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Simplification of administrative burdens in environmental legislation (Environmental Omnibus)

Executive Summary

On 10 December 2025, the European Commission presented the Omnibus VIII package (Environment). The proposal concerns various legislative acts and is intended to amend numerous established environmental rules, in particular to simplify environmental procedures, to streamline industrial and agricultural emission standards, to abolish a database for hazardous substances in products, and to suspend the authorised representative for extended producer responsibility (EPR) in waste management.

Key points at a glance

- It should first be noted that AK fundamentally opposes the approach taken in the context of the Omnibus packages. The Omnibus procedures, which are conducted under considerable time pressure, are not only legally questionable; they also fail to ensure sufficient involvement of various interest groups, such as trade unions and civil society organisations.
- AK expressly welcomes some of the proposals put forward by the Commission, such as those concerning the centralisation of environmental procedures or the provision of adequate resources for public authorities. Speeding up electricity grid expansion is essential for advancing the energy transition.
- However, AK takes a very critical view of the majority of the proposed changes.
- A wide range of problematic proposals are emerging in particular with regard to environmental procedures. The proposals include, for example, very short approval periods or exemptions from the ban on killing protected animal and bird species.
- AK finds the proposal to pause the requirement for appointing an authorised representative for extended producer responsibility, as outlined in multiple waste laws, to be especially concerning. This proposal would render compliance with legal requirements unfeasible, ultimately introducing a loophole that diminishes the system's overall effectiveness.
- AK is equally critical of the proposal to abolish the obligation for plant operators, as set out in the Industrial Emissions Directive, to submit transformation plans for their plants from 2030 onwards. This move would make it even more difficult to meet the climate targets by 2050.
- It is not possible at this stage to make a final assessment of the proposals in question, as numerous issues remain unresolved and must first be clarified by the Commission.

AK's Position

Key information on the Omnibus packages

More than 470 trade unions and civil society organisations have criticised the fact that EU policy is increasingly prioritising the interests of businesses. Several Omnibus packages across various sectors are currently being negotiated with the aim of watering down existing rules, and further packages have been announced.

Both the proposed changes and the manner in which they have been implemented raise significant concerns. The Omnibus packages are managed by the Antici Group on Simplification (a specially established body within the Council of the EU), moving through the legislative process at a highly accelerated pace. The Commission is largely foregoing public consultations and impact assessments, opting instead to conduct so-called 'reality checks.' The 2025 Overview Report on Simplification, Implementation and Enforcement does not provide a breakdown of the stakeholders consulted during the 'reality checks'. However, it has become clear that trade unions and civil society organisations are significantly under-represented.

Legal experts question the legality of the Omnibus procedures. The EU Ombudsman has conducted an investigation and found that the Commission is in breach of its own 'Better Regulation' guidelines and that applying the fast-track procedure for Omnibus I was not sufficiently justified. One of the criticisms levelled was that the relevant Commission's departments had less than 24 hours over a weekend to review the proposal. Moreover, it is becoming increasingly difficult for the democratic centre to reach compromises in the European Parliament. As to Omnibus I, the EPP and the right-wing parties have significantly weakened it, as they did with the Deforestation Regulation.

Components of the Environmental Omnibus

On 10 December 2025, the European Commission presented the Omnibus VIII package (Environment). Firstly, it should be noted that key pieces of environmental legislation, which were rumoured to be undergoing amendments in the run-up to the publication of the Environmental Omnibus, were not amended – or at least not comprehensively so – as part of this package. Specifically, these are the Water Framework

Directive (WFD), the Urban Waste Water Treatment Directive (UWWTD) and the Nature Restoration Regulation (NRR). AK views this positively, since these laws safeguard essential foundations. The UWWTD reduces the amount of micropollutants entering water bodies via sewage treatment plants, the NRR aims to restore damaged habitats, and the WFD pursues clear conservation objectives for our water bodies.

However, the Commission announced its intention to take further steps towards the deregulation of environmental legislation. Plans already exist to conduct a targeted revision of the WFD in order to improve the supply of critical raw materials in Europe and promote the circular economy as part of the RESourceEU Action Plan. The changes are intended to facilitate projects for the extraction, processing and recycling of critical raw materials. Protecting water resources is of paramount importance for health, ecosystems, climate resilience and the economy. An online consultation on this matter took place from 13 March to 14 April 2026, to which AK has submitted its opinion. The WFD establishes a binding European framework for water protection and the sustainable management of water resources. This ensures that water, as a public good, is safeguarded sustainably for future generations. AK recognises that, due to an extremely volatile international environment, the EU must increase its self-sufficiency in critical raw materials and that Europe as an industrial location must also be promoted. However, this must not be at the expense of water quality and environmental protection. The proposed changes may prioritise economic interests and relax enforcement of existing WFD provisions. However, the protection objectives enshrined in the WFD are essential for a high-quality and affordable drinking water supply and for the protection of water, an increasingly critical resource. Therefore, these must not be relativised or weakened in any way.

