

Directiva 2009/31/UE (CCS) the transposition and implementation

SUMMARY

- **Europe Strategy 2020**
- **The legislative package "Energy – Climate Change"**
- **CCS Directive – purpose, scope, content**
- **Transposition into national legislation Directive CCS**
- **Implementation of Directive CCS**
- **Legislative changes**



Europe Strategy 2020

Objectives from Climate Change and Energy:20/20/20, respectively:

- reduction of greenhouse gas (**GHG**) emissions by 20% by 2020, compared to 1990;
- increase the share of renewable energy (**RES**) of less than 7% in 2006, to 20% of its energy sources by 2020;
- reducing its global primary energy consumption by 20% by 2020.



The legislative package "Energy – Climate Change“

Directiva 2009/28/CE promote the use of renewable energy sources (RES)

Directiva 2009/29/CE amending Directive 2003/87/CE so as to improve and extend the greenhouse gas emission allowance trading scheme of the Community (EU-ETS)

Directiva 2009/30/CE amending Directive 98/70/CE as regards the specification of petrol, diesel and gas-oil introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/CE as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC



The legislative package "Energy – Climate Change“

Directiva 2009/31/CE on the geological storage of carbon dioxide (CCS)

MS Decision 460/2009/CE effort to reduce greenhouse gas emissions (GES), in order to meet commitments to reduce (GES) emissions by 2020 (30%)

**Inform 2008/C 82/01 from EU institutions and bodies
“Community Guidelines on State aid for environmental protection“**

CCS Directive - purpose, scope, content

Directive 2009/31/EC of 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) nr. 1013/2006 was published in the Official Journal of the European Union L series no.140 dated 05 June 2009 end is due for transposition into national law 25 June 2011.



CCS Directive - purpose, scope, content

CCS Directive - purpose

Art. 1(1) This Directive establishes a legal framework for the environmentally safe geological storage of carbon dioxide (CO₂) to contribute to the fight against climate.

CCS Directive – scope

Art. 1(2) The purpose of environmentally safe geological storage of CO₂ is permanent containment of CO₂ in such a way as to prevent and, where this is not possible, eliminate as far as possible negative effects and any risk to the environment and human health.

CCS Directive - purpose, scope, content

The Directive contains provisions relating mainly to exploration and storage sites is subject to the procedure of granting of exploration and geological storage of CO₂ is subject to the permit procedure for storage and provision for monitoring equipment and complex injection storing, organizing a system of inspections, financial security obligations and post-closure operator closure of the storage site, the conditions for transfer of obligations by the operator's competent authority contained in the following chapters:

CCS Directive - purpose, scope, content

I. GENERAL PROVISIONS

II. SELECTION OF STORAGE SITES AND EXPLORATION PERMITS

ANEXA No: I

CRITERIA FOR THE CHARACTERISATION AND ASSESSMENT OF THE POTENTIAL STORAGE COMPLEX AND SURROUNDING AREA REFERRED TO IN ARTICLE 4(3)

Step 1: Data collection

Step 2: Building the three-dimensional static geological earth model

Step 3: Characterisation of the storage dynamic behaviour, sensitivity characterisation, risk assessment

CCS Directive - purpose, scope, content

III. STORAGE PERMITS

IV OPERATION, CLOSURE AND POST-CLOSURE OBLIGATIONS

ANEXA No: II

CRITERIA FOR ESTABLISHING AND UPDATING THE MONITORING PLAN REFERRED TO IN ARTICLE 13(2) AND FOR POST-CLOSURE MONITORING

1. Establishing and updating the monitoring plan
2. Post-closure monitoring

CCS Directive - purpose, scope, content

V. THIRD-PARTY ACCESS

VI. PENALTIES

VII. AMENDMENTS

VIII. GENERAL PROVISIONS

Transposition

A ministerial working group for implementation of Directive CCS was set up by Order of the minister of environment and forests no. 323 of 03/10/2010

The working group for implementation of Directive CCS includes the representatives of: MEF, NEPA, NEG, METBE, NAMR, RERA, MI, DEA and of the Institute for Studies and Power Engineering, National Institute for Research - Development of Marine Geology, Geoecology and University of Bucharest - Faculty of Geology and Geophysics

- **Initiator**

MEF - Ministry of Environment and Forests

- **Co-initiator**

METBE - Ministry of Economy, Trade and Business

Environment

- **Advised**

NAMR - National Agency for Mineral Resources

RERA - Romanian Energy Regulatory Authority

DEA - Department for European Affairs

MPF - Ministry of Public Finance

MLFSP - Ministry of Labour, Family and Social Protection

MJ - Ministry of Justice



Transposition

On 22 February 2011 was finalized the draft Government Ordinance on the geological storage of carbon dioxide and curenly is follwing the minsiterial approval process;

In order to comply with the Law 544/2001 regarding free access to public information and Law 52/2003 on transparency decisions in government, the draft Government Ordinance was published on the ministry's webpage.

