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CONTRIBUTION

From:	General Secretariat of the Council
To:	Antici Group (Simplification)
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Subject:	Environment Omnibus Package: Comments from delegations

Following the call for comments launched after the meeting of the Antici Group (Simplification) on 15 December 2025, delegations will find attached a correction of comments from DK, additional comments from AT and comments from RO and FI.

WK 379/2026 ADD 2

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DENMARK

Corrigendum of comments

On page 2 of the document “WK 379/2026 ADD 1”, the reference in the heading to the “Single Use Plastics Directive” was included by mistake.

The text should refer instead to the INSPIRE Directive, namely “Question regarding COM(2025) final: **INSPIRE Directive**”, in line with the text appearing further below in the document.

AUSTRIA

Questions and comments regarding Omnibus VIII regarding deletion of SCIP Database

Please note that the following comments are of preliminary nature. AT is still analysing the Omnibus VIII and therefore raises a scrutiny reservation.

ad Repeal of SCIP Database: Omnibus VIII (amendment of Directive 2008/98/EC)

Article 1 Amendments to Directive 2008/98/EC; Paragraph 2., Article 9

- If, under the new proposal, point 2 of Article 9 of Directive 2008/98/EC - and thus the obligation for ECHA to establish the SCIP database - is deleted, what does it mean that ECHA is still expected to “maintain” the data?
 - Where are the data supposed to be transferred or stored if there is no longer a database into which the data are to be submitted?
 - Who is intended to benefit from the data maintained by ECHA if neither waste operators nor consumers will have access to a database that no longer exists?
 - How is this coherent with Regulation (EU) 2025/2455 (OSOA), under which data from the SCIP database are to be integrated into a common data platform on chemicals?
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ROMANIA

COM(2025)981 Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2023/1542 and Regulation (EU) 2024/1244 as regards simplification of some requirements and reduction of administrative burden

Amendments to Regulation (EU) 2024/1244

- Regarding paragraph 9 – overall, we support the text as it exempts livestock and aquaculture operators from reporting the use of water, energy and relevant raw materials. However, regarding the phrase "Member States may decide to exempt operators of livestock production and aquaculture installations from reporting", the amendments could be accepted on the condition that the phrase "may" is maintained, which grants flexibility to Member States regarding the fulfilment of the reporting obligation. Moreover, in the event that there is information from other sources regarding off-site transfers of waste, off-site transfers of pollutants from wastewater, production volume and number of operating hours and this information can be collected by other means, operators in the field of animal husbandry and aquaculture may be exempted from this reporting.

COM(2025)984 Proposal for a Regulation of the European Parliament and of the Council on speeding-up environmental assessments

- We appreciate the proposed text as flexible enough for Member States to keep implementing measures already taken in order to reach the objective of streamlining environmental assessments.
- However, there are a number of points that need further clarifications. We consider that more flexibility needs to be provided to investors.
- Regarding recital (11) – we would like to keep the same wording "Member States should ensure that coordinated and/or joint procedures fulfilling the requirements of those Directives are provided" throughout the entirety of the proposed text. When transposing the new EIA Directive, Romania has chosen a hybrid approach for streamlining the environmental assessments: aspects related to Habitats and Birds Directives, as well as Industrial Emissions and SEVESO Directives, which are integrated in the EIA. The assessment required by the Water Framework Directive is coordinated with the EIA process and the coordination is ensured by the authority responsible for the EIA. The Regulation is not a modification to existing environmental directives. All options that ensure the objective of streamlining should be included.

