

IEA CCS Model Legal & Regulatory Framework

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■ Aim:

- To support the rapid deployment of CCS
- Used as a tool to assist governments in the development of national legal and regulatory framework
- Drawn from current CCS legal and regulatory developments in Europe, Australia, the USA, and elsewhere
- Legal and regulatory knowledge sharing
- Non-prescriptive

Structure

- 30 key issues
- Description (1-2 Paragraphs)
 - A description will be given to introduce the key issue
- Model text (Varied)
 - Attempt to follow that of existing regulation where possible.
- Explanation (1-3 pages)
 - Provide the background information about the example text discussing why it is formed the way it is.
 - Provide alternative options and make recommendations as to the types of situation in which they may be applied if there is lack of consensus amongst the reviewed frameworks.

Key Issues

- Definitions and terminology
- Project boundaries
 - Defining the primary store
 - Defining the complete “the storage complex”
- Exploration permit
- Site selection
- Permitting of storage operations
- Environmental impact assessment
- Monitoring and verification
- Inspections
- Liability for leakage during operation
- Closure / post-closure obligations
- Transfer of responsibility
- Long-term liability
- Corrective measures in case of leakage (including threshold that triggers corrective measures)
 - Pre-closure
 - Post-closure
- Transportation of CO₂
- Third part access to storage site and to transport infrastructure
- Composition of CO₂ stream (operator’s duties, non conformity to acceptance criteria)
- Health and safety
- CO₂ classification (waste, hazard, commodity etc.)
- CCS incentives (may or may not fall in CCS policy and regulation framework)
- Financial security of operator
- Property rights
- Public engagement
- Transboundary cooperation (across different jurisdictions)
- Marine legislation
- Demonstration framework
- Competition with other resources and preferential right issues
- CCS and biomass
- CCS and EOR
- Interaction with other types of legislation

Some questions for discussion...

- Is our process appropriate given our aims and target audience?
- What level of detail should we pitch at?
 - Is there a way of incorporating more detail?
- How do we deal with significantly divergent approaches?
- How do we deal with issues that are not broadly covered in published documents?
- How do we build on the work of the model?
- What further work is needed?