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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Antici Group (Simplification)
N° Cion doc.:	ST 16771/25 + ADD 1 + ADD 2
Subject:	Environment Omnibus (Simplification Directive): WP meeting on 30 March 2026: Presidency explanatory note

With a view to the above mentioned meeting, delegations will find attached an explanatory note prepared by the Presidency.

Antici Group on Simplification (AGS)
30 March 2026

Omnibus VIII: Directive amending Directives 2008/98/EC, 2010/75/EU, (EU) 2015/2193 and (EU) 2024/1785 as regards simplification of some requirements and reduction of administrative burden

1st Presidency compromise text

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The purpose of this explanatory note is to provide delegations with additional information, clarifications and reasoning for the amendments proposed by the Presidency in the first compromise text (ST 7623/26).

The explanatory note is divided into three sections:

1. Amendments to the Waste Framework Directive (Directive 2008/98/EC)
2. Amendments to the Industrial Emissions Directive (Directive 2010/75/EU and (EU) 2024/1785)
3. Amendments to the Medium Combustion Plants Directive (Directive (EU) 2015/2193)

Each table follows the order of the relevant provisions. This document is for reference only.

Overview of amendments proposed by the Presidency

The general recitals 1-3 include linguistic changes.

1. Amendments to the Waste Framework Directive (Directive 2008/98/EC)

Recital/ Article	Amended provision	Explanation
Recital 4		Linguistic changes. Additional language clarifying the link between the EPR-related reporting and the reporting in the Packaging and Packaging Waste Regulation. Additional language related to EPR-linked reporting, which states that Member States may establish shorter reporting intervals than 12 months in accordance with Article 193 TFEU.
Recitals 5, 6		Linguistic changes
Article 1(1)	Article 8a(1)	Linguistic changes. Some delegations suggested clarifying the text to ensure that the reporting frequency allows for requests of more frequent reporting. Concerning the frequency of EPR-linked reporting by producers, the Commission proposal introduces a harmonised reporting frequency of 12 months across relevant legislation. The Presidency maintains this proposal, aiming to reduce the administrative burden and avoid adverse impacts on the functioning of the internal market, in particular for producers, including SMEs, which sell products across several Member States.

		However, recital 4 states that Member States may establish shorter reporting intervals in accordance with Article 193 TFEU.
Article 1(2)(a)	Article 9(1), point (ia)	Linguistic changes
Article 1(2)(b)	Article 9(2)	On the request from delegations, the data maintained by the European Chemical Agency is to remain publicly available.
Article 1(3)	Article 37(6)	The Presidency suggests to maintain the Commission proposal given that in the current situation, ESTAT reviews the data submitted by Member States upon reception. Some delegations suggested introducing an obligation on the Commission to communicate to Member States about evaluation of the data submitted. This would in consequence mean that the Commission would need to inform Member States every time about the same, regular data review procedure, based on the same Eurostat methodology.

2. Amendments to the Industrial Emissions Directive (Directive 2010/75/EU and (EU) 2024/1785)

Recital/ Article	**Amended provision**	**Explanation**
Recitals 7-8		Linguistic changes
Recital 9		Additional language explaining that EMS prepared and implemented in accordance with relevant ISO or EMAS standards should be presumed to comply with paragraphs 1 and 2 of Article 14a. Explanation of the proposed inclusion of an inventory of substances under permit conditions in Article 14 to maintain environmental protection, while benefiting from the alignment between EMS in Article 14a and the relevant ISO and EMAS standards.
Recital 10		Linguistic changes. In line with changes made in Article 2(1).
Recitals 11-15		Linguistic changes
Recital 16		In line with changes made in Annex 1(2) to the amending Directive.
Recital 17		In line with changes made in Annex 1(3) to the amending Directive.
Recital 20		Linguistic changes