- Regarding recital (17) " environmental assessments should be combined to the furthest extent possible" – we would like to know if the SEA is included and we would need more clarification on the link with the next recital which specifies that only the procedural steps of the SEA and EIA are to be combined; are some differences in assessment reports recognized?
- Regarding article 4 on the streamlining of environmental assessment procedures, point (1) – we would prefer keeping the wording consistent with that in recital 11. Additionally, we see the need for an additional new paragraph which would also recognize the hybrid option as a valid one.
- Regarding article 4 point (2) – the wording in the second phrase is not very consistent with the wording in previous paragraphs. We would like to know whether Member States are asked to combine the EIA and SEA assessments or the procedural steps. We do not support creating a single process from the EIA and SEA assessments, since the requirements of the two Directives are different and are linked to the level of information available at the time of the assessment. Article 5 paragraph 2 in the SEA Directive clearly states: "2. The environmental report prepared pursuant to paragraph 1 shall include the information that may reasonably be required taking into account current knowledge and methods of assessment, the contents and level of detail in the plan or programme, its stage in the decision-making process and the extent to which certain matters are more appropriately assessed at different levels in that process in order to avoid duplication of the assessment."
- Regarding article 4 point (3) – we propose rephrasing the phrase "Member States shall issue one single opinion on the scope and level of detail of the information to be included in the environmental assessment report" in order for the text to not be interpreted as an obligation for Member States to merge the environmental reports for SEA and EIA.
- We would like to mention that, as the EIA assessment is a very detailed assessment, in order for an investment that requires both SEA and EIA to be implemented, it could be very difficult, almost impossible, for the investor to simultaneously prepare the two reports (the SEA report and the EIA report) since not all of the information required in the scoping reports is available (technically). In practice, this means that the preparation of the reports will take more time and will be more challenging. We consider that the investor should have the possibility to choose if they prefer to keep SEA and EIA as separate processes or follow the combined approach, taking into consideration the availability of the information needed. (In Romania, the investor can prepare a land use plan for the development of a certain project. This is not possible in all Member States. From our experience in the application of art. 6 of Regulation 2022/2577, the owner of a plan is not able to provide detailed

information about a future investment project before the land use plan is approved as the urbanism indicators have an important role in setting details of a project.)

COM(2025)985 Proposal for a Directive of the European Parliament and of the Council amending Directive 2007/2/EC as regards simplification of certain requirements for the establishment of the Infrastructure for Spatial Information in the Union

- The current proposal completely abolishes article 11 in the INSPIRE Directive. We consider that the INSPIRE system is useful and its services, which are already developed by member states, including Romania, must be taken into account in order to provide, through APIs (Application Programming Interfaces), high-value datasets related to the Open Data Directive, which includes virtually all INSPIRE datasets.
- The download services already developed by member states must be kept and integrated with the availability of data for the implementation of the HDVs Regulation, via API. By completely eliminating article 11 of the INSPIRE Directive, all investments made by EU member states in these services are lost.
- Within member states, projects are underway to implement INSPIRE services, some of which are financed from EU funds, which practically, with the entry into force of this proposed directive, will no longer be able to prove the sustainability of the respective projects.
- We believe that the download service is the most important out of all INSPIRE services and it should be kept for Member States that have already developed these download services, and that they should be compatible with national open data platforms for at least a period of 5 years from the date of entry into force of the proposed directive amending the INSPIRE Directive, so that the investment in those services can be harmonized.
- In this context, we consider it inopportune to repeal the entire article and propose the following amendment to article 11:
- ”Article 11
 1. Member States that have already developed INSPIRE download services are obliged to maintain these services for a period of at least 5 years from the date of entry into force of this Directive.
 2. Those services shall take into account relevant user requirements and shall be easy to use, available to the public and accessible via the Internet through national open data platforms.”

