Known Unknowns: Legal, Regulatory and Public Policy Issues with CCS and CCUS and Possible Solutions

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https://www.youtube.com/watch?v=GiPe10iKQuk

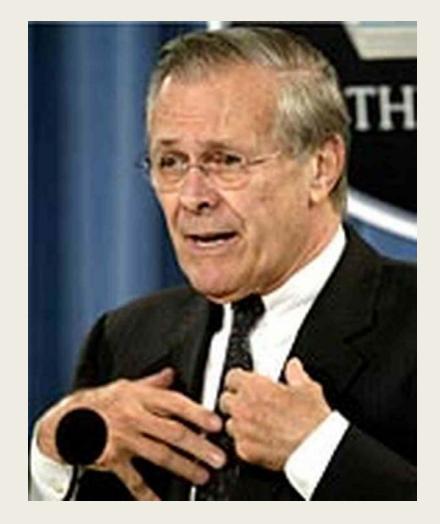


Photo: https://rightweb.irconline.org/profile/rumsfeld_donald/

Legal Regulatory & Public Policy Issues

- Capture
 - Transportation
 - Storage

- Ownership rights
- Risk mitigation and allocation
- Protection of the public interest

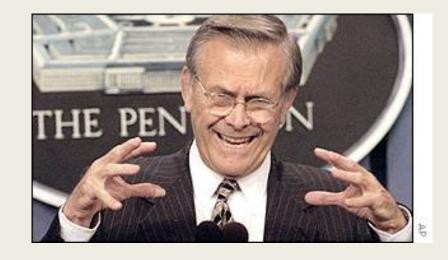


Photo: http://news.bbc.co.uk/2/hi/americas/1536135.stm

Capture

■ Sources: coal and ethanol

■ Rate-payers' interests

By generator or contractor



Photo: https://rightweb.irc-online.org/profile/rumsfeld_donald/

Transportation

■ Right-of-way acquisition & eminent domain

■ In-transit liability and risk of loss

Sources of regulation



Photo: https://www.defense.gov/About/Biographies/ Biography-View/Article/602800/

Storage

- Pore space ownership and trespass; relation of surface and mineral estates
- Pore space acquisition, aggregation, and takings
- Regulatory concerns in site selection, injection, and financial assurance
 - Carbon Dioxide Reduction Act of 2007 and would-be regulations
 - UIC Class VI Program
- CO2 ownership and short- and long-term liability; costs of monitoring, management, and closure

Legal Regulatory & Public Policy Solutions

- The "Wyoming Model"
 - Pore space ownership in surface; mineral estate dominant
 - Unitization with 80% consent
 - Ownership and liability for stored CO2 with site operator perpetually
 - State fund for long-term management and monitoring
- The "Public Utility Model"
 - One or more specialized public utilities for transportation and storage
 - Regulatory jurisdiction with KCC
 - Eminent domain for right-of-way acquisition, site aggregation

Questions?



Photo: https://medium.com/fluxx-studio-notes/life-advice-from-donald-rumsfeld-that-actually-works-4bc250ad4e30