The screenshot shows the website of the Ministry of Environment and Forestry (MMP) in Romania. The browser window is titled "Ministerul Mediului - legislatie, proiecte acte normative - Windows Internet Explorer". The URL is "http://www.mmediu.ro/legislatie/legislatie.htm". The website header includes the Romanian coat of arms and the text "ROMANIA MINISTERUL MEDIULUI ȘI PĂDURILOR". Navigation links include "prima pagină", "harta site", "legături utile", and "contact". A search bar with "Google" and "căutare" is present. The main menu lists "protecția mediului", "protecția naturii", "gospodărirea apelor", "păduri", "afaceri europene și relații internaționale", "programe de finanțare", and "ong media". The "legislație > proiecte acte normative" section is active, showing a list of legislative projects. The main content area displays two news items:

- [22.02.2011] - **Proiect de Hotărâre privind reorganizarea Comitetului Interministerial pentru coordonarea integrării domeniului protecției mediului în politicile și strategiile sectoriale la nivel național**
 - În conformitate cu art. 6 Legea nr. 52/2003 privind transparența decizională în administrația publică, Ministerul Mediului și Pădurilor (MMP) supune dezbaterii publice proiectul de act normativ "Hotărâre privind reorganizarea Comitetului Interministerial pentru coordonarea integrării domeniului protecției mediului în politicile și strategiile sectoriale la nivel național". Cetățenii și instituțiile interesate pot transmite opinii/proponeri/sugestii, în termen de **10 zile de la data publicării (22 februarie - 07 martie 2011)** la Ministerul Mediului și Pădurilor, în atenția d-rei. Mihaela Ștefănescu, consilier în cadrul Direcției Schimbării Climatice și Dezvoltare Durabilă pe adresa de e-mail mihaela.stefanescu@mmediu.ro. Informații la telefon: 021.311.71.54, int. 2466.
 - » Proiect de Hotărâre
- [22.02.2011] - **Proiect de Ordonanță de Urgență a Guvernului care transpune în legislația națională prevederile Directivei 2009/31/CE a Parlamentului European și a Consiliului din 23 aprilie 2009 privind stocarea geologică a dioxidului de carbon și de modificare a Directivei 85/337/CEE a Consiliului, precum și a Directivelor 2000/60/CE, 2001/80/CE, 2004/35/CE, 2006/12/CE, 2008/1/CE și a Regulamentului (CE) nr. 1013/2006 ale Parlamentului European și ale Consiliului publicată în Jurnalul Oficial al Uniunii Europene (JOUE) nr. L 140 din 05 iunie 2009**
 - Cetățenii și instituțiile interesate pot transmite opinii/proponeri/sugestii, în termen de **10 zile de la data afisării (22 februarie 2011)**. Persoanele de contact din cadrul ministerului sunt d-na Adriana Maria STOICA, consilier superior și d-ul Valentin VUJELIE, consilier principal, tel/fax: 021 316 04 21, e-mail adriana.stoica@mmediu.ro și valentin.vujelie@mmediu.ro.
 - » Proiect de Ordonanță de Urgență
- [22.02.2011] - **Lege pentru ratificarea Acordului multilateral între statele din sud-estul Europei pentru aplicarea Convenției privind evaluarea impactului asupra mediului în context transfrontieră, semnat la București, la 20 mai 2008**
 - În conformitate cu Legea nr. 52/2003 privind transparența decizională în administrația publică, cu modificările și completările ulterioare, Ministerul Mediului și Pădurilor supune dezbaterii publice proiectul

The provisions of this ordinance:

This applies to: *geological storage of carbon dioxide on the Romanian territory, exclusive economic zone of Romania in the Black Sea and the Black Sea continental shelf for Romania, according to United Nations Convention on the Law of the Sea (UNCLOS), ratified by Romania by Law No. 110/1996 - Article 3 par. (1)*



Not applicable: the geological storage of carbon dioxide in a total intended storage below 100 kilotons, which aims to research, development and testing of new products and processes.

