

Summary Document
International Energy Agency (IEA) Launch of International CCS Regulators' Meeting
13-14 May, 2008
IEA Secretariat, Paris, France

Background

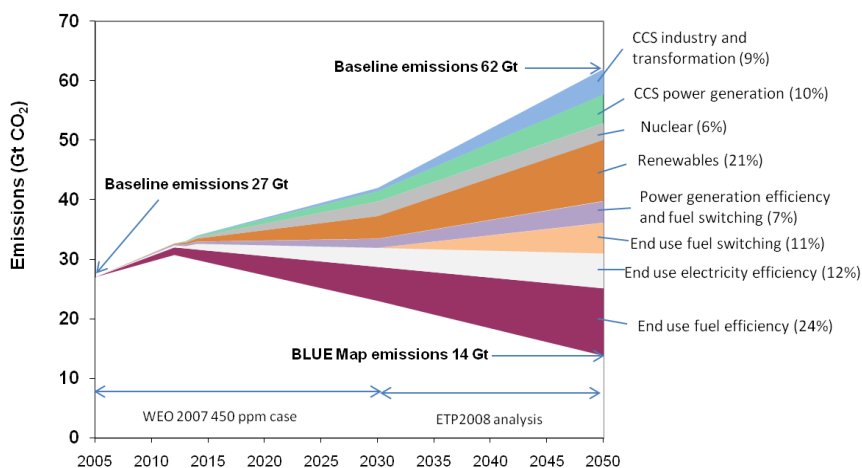
In an effort to expedite the development of carbon dioxide capture and storage (CCS) as a viable climate change mitigation technology, regulations are under development in a number of countries. To help inform the development of legal and regulatory frameworks for CCS, on 13-14 May, 2008, the International Energy Agency (IEA) launched the International CCS Regulators' Network. The Network will meet regularly to provide updates and exchange views on specific legal, regulatory, and policy issues associated with the expansion of CCS worldwide. For more information about the IEA's CCS Programme of Work, visit <http://www.iea.org/Textbase/subjectqueries/cdcs.asp>.

This Summary Document attempts to capture the main points of discussion from the launch meeting, with a particular emphasis on the brainstorming discussion session that was held at the end of the workshop. Comments on this document are welcome; please contact Ingrid Barnsley at Ingrid.barnsley@iea.org to provide feedback.

Day One

The IEA's Executive Director Mr. Nobuo Tanaka opened the workshop by explaining global energy and environmental challenges with an urgent call to action. Citing the IEA's analysis from its forthcoming *Energy Technology Perspectives 2008* publication (to be released early June 2008), Mr. Tanaka called attention to the need for an energy revolution to achieve climate change stabilization goals. Fig. 1 below highlights the rapid growth in the use of a portfolio of energy technologies that will be required to achieve international climate goals by 2050 (see Fig. 1 below).

Figure 1. A New Energy Revolution: Cutting Energy-Related CO₂ Emissions



Source: *Energy Technology Perspectives*, OECD/IEA, Paris (2008).

Mr. Tanaka also stressed the important role that CCS must play in any future climate change mitigation scenario, saying that the IEA expects it to deliver 20% of emissions reductions by 2050.

Mr. Tanaka was followed on the opening panel by Professor Richard Macrory of University College London's (UCL) Carbon Capture Legal Programme, who emphasized the importance of CCS and highlighted UCL's work to gather global legal developments in the area of CCS on its website (available at <http://www.ucl.ac.uk/cclp/>). Professor Macrory also expressed UCL's support for the Network via its co-sponsorship of this launch meeting.

This opening panel was followed by a second scene-setting panel, in which IEA's Antonio Pflüger provided additional background on the IEA's work to advance CCS, particularly through the G8 Programme of Work and the IEA GHG Implementing Agreement's technical work and networks. Tim Dixon of IEA GHG provided a review of the major international developments in legislation and regulation for CCS, including in the climate change and marine environment treaties, emphasising the key regulatory principles which have now been established regarding CCS. The panel concluded with a summary of CCS legal and regulatory issues, including topics like: CCS financing and incentives, as well as relationship to greenhouse gas (GHG) regulatory schemes; property rights and access issues; CO₂ transport pipeline access and safety/health issues; long-term liability for CO₂ storage, and a number of other topics.

