

### **Draft feedback on Article 33 guidance**

#### **4.1.1 Environment, safety and other approvals**

A large number of approvals are required for a CCS project to be regulated in the EU. Furthermore there are often complex interactions between approvals, e.g. approvals may need to be sequenced. Therefore the requirements for developers to “conduct feasibility studies for relevant approvals” and “prepare key documents for approvals” have the potential to be onerous and very costly. In particular the term “prepare key documents” is ambiguous and could be interpreted as materially progressing the approvals process. If this was required then the costs of meeting this obligation could be very significant.

#### **4.1.2 Public awareness and engagement**

We have significant concerns on requiring developers to engage the public on the risks of CCS and respective mitigation measures under the Article 33 requirements. A developer that has decided that they will not develop CCS at the site and instead will undertake a CCR assessment is highly unlikely to put in place the resources that are required to meaningfully and successfully engage the public on CCS. This risks a number of outcomes;

1. Poor communication on the risks and benefits of CCS generate public resistance to CCS at the site. This could create future public resistance challenges at the stage that the developer actually wish to retrofit CCS and could jeopardise delivery of the project.
2. The developer risks their credibility with the public as it may be perceived that the developer is consulting on a projects that they have no intention to develop. This risks their ability to be a trusted partner during any future consultations.
3. This creates a perception that CCS is being used as a cover for business-as-usual activity, i.e. a future (unenforceable) promise to fit CCS is used to enable the construction of unabated fossil power plants that will never retrofit CCS. This risks undermining the importance of CCS as a critical CO<sub>2</sub> mitigation technology.

#### **4.2.2 A layout of the plant which takes into account the capture and transport equipment**

The point in 4.1.1 above on the potential costs of applying this requirement also apply here.

The guidance here and elsewhere implies that the capture plant will be located on the site of power station. There are potential configurations where fuel is decarbonised remotely and transported to the plant, e.g. as hydrogen or ‘green gas’. Capture facilities may therefore not be needed on the site.

#### **4.3.1 Consideration of ‘best available data’ for storage site selection** &

#### **4.3.2 Estimating storage potential and injectivity of selected sites**

Accurately determining the storage capacity, injectivity and containment of potential storage sites is an expensive undertaking. For some sites this can also take a significant period of

time. It is unlikely that prospective power plant developer will have the capability or resource to progress these assessments in a meaningful way. We therefore very much support the guidance on the importance of increasing national storage readiness levels.

#### 4.3.5 Public awareness relating to CO<sub>2</sub> storage

This section presupposes a negative response and should be more balanced. A good CCS project that brings clear and tangible regional benefits could be welcomed by the community.

As above we strongly disagree with undertaking public engagement on storage projects that are not under active development. This risks poor community engagement with negative outcomes.

#### 4.4.6 Public awareness relating to CO<sub>2</sub> transport

This section presupposes a negative response and should be more balanced. A good CCS project that brings clear and tangible regional benefits could be welcomed by the community.

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#### 5.1 Increasing national storage readiness levels

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#### 5.4 Identifying potential hubs / clusters

These are both very important recommendation that we support. These are important enabling activities for CCS and national governments have a central role to play in delivery.

#### Other issues

The guidance should recommend that national governments undertake modelling exercises on the technology mixes that can be deployed within the Member State in order to deliver on EU energy and climate policies. The outcomes of this modelling work should be publicly available and will help prospective project developers understand the future contribution that their new, and long-lived, generation asset can play in the energy mix. To ensure the most efficient transformation of the EU energy system the models should consider how to deliver the 2030 decarbonisation targets while also delivering on 2050 objectives.

The guidance should recommend that national governments consider the market interventions that might be necessary to enable the development of CCS. This will play a critical role in supporting CCS in the period before carbon prices under the EU ETS are high and sustained enough alone to drive the required investment in CCS.