Other environmental legislation, such as the Habitats Directive or the Nitrates Directive, is to be subjected to a 'stress test.' Significant watering down of existing rules is to be expected here, which is extremely problematic given the increasing pressure on the environment. After all, people and the economy need a healthy natural environment, which forms the basis of our livelihoods. Coinciding with the presentation of the Environmental Omnibus package, the European Environment Agency also published its 7th five-yearly state of the

environment report, which highlights dramatic shortcomings, particularly in the area of biodiversity.

Relevant legislation

The package now being presented covers various legislative acts and aims to revise several environmental laws by streamlining procedures, simplifying emission standards for industry and agriculture, eliminating the hazardous substances database, and suspending the appointment of an EPR representative in waste management. It must be emphasised that there is still considerable uncertainty surrounding many of the provisions. In some cases, the proposed amendments require further clarification by the Commission; in others, there are clearly legislative errors. Consequently, it is not possible at this stage to make a final assessment of the proposals put forward. The following section sets out an assessment of the key points of the package.

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

- Article 1 defines the scope of the Regulation: it applies to all procedures following the WFD (Water Framework Directive), the SEA Directive (concerning strategic environmental assessments), the Birds Directive, the EIA Directive (concerning environmental impact assessments) and the FFH Directive (Fauna-Flora-Habitat Directive).
- Single contact points or authorities are to be established to conduct all environmental procedures covered by this Regulation. This initiative is, in principle, to be welcomed and is already in line with Austrian law and practice in the context of EIA procedures. However, the question arises as to how this requirement is to be implemented in relation to other environmental procedures.
- Strategic environmental assessments, in particular, have so far been conducted at different administrative levels.
- Where EU law requires more than one environmental assessment for a project, these procedures should be consolidated. This proposal too is to be welcomed as it already reflects the current situation in Austria for projects subject to an EIA.
- However, the requirement becomes problematic where a Strategic Environmental Assessment (SEA) for a plan or programme is to be conducted at the same time as the assessment of a specific project. An SEA is only meaningful if it is conducted before a specific project has been finalised, as its purpose is precisely to identify the best possible implementation option and it must, in principle, be conducted without preconceptions.
- Deadlines are to be set for specific stages of both EIA and SEA procedures. For example, decisions on approvals in EIA procedures are to be made following a maximum of 90 days from the submission of a complete application. Considering the complexity of such procedures, this is an extremely brief time limit.
- A period of 30 to 60 days is envisaged for the public consultation phase in strategic environmental assessments. This period also appears to be too short if the aim is to give the public a genuine opportunity to participate. Insufficient public involvement could fuel scepticism towards projects – such as the expansion of renewable energy – and thus slow down the necessary rapid expansion.
- Furthermore, the clarification in the draft regulation that the participation rights set out in the Aarhus Convention are not to be restricted is also welcome.
- Shorter deadlines must require a substantial boost in administrative resources, as outlined in the draft regulation. The obligation on Member States to ensure that public authorities are adequately resourced is therefore welcome.
- As was the case under RED III, exemptions from the ban on killing protected animal and bird species are to be established (see Article 8 of the proposed regulation). The creation of compensation areas is intended to ensure that there are no significant adverse effects on the population of the species concerned. This is particularly worrying in the case of animal and bird species whose populations are already endangered and which stands in direct contradiction to the findings of the European Environment Agency's latest environmental report that states that the Union will fail to meet its 2030 targets for the protection and conservation of biodiversity.
- Another provision aims to advance the digitisation of environmental procedures and improve access to data from past processes by creating digital databases. This initiative seems very sensible, as it can help to enhance transparency and speed up procedures.
- Further provisions are set out in the annex to the proposed regulation concerning strategic projects and sectors. For example, it is stipulated that, provided certain conditions are met, such projects may be deemed to be in the overriding public interest, which would influence any balancing of interests in favour of

these projects.

However, it remains entirely unclear which strategic projects and sectors are referred to here.

Waste Management - COM(2025) 986 / COM(2025) 982 / COM(2025) 983

- The proposed amendment to reporting obligations following Article 8a(1)(c) of the Waste Framework Directive (WFD), which would limit reports to once a year, is incompatible with existing Austrian systems and is therefore rejected by AK.
- Another amendment to the WFD aims to abolish the so-called SCIP database, which contains information on substances of very high concern found in articles or complex objects. Instead, other digital solutions, such as the digital product passport, are to be introduced. This appears problematic as far as no alternative to the SCIP database has been implemented yet. Only once free and easy access to information has been ensured for consumers and public authorities can the database be abolished. Furthermore, it must be ensured that historical data remains available.
- Legislative amendments in waste management suspend the requirement for an authorised representative for extended producer responsibility until 2035. This proposal should be rejected. It must be ensured that the obligations under extended producer responsibility are met, thereby covering the costs of collecting and recycling the relevant waste. Without the appointment of authorised representatives, compliance with these obligations cannot be guaranteed. Until a definitive solution is introduced through the Circular Economy Act, a gap would thus arise that would undermine the system's functionality.
- Article 76(4) of Directive 2023/1542 concerning batteries and waste batteries currently stipulates that the Commission shall collect and examine the necessary information, and draw up and publish a report every four years. Under these proposed amendments, the Commission would continue to collect and analyse data but would no longer draw up and publish reports. The same applies to the obligations following Article 37(6) of the WFD. Such reports provide an important data basis for research institutes, interest groups and NGOs. Furthermore, the proposal does not serve the competitiveness of European businesses. Against this background, AK rejects this amendment.

