



Information Exchange Group (IEG) under the CCS Directive (Directive 2009/31/EC, Art. 27.2)

Report

On July 6, 2022, the European Commission services organised a hybrid meeting of the Information Exchange Group (IEG) under the CCS Directive (Directive 2009/31/EC, Art. 27.2), bringing together the Competent Authorities from Member States and the EEA countries, as well as the EFTA Surveillance Authority. The objective of the meeting was an information exchange as regards progress in the application of the CCS Directive, given growing importance CCS as strategic climate mitigation technology for the European Union.

The presentations and discussions focused on:

- The overall climate policy context and the EU level support instruments for CCS deployments, such as the ETS Innovation Funds and Projects of common interest (PCI). The Commission services underline that the goal is an open-access cross-border CO₂ infrastructure that links CO₂ emitters to safe and secure CO₂ storage sites permitted under the CCS Directive.
- The concretely foreseeable CO₂ transport and storage needs of carbon capture projects funded by the ETS Innovation Fund and the planned CO₂ infrastructure investments that have PCI status in the EU.
- The application of the existing EU legal framework to cross-border CO₂ import and export between Member States. The Commission services presented a draft analysis of the London Protocol requirements concluding that the implementation of Directive 2009/31 and Directive 2003/87 by all EU and EEA Member States can act as a relevant “arrangement” between the Parties in the meaning of Art. 6(2) of the London Protocol. It was underlined that therefore any storage operator should have the full benefit of the transposed directives, irrespective of the conclusion of additional arrangements on matters required by the London Protocol and not covered by EU law.

- Member States (DK, NL, BE, NO, IS, FI, FR, EL, SE, RO, ES, DE, PT) presented their CO₂ capture & storage policies and projects, including points as regards targets, public funding, needs and capacities, permitting, etc.).

An open discussion followed, focusing on how one can ensure that enough storage capacity is developed in time when emitters need it. One question was how authorities can stimulate more companies to get involved in storage projects, for example by manifesting the demand for storage with the objective to make the development of storage a ‘no regret’ investment decision. It was pointed out that governments in the context of the National Energy and Climate Plans can give strong signals on quantity and the timetable of storage needs in the future, which can attract new players to the emerging market. It was also noted that continued support from the ETS Innovation Fund including through future Carbon Contracts for Difference (CCfDs) will be important to establish the CO₂ storage market.

- The objectives and the timetable of the forthcoming revision of the four non-binding Guidance Documents of CCS Directive, including the consultation of the Competent Authorities and the involvement of the Information Exchange Group (IEG). The Commission services informed about the planned stock taking consultation of Competent Authorities and storage operators and the public stakeholder workshop to consult on the draft list modifications. The adoption of the revised Guidance Documents is foreseen by the end of 2023, followed by capacity building workshops for competent authorities and potential storage site operators.
- The CCUS Forum Stakeholder consultation platform, which will be important for input to the Commission’s work on CCS. To prepare the 2022 plenary conference, three Working Groups co-chaired by Commission will address key issues regarding CO₂ infrastructures, develop a “CCUS vision paper” describing the role of CCUS in decarbonisation and provide an opinion on the role that a CCUS industrial partnership could play. The Commission services invited Member State representatives to contribute to the working groups and apply via ENER-CCUSFORUM@ec.europa.eu.

The Commission services concluded the meeting by underlining that, in the EU/EEA, bilateral agreements under the London Protocol are not an obstacle for cross-border projects and Member States have to ensure open and non-discriminatory access to CO₂ transport networks and storage sites in line with the Directive 2009/31/EC (CCS Directive)¹ and in particular Article 21 thereof.

In order to speed up the implementation of the relevant projects, the Commission services will support Member States in applying the CCS Directive and will continue to host knowledge-sharing meetings for projects and/or Member States.

In addition, the Commission services will keep the IEG informed about the progress on the studies on the CO₂ transport and storage infrastructure & markets as well as the

¹ Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (Text with EEA relevance)

forthcoming revision of the four non-binding Guidance Documents of CCS Directive, to which all Member States and stakeholders will be invited to contribute.

Participants:

- Member States Representatives
- Commission services, EFTA secretariat.