Deny:

- carbon dioxide storage in a storage site of the storage complex which extends beyond the area referred to in Article 3. (1).
- storing carbon dioxide in the water column.



Implementation of CCS



European Commission - to optimize the implementation of Directive 2009/31 / EC on CO₂ geological storage (CCS) published **in late March 2011** guidance documents, and **4 guides** so:

- **GD1: CO₂ Storage Life Cycle Risk Management Framework**
- **GD2: Site Characterisation, CO₂ Stream Composition, Monitoring and Corrective Measures**
- **GD3: Criteria for Transfer of Responsibility to the Member State**
- **GD4: „Article 19 Financial Security and Article 20 Financial Contribution”**

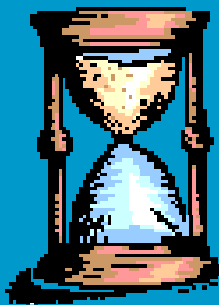
http://ec.europa.eu/clima/policies/lowcarbon/ccs_implementation_en.htm

Legislative changes



Directive 85/337/EEC (EIA Directive)

GD no. 445/2009 on the assessment of the impact on the environment of certain public and private projects

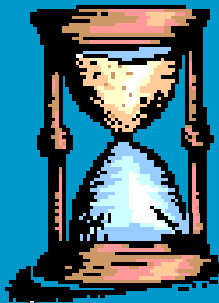


Legislative changes



Directive 2000/60/EC (EU Water Framework Directive)

Law no. 107/1996 - Water Law with modification and completion by Law no. 310/2004

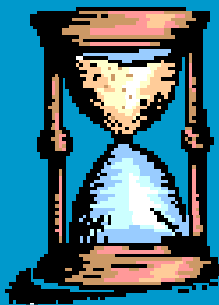


Legislative changes



Directive 2001/80/EC (LCP Directive)

GD. 440/28.04.2010 concerning the establishment of measures to limit air emissions of certain pollutants from large combustion plants –

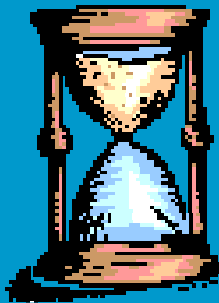


Legislative changes



Directive 2004/35/EC (Environmental Liability Directive)

GEO no. 68/2007 on environmental liability with regard to the prevention and remedying of environmental damage, as amended and supplemented by Law no. 15/2009

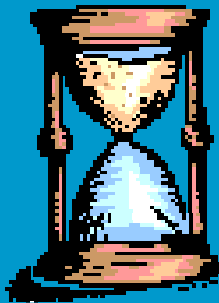


Legislative changes



Directive 2006/12/EC (Waste Management Directive)

GEO no. 78/2000 on waste, as amended and supplemented (Law no. 426/2001, Law no. 101/2006, GEO no.61/2006, Law no. 27/2007)



Legislative changes



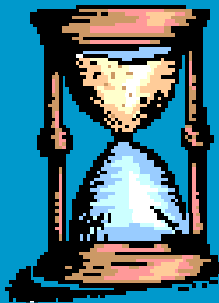
Directive 2008/1/EC (IPPC Directive)

**Note: the IPPC Directive provisions are already in place -
GEO no. 152/2005, concerning integrated pollution
prevention and control, modified by GEO no. 40/2010
(approved by Law no. 205/2010)**

Legislative changes



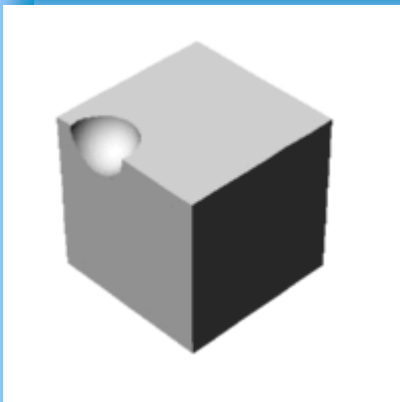
**Regulation (EC) no. 1013/2006 of the
European Parliament and of the Council
of 14 June 2006 on shipments of waste**



The future of man as a world

no dream is built.

Eugen Lovinescu



Thank you for your attention !

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