COM(2025)986 Proposal for a Directive of the European Parliament and of the Council amending Directives 2008/98/EC, 2010/75/EU, (EU) 2015/2193 and (EU) 2024/1785 of the European Parliament and of the Council as regards simplification of some requirements and reduction of administrative burden

Amendments to Directive 2010/75/EU

- Regarding article 14a on environmental management system, point (1) – we can support the text, but for more clarity regarding the operator’s obligation to prepare and implement an environmental management system, the first sentence of the old article should be kept: “1. Member States shall require the operator to prepare and implement, for each installation falling within the scope of this Chapter, an environmental management system (“EMS”).”
- Regarding article 14a on environmental management system, point (2)(a), (b), (c) – we support the text.
- Regarding the abolishing of the former point (d), namely the requirement to include in the EMS an inventory of hazardous substances found in or emitted by installations – we can accept the text as it reduces the administrative burden for operators and implicitly for the competent authorities, all while maintaining high standards in terms of the protection of human health and the environment.
- Regarding article 14a on environmental management system, current point (2)(d) – we support the text (as it is unchanged).
- Regarding the abolishing of the former point (f), namely the requirement to include in the EMS an inventory of hazardous substances – we can accept the text as it reduces the administrative burden for operators and implicitly for the competent authorities, while maintaining high standards in terms of the protection of human health and the environment.
- Regarding article 14a points (3), (4) – we support the text (as it is unchanged).
- Regarding the abolishing of the Commission’s obligation to adopt, by the 31st of December 2025, an implementing act regarding the information in the EMS relevant for publication – we consider that for a rigorous and unitary approach, there is a need for an implementing act in order to clarify the relevant information for publication.
- Regarding the allocation of more time to operators to prepare and implement EMSs by postponing the deadline from 2027 to 2030 – we support giving operators more time to prepare and implement EMS. Additionally, it would be useful to refer to the paragraph that excludes certain installations from EMS.
- Regarding the abolishing of the audit requirement for EMS – we support the text because this provision presented difficulties in practice.

- Regarding the deletion of article 27d and the requirement to develop indicative transformation plans to be included in the EMS – we support the text as it reduces the administrative burden for operators and implicitly for the competent authorities.
 - Regarding article 14a point (3), amending article 27e, points (a) and (b) – we support the text.
 - Regarding article 14a point (4), amending article 76, points (i), (ii), (iii) – we support the text.
 - Regarding article 14a point (5), amending article 86, point 11 – we support the text as it gives competent authorities and operators more time to comply with certain new or revised provisions.
 - Regarding articles 3, 4, 5, 6, 7 and Annex I – we support the text.
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FINLAND

Written comments 9.1.2025, Antici Group on Simplification

Environment Omnibus package

We thank the Commission for the Environment Omnibus proposal but would like to highlight that we are still analysing proposals, and our comments are preliminary and of general nature at this point. **Finland has a general scrutiny reservation on the whole package.**

COM(2025) 984 - Proposal for a Regulation on speeding up environmental assessments

General

What is the Commission's view of the scope of this regulation when several regulations concerning different projects/project categories are in force, including RED Directive, and several other regulations are being prepared? Which projects/project categories would the regulation eventually apply?

The EIA and SEA directives provide provisions, to some extent, for the coordination of procedures, deadlines and definitions. Why does the Commission propose a regulation on matters covered by the directive instead of changing the directives?

Article 2

Is the purpose of the Commission to change the nature of the reasoned conclusion as it seems to lack the relevant content where the competent authority makes its conclusion on the significant effects of the project on the environment (i.e. the amendment to the EIA directive in 2014)?

How the Commission defines “the environmental assessment report” referred to for example in article 2 and 4(3) as it is not defined in article 2(2)? Why is it only mentioned in singular form in Article 4(3), when there are multiple different procedures?

Article 3

What is meant by “application” in the Article 3(1) and what is its relation to informed decision in art 7(1d)?

Could there be two different single points of contact for a situation where environmental assessments are coordinated, due to different relevant administrative levels of different environmental assessments?

Article 4

How does the Commission reason the issuing of one single opinion on the scope and level of detail of the information to be included to the environmental assessment report in cases where the developer is responsible for the EIA and an authority, for example municipality, is responsible for environmental assessment (SEA) of a town and country planning plan?

What is meant to be the opinion on scope referred to in the Article 4(3) in the context of SEA directive as SEA directive does not include an obligation for a written opinion on the scope? Is Commission's purpose to create a new obligation to the procedure?

