation for certain product categories by 18 months is introduced. Given that the delegated act under Article 11(4), expected to specify additional product categories benefiting from derogations from those requirements, is still pending adoption and that Article 11 becomes applicable in February 2027, the Presidency compromise text provides for an 18-month postponement of those requirements for the categories concerned.

E. Directive on simplification and reduction of administrative burden

17. The proposed Directive aims to alleviate burden from industrial and livestock rearing installation operators and simplify reporting obligations under waste legislation. The Presidency presented four compromise texts⁶ in the AGS meetings of 30 March, 11 May, 1 June, and 12 June 2026.

⁴ ST 7624/26; ST 8794/26; ST 9696/26; ST 10040/26.

⁵ ST 10776/26.

⁶ ST 7623/26; ST 8793/26; ST 9695/26; ST 10227/26.

18. Following several exchanges in the AGS, the Presidency proposes the latest compromise text⁷ which includes the following main changes:

- a) The chemicals inventory (Article 14b) is reintroduced as a key tool for monitoring hazardous chemical substances under the Industrial Emissions Directive. However, to achieve simplification, the proposed inventory is extracted from the Environmental Management System (EMS) in Article 14a and equipped with an anti-duplication provision to allow operators to simply refer to inventories developed under other Union, national or international frameworks.
- b) A simplified EMS in Article 14a, which can be developed at a company-level, no longer requires operators to make information about their EMS available on the internet, therefore alleviating further administrative burden from operators. The proposed EMS includes a clear compliance deadline of July 2030.
- c) The proposed harmonisation of the reporting frequency under the extended producer responsibility (EPR) schemes in Article 8a(1), point (c), of the Waste Framework Directive is removed based on the potentially negative impacts of such harmonisation on data availability, fee payments and regulatory certainty. The EPR systems are instead expected to be addressed comprehensively under the upcoming Circular Economy Act. For these same reasons, the Presidency halted work on the Suspension Directive and Regulation (points A and B).
- d) Other technical modifications include further alignment of transitional provisions and harmonisation of Annexes under the Industrial Emissions Directive and the Medium Combustion Plant Directive to support decarbonisation of industrial processes by of oxy-fuel combustion.

⁷ ST 10774/26.

19. Additionally, the Presidency has also taken note of the concerns raised by many delegations regarding the ongoing transposition of the Industrial Emissions Directive revised in 2024 (IED 2.0), which is being amended by this Simplification Directive. To minimise unnecessary administrative burden and avoid double transposition efforts, the Presidency invites the Commission to take due account of the amendments proposed in this Directive and its proposals and the progress of the legislative process.

F. Regulation on speeding up environmental assessments (RSEA)

20. The proposed Regulation aims to allow project developers to benefit from simplified and accelerated procedures for environmental assessments, including single points of contact, digitalisation and streamlined timelines.
21. The draft Regulation was discussed in six AGS meetings on 19 January, 9 February, 10 March, 17 April and 1 and 17 June. A full-day technical workshop for Member States' experts was organised on 20 March and COREPER provided guidance for further work on 22 April 2026.
22. Based on these extensive discussions, the Presidency has progressively refined the proposal, introducing four revised compromise texts⁸ on 17 April, 11 May, 1 and 17 June, aiming to deliver on the overarching simplification goal, while preserving legal certainty and high standards of the protection of the environment.
23. The following solutions have been elaborated at the request of the Member States and obtained broad support during this process:
- An exhaustive **list of strategic projects** that shall be subject to the accelerated procedures under this Regulation has been drawn-up in Article 14; this is accompanied by the possibility of referring to this Regulation in future legislative acts if the co-legislators make this choice.

⁸ ST 8103/26; ST 8791/26; ST 9694/26; ST 10228/26 REV 1.

- This is directly related to the Presidency’s response to the call made by a number of delegations at the March Environment Council, and reiterated in COREPER in April, to **streamline as many sectoral permitting provisions as possible into this Regulation**: in its Articles 14d to 14f, the text provides for a number of deletions in the Net Zero Industry Regulation (NZIA), in the so-called Chips Act and in the Critical Raw Materials Act.
- The **toolbox** of measures to accelerate procedures, originally placed in the Annex to the Commission proposal, has been moved to Article 13 and its wording has been simplified. It defines under which conditions a strategic project might be considered as being of overriding public interest, provides for the possibility of having recourse to the so-called administrative tacit approval and sets out certain dispute resolution rules.
- The **time-limits in Article 7** have been extended to ensure that competent authorities remain able to carry out all steps prescribed by relevant legislation; at the same time, it is clarified that time-limits shall be suspended when the competent authority requests additional information or when significant new information emerges during consultations, until the required information has been provided.
- The provision on **substantial preclusion** in Article 6 has been amended so as to ensure full compliance with the Aarhus Convention, stipulating that information must have been made available in due time and in an accessible and understandable manner. At the same time, it has been clarified that Article 6 applies to all projects, programmes and plans covered by the scope of the Regulation.
- A number of other provisions have been amended to address Member States’ concerns, such as **replacing Article 5 on changes to projects** by a targeted amendment of Directive 2011/92 on Environmental Impact Assessments (EIA), **relaxing the time-limits for digitalisation under Article 10** or clarifying the **interaction between this Regulation, the five Directives that it directly impacts and other legislative instruments** that may contain more precise rules on permitting procedures.

