

Calif. panel signals 'viable' path forward for CCS projects

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Carbon capture and storage is a necessary, safe and viable option for California polluters as they eye ways to comply with the greenhouse gas emissions cuts called for under state law, a state-sanctioned panel of scientists, industry officials and environmentalists argue in a new report.

The report, from a review panel created a year ago by three state agencies, recommends that California move forward with CCS under the umbrella of its climate change law, A.B. 32, which calls for emissions cuts to 1990 levels by 2020 starting next year.

The panel looked at the uncertainties and perceived dangers surrounding the CCS concept, which involves injecting carbon dioxide into underground formations, and decided the technology should get a place among the assortment of measures authorized to reach A.B. 32 targets.

Among the key recommendations made by the panel is the finding that, for capped stationary sources under A.B. 32, the state should "recognize CO₂ sequestered by CCS projects as having not been emitted to the atmosphere ... with the result that an allowance is not required to be held for each ton of CO₂ that is captured and geologically stored."

The report goes on to say the California Energy Commission should be designated lead agency for regulating CCS projects under the California Environmental Quality Act. It also seeks to establish the first-ever guidelines as to land ownership, recommending the state Legislature "declare that the surface owner is the owner of the subsurface 'pore space' needed to store CO₂."

As for federal overlap, the report advises state regulators to evaluate rules issued last year by U.S. EPA. California should consider seeking primacy for permitting carbon wells under the Underground Injection Control Program, the report says, referring to two EPA rules meant to aid the expansion of CCS for fossil fuel-burning power plants.

The first rule creates new "Class VI" injection wells for sequestration to be regulated by EPA, while the second would permit holders to create a CO₂ monitoring, reporting and verification plan, and to report the amount of CO₂ sequestered using a mass balance approach under the Clean Air Act.

State fire marshal gets authority over CO₂ pipelines

A participant on the panel from the Natural Resources Defense Council, George Peridas, said this recommendation does not mean California should necessarily be doing more on the regulatory and permitting front.

"These two rules cover many of the regulatory bases for permitting geologic sequestration wells, and the panel recommended that the state analyze the extent of those rules, and decide whether to request primary enforcement authority from U.S. EPA and administer the new UIC rule through a designated state agency," he explained on a blog post yesterday.

The panel also said the State Fire Marshal should be lead agency for regulating the safety and operation of intrastate CO₂ pipelines and urged the state to establish a industry-backed trust fund to ensure mothballed projects are monitored.

Peridas also blogged about this portion of the report, saying "California should not accept a situation whereby sites are closed but no entity is tasked with keeping an eye on them."

He added: "It should also be noted that the panel did not recommend that California assume the long-term liability for decommissioned storage projects -- maintaining the status quo would hold operators responsible for their actions under existing laws and regulations."

One of the architects of the A.B. 32 implementation plan, Air Resources Board chief Mary Nichols, said she would heed the report's advice.

"Carbon capture and storage shows promise as a climate change mitigation strategy, and the review panel findings identified important next steps including development of methods for emissions monitoring, verification and reporting," Nichols said in a statement.