The remainder of Day One involved government representatives from the European Commission, the United States, The United Kingdom, Norway, Australia, Canada and Japan giving overviews of the latest legal and regulatory developments affecting CCS in their jurisdictions. These and all of the workshop's presentations are available on the IEA website at http://www.iea.org/Textbase/work/workshopdetail.asp?WS_ID=361.

Day Two

Day Two was devoted to a series of three panels exploring legal issues and developments in more detail. The first panel explored the relationship between CCS and GHG regulatory efforts, and included a detailed technical presentation on CO₂ monitoring and site selection technologies and methods, followed by discussions of proposed incentive and mandatory schemes in the United States and some thoughts about legal issues from a law firm's perspective. Panel two included presentations on property rights issues associated with CO₂ storage, with a particular focus on the peculiarities of the United States property law. Finally, the third panel includes CO₂ transportation issues and long-term liability models and current status in this important area.

Brainstorming Session

The final session was chaired by IEA's Tom Kerr and UCL's Ian Havercroft. They explained that the goals for the session were to evaluate the value of the CCS Regulators' Network, and to decide future priorities and activities. They also laid out a proposed list of activities for the coming year, including enhancing the UCL website (described earlier) to include up-to-date legal developments and analysis, a series of web conferences that go much deeper on specific legal/regulatory topics, documentation of case studies and another Network meeting sometime in 2009. The following summary captures the main points of discussion during the brainstorming that followed.

- The Network is filling an important gap by focusing on detailed technical/regulatory issues that benefit from increased international collaboration. The IEA should not dilute this focus

by including broader CCS issues like tracking demonstration projects or surveying public opinions about CCS.

- The legal and regulatory challenges faced by regions, countries and even sub-national jurisdictions are not uniform and a “one size fits all” approach will fail to account for differences in political traditions, regulatory regimes, surface and subsurface rights, and socio-economic development. There is, however, clear value in establishing a forum for dialogue amongst regulatory officials from around the world to exchange views and lessons learned.
- The major hurdle for CCS is locating adequate leadership and financing for the first round of up to 20 demonstration projects by 2020. While this is critical, it should be done outside of the Network. Tom Kerr assured that the IEA will call attention to this urgent need with its G8 Recommendations in July as well as through a possible “CCS Summit” later this year.
- The Network should be expanded to include new members, most importantly government representatives from rapidly growing regions like China, India, Russia and other emerging economies to help them think through the needs and models for CCS policy and regulation. A representative from India asked for assistance in presenting appropriate policies to the government.
- The IEA GHG, and the Carbon Sequestration Leadership Forum (CSLF), another meeting co-sponsor, are already operating international networks that share technical information, best practices, and demonstration project developments. It was felt that this Network should not duplicate these efforts, and instead should attempt to liaise with other existing initiatives and leverage these resources where possible.
- In terms of specific topics for future web conferences, site selection methodologies, CO₂ transport and storage health & safety issues, liability frameworks, particularly for the long-term and formal public consultation methods and tools (as opposed to public opinion taking) were raised. Some of these areas are being covered by IEAGHG (as mentioned above), and the close cooperation between IEAGHG’s more technical programme and this network’s regulatory programme should ensure that work is not duplicated and information is shared and used most efficiently.
- Some felt that the IEA and/or UCL should create an “E-room” on their websites to allow posting of questions and answers and other discussion around specific points.
- There was some discussion about the need to harmonize international guidelines, e.g., for monitoring & verification of CO₂ retention at storage sites. Some felt the IEA and the Network should strive to achieve harmonization and best practices; others felt that this was an impossible task and would limit the Network’s effectiveness. The IEA will attempt to capture case studies and document them rather than to focus primarily on best practices or harmonization.

Next Steps

The IEA will continue to communicate with the full Network, including those who attended the launch meeting and several others who have asked to be included in future web conferences and events. Within the next month, the IEA will send a proposed calendar of events and begin soliciting speakers and participants. Network members are also strongly encouraged to engage their counterparts in their own networks to participate where appropriate; the Network will only be as strong as its members.