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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Omnibus VIII (Environment) package - State of play and guidance for further work

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 existing legislation on sustainability, investment, agriculture, small mid-caps, digitalisation and common specifications, defence readiness, chemical products, digital issues including on AI, environment, the automotive sector and food and feed safety.

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 on speeding up environmental assessments;

b. Directive on simplification and reduction of administrative burden;

c. Regulation on simplification and reduction of administrative burden;

d. Directive amending the INSPIRE Directive.

e. Regulation suspending the application of the rules on the appointment of an authorised representative for extended producer responsibility;

f. Directive suspending the application of the rules on the appointment of an authorised representative for extended producer responsibility;

3. The package was presented at the meeting of the Antici Group (Simplification) (AGS) on 15 December 2025 and discussed at the subsequent AGS meetings on 19 January, 9 and 23 February, 10 and 30 March and 17 April 2026.

II. STATE OF PLAY

4. The AGS has identified, per each proposal, issues on which there is broad agreement and issues where further work is needed. This section outlines the state of play for the six proposals.

A. Regulation on speeding up environmental assessments (RSEA)

5. 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.

6. Following discussions in the AGS on 19 January, 9 February and 10 March as well as in informal videoconference of the AGS on 20 March, the Presidency presented a first set of compromise suggestions to the AGS meeting on 17 April[1].

[1] ST 8103/26.

7. The proposed changes included clarifications as to the coordination nature of the single point of contact (SPOC), increased flexibility on scoping when it comes to streamlining of procedures, further flexibility regarding changes or extensions to existing projects, the simplification of time-limits and more precise rules on their suspension, alongside various minor corrections and clarifications. The Presidency also indicated that further suggestions would be prepared in order to introduce additional safeguards regarding substantial preclusion and to improve the legal drafting of Articles 7 (Duration of screenings and environmental assessments) and 8 (Protected species, particularly in the Birds Directive).

8. During the AGS meeting on 17 April, a number of delegations supported the above approach in general, while also raising additional comments with respect to the individual wording suggestions. The Presidency therefore intends to continue its work on that basis, with the aim of proposing a new compromise text at a subsequent AGS meeting.

9. In addition to the abovementioned technical matters, delegations raised fundamental questions on the approach to environmental assessments. Further guidance is sought on these issues as outlined in section III of this note.

B. Directive on simplification and reduction of administrative burden

10. The proposed Directive aims to alleviate burden from industrial and livestock rearing installation operators and simplify reporting obligations under waste legislation, including by repealing the SCIP (Substances of Concern in Products)-related reporting and by harmonising reporting linked to Extended Producer Responsibility (EPR) schemes. The proposal also aims to ease the permitting of decarbonisation projects using oxy-fuel or hydrogen-based combustion.

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11. Following discussions in the AGS on 19 January, 9 and 23 February, the Presidency prepared the first compromise text[2] for the AGS meeting on 30 March. While broad support was expressed for many elements of the text, further modifications are required, notably with regards to the chemicals inventory and other aspects of the Environmental Management System (Art. 14a, Industrial Emissions Directive) as well as the EPR-linked reporting (Art. 8a(1), Waste Framework Directive).

12. The Presidency aims to revert to the AGS with a second compromise text, taking into account the latest written input from delegations following the AGS meeting on 30 March with the objective to complete the work on the text.

C. Regulation on simplification and reduction of administrative burden

13. The proposed Regulation amends the Batteries Regulation, notably by reducing redundant reporting. It also simplifies the removability and replaceability requirements for light means of transport (LMT) battery packs by removing the requirement of cell-level replaceability, and instead maintaining module-level removability and replaceability. Under the Industrial Emissions Portal Regulation (IEPR), the proposal aims to exempt livestock and aquaculture operators from reporting on water, energy and material use and allow Member States to exempt relevant installations from further reporting obligations.

