

Transposition of the EU CO₂ Storage Directive: Common Issues and Next Steps

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Where are Member States now? Some examples...

- United Kingdom: ‘the *potential* first-mover’
- Romania: ‘the new entry’
- Spain: ‘the timely transposer’
- Germany: ‘the challenge’
- Poland: ‘the hesitant’
- The Netherlands: ‘the *real* first-mover?’

Implementation techniques

- Integration within existing frameworks (UK, Poland, Norway, the Netherlands, France)
- Dedicated pieces of legislation (Spain, Romania, Germany, Italy)
- Amendments to existing legislation (All)

Common Issues in transposing the Directive

- Novelty of regulating CCS
- Devolved powers
- Public participation
- Limits to the transposition? (e.g. physical impossibility; demonstration only)
- Long-term liability (20 years or more)
- Financial security (amount, details, conditions...)
- Conflicting uses of the storage site

Next steps

Step 1:

- Full communication of transposition measures by all Member States
- 19 infringement procedures to be resolved
- Full transposition essential to be awarded funding under NER300 programme (expected end 2012 for 1st call projects)

Step 2

- European Commission conformity-check between national transposition measures and CCS Directive

Concluding remarks

- Transposition not concluded but progressing
- Impact of common issues varies across jurisdictions
- ‘Learning by doing’ is important to assess outstanding legal/regulatory issues
- Next months crucial to assess fate of CCS in Europe

Thank you!

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