Recital 20a		A new recital to explain several clerical corrections included in the Directive to update the cross-references to the provisions concerned.
Article 2(-1)	Article 14(7)	A clerical correction. Paragraph 7 should be deleted since point 6.6 of Annex I of the 2010 IED has been deleted.
Article 2(1)	Article 14a(1)	Linguistic changes. The Presidency re-introduces the first sentence of paragraph 1 which had been unintentionally removed in the Commission proposal.
Article 2(1)	Article 14a(2)(c)	An updated reference to Directive (EU) 2023/1791 given that Directive 2012/27/EU was repealed.
Article 2(1)	Article 14a(2)	Concerning the proposed removal of the requirement for operators to develop a chemicals inventory under the EMS in Article 14a(2), the Presidency proposes to move the requirement to develop a chemicals inventory from Article 14a to Article 14(1)(ab) in order to de-link it from the EMS, which would maintain the alignment between the EMS and the relevant EMAS/ISO standards, which is one of the proposal's objectives of the proposal.
Article 2(1)	Article 14a(4)	Linguistic changes. Given the calls to maintain consistency across Member States, the Presidency suggests obliging the Commission to prepare a guidance document identifying which elements of the EMS constitute relevant information to be published.
Article 2(1a)	Article 24(1)(c)	A clerical correction. With the 2024 revision of the Industrial Emissions Directive, 'Article 15(4)' has been renumbered as 'Article 15(5)', hence an update of the references is necessary.
Article 2(3a)	Article 72(1)	A clerical correction. With the 2024 revision of the Industrial Emissions Directive, 'Article 15(4)' has been renumbered as 'Article 15(5)', hence an update of the references is necessary.
Article 2(5)	Article 82(10)-(16)	Linguistic changes. In paragraph 16, a clerical correction given that during the 2024 revision of the Industrial Emissions Directive, 'Article 15(4)' has been renumbered as 'Article 15(5)', hence an update of the references is necessary.
Article 2(6)	Annexes I, Ia, II and V	Linguistic changes. Annex II is added to include a clerical correction linked to the 2024 revision of the Industrial Emissions Directive. 'Article 15(4)' has been renumbered as 'Article 15(5)', hence an update of the references is necessary.
Article 5(1)		Linguistic changes

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Annex 1(2)	Annex Ia, point (a)	Linguistic changes
Annex 1(2)	Annex Ia, point (b)	Linguistic changes as point b) now includes the full first paragraph without any changes to the substance to the Commission proposal, i.e., the exemption for organic poultry farming is proposed to be maintained.
Annex 1(2)	Annex Ia, point (c)	Linguistic changes and a clarification to ensure that the category 'Other pigs' does not include 'unweaned piglets'.
Annex 1(2a)	Annex II, point 2.1	A clerical correction given that during the 2024 revision of the Industrial Emissions Directive, 'Article 15(4)' has been renumbered as 'Article 15(5)', hence an update of the references is necessary.
Annex 1(3)	Annex V, point (a)	Linguistic changes
Annex 1(3)	Annex V, point (b)	Linguistic changes
Annex 1(3)	Annex V, point (c)	Linguistic changes. The Presidency proposes to further clarify the text in line with changes made in Annex II.

3. <u>Amendments to the Medium Combustion Plants Directive (Directive (EU) 2015/2193)</u>

Recital/ Article	**Amended provision**	**Explanation**
Recital 17		Linguistic changes and clarifications in line with changes made in Annex II.
Recitals 18-19		Linguistic changes
Annex 2(1)	Annex II, points (a) and (b)	Linguistic changes
Annex 2(2), point (c)	Annex III, part 1, point 2	Linguistic changes. The Presidency proposes to remove "equal to or" in the first indent to ensure consistency with the 1st indent of point 2 Part 1 of Annex III of the Medium Combustion Plant Directive, as suggested by one delegation.
Annex 2(2), point (d)	Annex III, part 2, point 5	Linguistic changes. Additional text to ensure consistency with the changes made in the Industrial Emissions Directive. *Correction to be made: In Annex III, part 2, point 5 (page 30), the first sentence should refer to* ***'[…] another approach than the one referred to in Point 4 […]'*** *instead of* ***'referred to in Point 3'***.
Annex 2(2), point (b)	Annex III, part 2, point 6	Linguistic changes. Based on input from a delegation, additional clarification text in line with the spirit of the Commission proposal and consistent with the approach for hydrogen.