14. Following discussions in the AGS on 19 January, 9 and 23 February, the Presidency prepared the first compromise text[3] for the AGS meeting on 30 March. The Presidency amendments were largely supported. Further adjustments are necessary with regard to the definition of 'substances of very high concern' (Art. 3(1)(69), Batteries Regulation).

15. The Presidency aims to revert to the AGS with a second compromise text, taking into account the latest written input from delegations following the AGS meeting on 30 March with the objective to complete work on the text.

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2 ST 7623/26.
3 ST 7624/26.

D. INSPIRE Directive

16. The proposal aims to modernise the INSPIRE Directive by streamlining technical requirements for data and data sharing. This would align the Directive with current EU data legislation, ensuring legal coherence and reducing administrative burden for Member States, while maintaining accessibility, quality, and interoperability of environmental spatial data.

17. The AGS exchanges on the proposal from 19 January and 23 February achieved limited progress given the technical complexity of the proposal and the number of provisions pertaining to EU digital legislation. The Presidency aims to continue facilitating the necessary discussions at the technical level to provide for sufficient base for the first revised version of the text.

E-F. Regulation and Directive suspending the application of the rules on the appointment of an authorised representative for extended producer responsibility

18. 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 suspensions are proposed to last until 1 January 2035.

19. The discussions in the AGS on 19 January, 9 February and 10 March identified specific concerns of Member States associated with the proposed suspensions. Suspending the obligations would hinder, in the view of Member States, the ability to ensure compliance with EPR obligations and impede their enforcement by competent authorities. Possible limitations of the proposed suspensions to a shorter time period, or to specific categories of economic operators or sectors were not supported by delegations.

20. The Presidency therefore considers that, in view of the upcoming Circular Economy Act, expected in the third quarter of 2026, which will seek to streamline the EPR schemes horizontally, further discussions on the proposed Regulation and Directive are not plausible under the current circumstances.

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III. GUIDANCE FOR FURTHER WORK

21. Concerning the proposed **Regulation on speeding up environmental assessments**, beyond concerns that can be addressed by means of modifications to the proposal, delegations have consistently highlighted that the choice of legal instrument, the overall architecture and the interaction with other existing or recently proposed EU legislation require a more strategic discussion.

22. The discussions on the proposed RSEA have featured a general call from several delegations for an overarching approach to permitting procedures, noting that current rules are scattered across numerous legislative instruments covering a large array of different topics such as defence, energy, critical raw materials or medicines.

23. If streamlining the regimes on permitting into one legislative instrument, for instance into the proposed RSEA, is to be considered, the following implications would need to be taken into account:

    a. It would require a significant and possibly lengthy legislative exercise, necessitating the transfer and adaptation of relevant provisions into the RSEA or another instrument and their repeal in the original instrument; this seems to be at odds with the need to achieve swift simplification.

    b. The instruments containing provisions on permitting involve both Directives and Regulations, and have different legal bases in the TFEU (mainly Articles 114, 192 and 194); and feasibility would need to be assessed.

    c. The suggested streamlining would need to cover permitting procedures as a whole, with environmental assessments as part of them, and therefore constitute a significantly broader concept than the environmental assessments covered by the scope of the proposed RSEA.

24. Moreover, Article 14 of the proposed RSEA addresses the interaction with other legislation, referring to the Toolbox to be applied to selected legislative instruments. The exact functioning of this provision should therefore be duly considered as part of the guidance.

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25. Based on this information, the Permanent Representatives Committee is invited to provide guidance for further work on the RSEA proposal, specifically addressing the following questions:

i. Should the Presidency continue work in the AGS on the proposed Regulation within the approach and scope of the Commission's proposal for environmental assessments?

ii. If not, what should be the approach to permitting procedures in view of achieving the objectives of simplification?

IV. CONCLUSION

26. The Permanent Representatives Committee is invited to take note of the state of play on the Omnibus VIII package. The Committee is also invited to provide guidance on the abovementioned issues concerning the Regulation on speeding up environmental assessments as outlined in section III of this note.

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