What is the justification for the 5-year time limit referred to in the Article 4(5)?

Article 4 and 7

Does the coordinated or joint procedure aim to add more procedural steps to for example assessments under Habitats Directive Article 6(3)? The assessment under the Habitats Directive Article 6(3) does not contain provisions on “screening” or “scoping” or issuing an opinion on the scope and level of the assessment. According to the proposal for example screening should be added to the assessments carried out under Habitats Directive 6(3) in coordinated or joint procedure cases and thus more procedural steps are added?

Article 7

The article sets time limits for environmental assessment procedures. Are derogation procedures under Habitats Directive Art. 6(4) under the scope of time limits?

Is the art 7(1d) proposed to amend art 5 (3c) of the EIAD?

What is meant by the “informed decision” referred to in the Article 7(1)(d)? What is its relationship with development consent as defined in the EIAD? Would this limit the information required by permitting legislation e.g. required by IED?

How the time limit in art 7(1d) relates to the other EU regulations, for example CRMA or NZIA?

From which point would the calculation of time limits start under Article 7(2)(a) and (b)?

In Article 7(2)(b), is the reference to Article 5(3) of the SEA Directive incorrect, and should it instead refer to Article 5(4)?

The SEA Directive does not contain an obligation to publish scoping results, is Article 7 (2) (b) intended to provide for a new obligation in this respect?

Does the obligation under Article 7 (2)(d) to publish the environmental report within 7 months refer to the public availability of the report through a central online portal provided for in Article 10?

Article 8

The provision covers implementation of plans and the construction, operation or decommissioning of projects. Are these activities linked to the environmental assessments in the scope of this proposal or is this article targeting plans and projects more widely? Would commercial forestry fall within the scope of this article?

Article 8

Does the provision (Art 8(1)) mean that the derogation procedures under Habitats Directive Art. 16(1) and Birds Directive Art. 9(1) are not required in cases covered by the Article? If the derogation procedures are bypassed, in which procedure does the competent authority assess whether mitigation measures are appropriate and proportionate? Does the project or plan developer have to approve its mitigation measures with the competent authority in some procedure?

Article 11

Would the recovery of costs incurred in drawing up a land use plan from a private party for whose project the plan is being drawn up be considered an administrative charge or fee within the meaning of Article 11?

Article 14 and ANNEX

The provisions apply to strategic sectors or categories of strategic projects and aims to speed up their permitting provided that those projects contribute to resilience and decarbonisation or resource efficiency. It defines the above-mentioned activities to be of 'public interest' that can be considered to have an 'overriding public interest'. Would the status of overriding public interest cover also the requirement of 'imperative reason' under Habitats Directive Art. 6(4)? Or shall 'imperative reason' be investigated separately as stated in the Commission Guidance C(2018) 7621 final?

Does the Commission have an estimation on the number or share of all plans or projects and their types that would currently be covered by the provision?

What is meant by the "final decisions on the outcome" referred to in the Annex part II. Tacit approval?

COM(2025) 985: Proposal for a Directive on simplification of certain requirements for the establishment of the Infrastructure for Spatial Information

Article 3, point 1:

Currently, "Infrastructure for spatial information" means metadata, spatial data sets and spatial data services; network services and technologies; agreements on sharing, access and use; and coordination and monitoring mechanisms, processes and procedures, established, operated or made available in accordance with this Directive. However, by deleting the articles regarding the interoperability of spatial data sets and services and network services and technologies, is there "infrastructure for spatial information" available in accordance with this Directive in the future? What does the "infrastructure for spatial information" means in the future? For example, the concepts used in the Open Data Directive (part of the Data Act in the future) could be used in the definition, and if possible, with exact references to horizontal legislation.