Industrial Emissions - COM(2025) 986

- With regard to the amendment to Article 14a of the Industrial Emissions Directive (IED), there appears to be an editorial error, as the proposed wording would completely remove the obligation to establish an environmental management system, even though further details on this are provided subsequently.
- In future, there are to be simplifications for operators or owners of multiple facilities, who would only need to establish a single environmental management system for all their facilities. There are no objections to this proposal.
- The environmental management system will no longer be required to include an inventory of the chemicals used in the installation or emitted from it (see proposal for Article 14a(2)(d) of the IED). This proposal is considered problematic, as no suitable alternative mechanism for recording chemicals is proposed. This could, for example, have negative consequences for the drinking water supply. It must be clear which substances are used by the chemical industry. Otherwise, relevant investigations will be made significantly more difficult.
- The obligation previously imposed on plant operators to submit transformation plans for their plants from 2030 onwards (Article 27d of the IED) is to be removed without replacement. This change must be firmly rejected, particularly in view of the climate targets to be achieved, as this obligation would have required plant operators to consider in good time how they could operate their plants more sustainably in the future. As this obligation no longer applies, no such plans are expected.
- Furthermore, following Annex V.6 of the Industrial Emissions Directive (2010/75/EU) and the Directive on the limitation of emissions of certain pollutants into the air from medium combustion plants [(EU) 2015/2193], compliance with the NO_x limit may be suspended where the oxy-fuel process is used, in order to remove barriers to the decarbonisation of combustion plants. This proposal is rejected for the following reasons: Uniform competitive conditions and limit values must be established for plants currently under construction. The specifications regarding fuels and the purity of oxygen are too vague for this purpose. The state of the art must and can be maintained, including with regard to the denitrification of flue gases.

- Further proposed amendments relate to livestock farming within the scope of the Industrial Emissions Directive (Chapter VIa). Current thresholds will remain unchanged. This is generally to be welcomed.

Under no circumstances should existing thresholds be raised under pressure from interest groups.

- However, it is proposed that organic poultry farms should be exempt from the thresholds. This cannot be justified on technical grounds and should be rejected. In particular, organic production should be required to comply with emission limits and should not be exempt from sensible regulations.
- The exemption for sow farms regarding the exclusion of suckling piglets from the count is effectively equivalent to raising the thresholds for this type of farm. This exemption too should be abolished, as it is not objectively justified.
- Article 6(9) of Directive 2024/1244 requires some establishments to report pollutant emissions and water and energy usage to the relevant authority. The Commission is now proposing to exempt livestock and aquaculture facilities from this obligation, provided that the Member State can collect the necessary information by other means without compromising data quality. In particular livestock and aquaculture facilities have high water and resource consumption. Relevant information is important for assessing the current situation and identifying future efficiency and improvement measures. In light of the advancing climate crisis, with increasingly hot summers and prolonged periods of drought, data on water consumption is becoming ever more important. Only a robust data base enables authorities to develop appropriate water management plans with cascading measures.
- AK also opposes extending exemptions for large livestock buildings, as currently supported by the European Parliament and some agriculture ministers. The agricultural sector justifies this demand by pointing to the need for family farms to be allowed to build these large livestock buildings/agricultural structures without going through a planning permission process. However, the fact is that the livestock buildings exempted from planning permission under the Omnibus bill are much larger than the Austrian average, making them more suited to industrial farming than supporting 'traditional family-run farms.'



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About us

The Austrian Federal Chamber of Labour (AK) is the legal body which represents the interests of approximately 4 million employees and consumers in Austria. It represents its members on all social, educational, economic and consumer policy-related issues at national level and at EU level in Brussels. Furthermore, the Austrian Federal Chamber of Labour is a part of the Austrian social partnership. The Austrian Federal Chamber of Labour is registered at the EU Transparency Register under the number 23869471911-54.

The main objectives of the 1991 established AK EUROPA Office in Brussels are the representation of AK vis-à-vis the European Institutions and interest groups, the monitoring of EU policies and to transfer relevant information from Brussels to Austria, as well as to lobby the in Austria developed expertise and positions of the Austrian Federal Chamber of Labour in Brussels.