

Environmental newsletter

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Amendments to Environmental Regulations – Deregulation in Environmental Protection Law

The Sejm (the lower house of the Polish Parliament) has adopted a draft Act amending the Environmental Protection Law Act and certain other acts (“**Draft**”). The Draft has already been submitted to the Senate. Pursuant to its provisions, the amendments are scheduled to enter into force on 31 December of this year.

The scope of the amendment covers, among others, the Environmental Protection Law Act (“**EPL**”), the Waste Act (“**WA**”), and the Act on the Management of Packaging and Packaging Waste (“**APW**”). Below, we outline the key elements of the amendment

Extension of the validity of administrative decisions in the area of waste management

The Draft amends Article 193(1c–1e) EPL and Article 226a WA to extend the automatic renewal of waste-management administrative decisions until **31 December 2026**. This solution is transitional in nature and aims to ensure the operational continuity of waste-management entities which, due to protracted administrative proceedings, could otherwise be forced to temporarily suspend their activities. The proposed changes respond to the persistently extended timeframes for processing applications, including those relating to the adjustment of decisions to the requirements of the so-called “fire safety act”, as well as to the accumulation of cases pending before administrative authorities.

Determination of the competent authority for issuing integrated permits for hazardous waste storage installations

An important change is the designation of the regional marshal as the competent authority to issue integrated permits for installations used to store hazardous waste with a total capacity exceeding 50 tonnes. This regulation is intended to eliminate the existing competence disputes between regional marshals and district heads (starosts), thereby shortening the permitting process. All pending proceedings will be transferred to the competent regional marshals, and any actions undertaken prior to the Act’s entry into force will remain valid.

Enabling research into new techniques for installations applying for an integrated permit for a period not exceeding 30 months

The Draft introduces the possibility of conducting research into new techniques also by entities that are only in the process of applying for an integrated permit. This solution implements the IED 2.0 Directive¹ which provides for the possibility of temporary derogations from BAT (Best Available Techniques) requirements to test new techniques.

Following the amendment, the authority will be able to issue an integrated permit (both new and amending an existing one) enabling the testing of innovative technological solutions for up to 30 months. This regulation aims to facilitate the deployment of innovative technologies and enhance industrial competitiveness.

¹ Directive (EU) 2024/1785

Changes to DPR and EDPR control mechanisms

The Draft introduces changes to the control system provided for under the APW. To date, the possibility to invalidate documents confirming the recycling of packaging waste (“**DPR**”) or documents confirming the export or intra-EU shipment of packaging waste for recycling (“**EDPR**”) existed only in cases of gross irregularities established during inspections conducted directly by the regional marshal.

Following the amendment, regional marshal will be able to invalidate DPR or EDPR documents also based on the findings of other authorities, in particular, the National Revenue Administration (KAS), the Chief Inspectorate of Environmental Protection (GIOŚ), or provincial inspectorates of environmental protection (WIOŚ), as well as based on the results of inspection activities conducted under the Environmental Inspection Act.²

How can we assist?

- We advise on procedures for obtaining or amending integrated permits, including for installations for the storage of hazardous waste, as well as other sectoral permits.
- We assist in preparing the documentation necessary for conducting research into new technologies under an integrated permit.
- We provide support in inspections conducted by administrative authorities.



Report by attorney Maria Badowska from the European Sustainability Congress 2025

On Wednesday, 5 November 2025, I had the pleasure of attending the European Sustainability Congress 2025, one of the most significant events dedicated to sustainable development, the circular economy, and industrial transformation in Europe. The Congress gathered a wide range of representatives from public institutions, business, expert communities, and the financial sector.

The main session opened with speeches delivered by representatives of European public institutions and government administration, outlining the current directions of environmental policy and the priorities of the green transition. A short address was also given by the EU Commissioner for the Environment, Jessika Roswall. This was followed by the panel “Clean Industrial Deals as a Driver for Competitiveness”, during which, experts representing European institutions and the financial sector discussed the role of clean technologies and green investments in strengthening economic competitiveness.

Particularly interesting in the context of the ongoing debates on the implementation of the deposit-return scheme and extended producer responsibility was the panel “Achieving Circularity: Can Incentives Outperform Regulations?”, during which, the speakers discussed whether well-designed incentive structures can, in practice, drive the transition toward a circular economy more effectively than regulation. The panelists agreed that while market mechanisms and financial incentives play a key role in motivating companies to implement circular solutions, they cannot replace stable and unambiguous legal frameworks. The greatest effectiveness results from a combination of both approaches: clear regulations setting minimum standards, coupled with well-designed incentives supporting actions that go beyond statutory requirements.

Overall, the discussion highlighted the importance of aligning legal instruments with the practical needs of the market and of developing systems that not only ensure compliance, but actively support innovation in the circular economy.

² Act of 20 July 1991 on the Environmental Inspection (consolidated text: Journal of Laws of 2024, item 425)

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