Article 3, point 4:

Currently, "spatial data services" means the operations which may be performed, by invoking a computer application, on the spatial data contained in spatial data sets or on the related metadata. Would it be good to modernize and amend this definition? For example, "spatial data service" is a standardized way to access, share, and integrate spatial information over the web. Are there any existing definitions given by a standardization body such as OGC or ISO TC 211?

Article 4, point 3:

Currently, "This Directive shall also cover the spatial data services relating to the data contained in the spatial data sets referred to in paragraph 1." If article 11 regarding the Network services is deleted, is this point needed to ensure that spatial data services providing data sets of the INSPIRE themes will be made according to the horizontal legislations? Such as the Open Data Directive or is it needed because spatial data services also need to be described by metadata? For example, a reference to relevant horizontal legislation would be good.

Article 3, point 6:

"metadata" means information describing spatial data sets and spatial data services and making it possible to discover, inventory and use them. Is there a need to have a point in Article 5, saying that metadata should be made available through a standardized machine-readable interface and that they should be findable both nationally and at the European Data Portal? This has been the

role of the discovery service defined in Article 11:1 (a) (Network services) and Article 15 (Inspire geo portal), which are proposed to be deleted.

Article 13, point 1.

The point 1 introductory wording is proposed to be amended as follows: *“Member States may limit public access to spatial data sets and services where such access could adversely affect international relations, public security or national defence. Member States may limit public access to spatial data sets and services where such access could adversely affect any of the following:”*. In addition to spatial data sets and services, should “metadata” be mentioned in the amended Article also? It is very important to keep article 13 in the directive in the future, in accordance with the horizontal legislation, and in addition to have a possibility to limit the public access of metadata as well.

Article 23 (b)

is amended as follows: “Member State high-value dataset metadata harvested by the European data portal (data.europa.eu)”. Should the concept of high-value dataset could also be defined in Article 3? This point can be understood that only INSPIRE data sets that fall within the scope and definition of the high-value dataset regulation are needed in general and in the European data portal. Is this intentional?

Industrial Emission Directive

We would like to understand in more detail the amended transitional provisions concerning EMS (Article 14a), namely: *“The operator shall prepare and implement the EMS in accordance with paragraphs 1, 2 and 3 of this Article by 1 July 2030 except for installations referred to in Article 82”*.

It would be very helpful to understand this provision in more detail, as based on the IED2.0 Public Q&A circulated July 8th, 2025, the EMS requirement would in most cases need to implemented for existing installations only after four years after the publication of the BAT Conclusions after 1 July 2026, related to main activity of the installation, thus in practice almost in all cases only after the deadline of 1 July 2030. For which installations would the 1 July 2030 deadline be applicable? Would it be mostly applicable only for those installations, which have been first permitted after 1 July 2026? Could the Commission describe in detail, preferably in writing, how this transitional provision would work for existing installations in different industrial sectors.

During the national transposition of the IED2.0 we have identified several mistakes in the revised Industrial Emissions Directive. As a general question to the Commission we would like to ask whether these mistakes could be corrected during these negotiations? In practice this would mean amendments to few Articles, which are not currently part of the proposal.

COM(2025) 981 final

Questions regarding proposed amendment to Battery Regulation

Article 3 (1) 47d

It is proposed that one of definitions for producer (Article 3 (1) 47d) in Battery Regulation is revised. Batteries can be incorporated in electric and electronic appliances that have their own producer responsibility system. Does the proposed amendment align the definitions for producer in Batteries Regulation and WEEE directive?

Article 11(5)

Regarding proposed amendment to Article 11(5) it would be good to clarify what is meant by the term “independent professional”. In the Battery Regulation, there is a definition for “independent operator” but not for independent professional. Is the independent professional included to the term of “independent operator”?

Finland would like to point out that there can be different value chains for LMT batteries and LMT products. Independent professional of LMT products value chain should probably not be able to remove or replace battery cells / modules from the LMT battery, but independent professional of LMT battery value chain should be able to do it, maybe also in the cell level.