Outstanding issues

24. The discussions in the AGS on 17 June revealed that the fourth Presidency compromise text⁹ would require further work to strike the right balance amongst the positions, especially when it comes to Article 3 on the Single point of contact (SPOC), Article 8 on the Habitats and Birds Directives, and the exact way to deal with projects relating to defence. The Presidency therefore suggests the following compromise approach which should be considered as a package in the broader context of all the advancements outlined above. The main changes in the Presidency compromise text¹⁰ are explained below.
- a) Single point of contact (SPOC)**
25. The new compromise wording respects the calls for sufficient flexibility, especially for Member States with decentralised administrative structures, while acknowledging the need to prevent fragmentation amongst SPOCs already established under other legislative instruments, or to be established by future legislation. It also acknowledges the differences between projects as to their strategic importance.
26. Consequently, Article 3 stipulates the possibility for Member States to establish a SPOC with certain characteristics set out in paragraph 1 for regular projects (“may provision”), while such a SPOC shall be mandatory when it comes to strategic projects referred to in Article 14. Paragraph 2 provides for mandatory integration with other existing SPOCs, only as long as it is compatible with the administrative arrangements of the Member State concerned. These administrative arrangements are further elaborated in a new paragraph 5 which uses the newly agreed wording in Omnibus V on Defence. In line with the approach in Article 14(2), where the co-legislators make the choice of making a direct reference to the Toolbox in future legislation (i.e., making the relevant type of project strategic, on par with the ones currently listed in Article 14), they shall also rely on the SPOC established in accordance with this Regulation and refrain from creating a standalone one.

⁹ ST 10228/26 REV 1.

¹⁰ ST 10771/26.

b) Habitats and Birds Directives

27. A large number of delegations made it clear in the AGS that they could not accept the previous compromise wording in Articles 14b and 14c, while often showing support in principle for the changes that have been made on the substance compared to the initial proposal of the Commission in Article 8. The Presidency has therefore decided to migrate those changes back to Article 8, and suggests making additional changes to cover recurring activities and projects not subject to an environmental assessment, such as maintenance of infrastructure or waterways or forestry and fire prevention works.

c) Defence

28. The Presidency compromise text discussed in the AGS on 17 June introduced two important changes. The first one is the modification of Article 1(3) of the EIA Directive allowing to exempt all projects that have defence as the sole purpose, without a case-by-case assessment. Second, this is combined with the inclusion of all defence projects under Article 14, in order to make them benefit from the Toolbox measures, and to allow for a case-by-case assessment whether they are of overriding public interest. An earlier amendment also ensures that military mobility projects, which combine civil infrastructure with its potential military use, are also covered.
29. While the Presidency acknowledges some calls for an even more beneficial regime for defence projects – such as by automatically considering all defence projects as being of overriding public interest – other Member States have voiced concerns over the removal of the cases-by-case assessment in the EIA Directive.
30. The Presidency therefore considers that a very delicate balance has been reached on this topic and suggests maintaining the text as it was presented in the AGS on 17 June 2026.

III. CONCLUSION

31. The Permanent Representatives Committee is invited to confirm its agreement on the texts of the mandates with regard to the four legislative proposals as a package, as set out in the relevant documents¹¹, and to confirm the Presidency's approach to discontinue the negotiations on the Suspending Directive and Regulation. On this basis, the Committee is invited to approve the mandate for the Presidency to conduct negotiations with the European Parliament.
32. In accordance with the approach to legislative transparency endorsed by the Permanent Representatives Committee on 14 July 2020¹², and in full consistency with Regulation (EC) 1049/2001 and the Council's Rules of Procedure, the text of the mandate thus agreed will be made public unless the Permanent Representatives Committee objects.
-

¹¹ Regulation on speeding up environmental assessments in ST 10771/26; INSPIRE Directive in ST 10772/26; Simplification Directive in ST 10774/26; Simplification Regulation in ST 10776/26.

¹² ST 9493/20.