

Transport and Storage Infrastructure Work Group: Background Summary

Prior Coalition Consensus Positions

- **Support supplemental safety measures for CO₂ pipelines, in particular by recommending Congress pass PHMSA reauthorization**
 - Expand first responder training for CO₂ pipeline safety incidents.
 - Require that project proponents more rigorously consider potential geohazard impacts on CO₂ pipelines during design, siting, construction, and maintenance.
 - Request that PHMSA conduct additional reporting on the public safety record of CO₂ pipelines.

- **Provide clarity for CO₂ storage projects on federal lands**
 - While the Bureau of Land Management (BLM) has authorized mineral extraction projects that impact the subsurface of federal lands for nearly a century, there has yet to be a Class VI well authorized for permanent CO₂ storage on federal lands.
 - Uncertainty remains for CO₂ storage developers, including questions surrounding pore space ownership, land use plans, and interaction with other regulatory agency authorizations for CO₂ storage.
 - Guidance for storage under National Forest Service managed lands.
 - BIL granted authority for CO₂ storage in the outer continental shelf (OCS); BOEM and BESEE need to issue regulations for storing CO₂ on the outer-continental shelf (OCS).
 - While there are marked differences between offshore and onshore environments, relevant federal agencies should support the same rigor of monitoring, reporting.

- **Support implementation of Title 41 of the FAST Act**
 - In the US, it is estimated that CO₂ pipelines will need to expand to 25,000–65,000 miles to meet net zero and midcentury climate targets.
 - Rail and trucking can transport CO₂ from sites that are not economic to connect to pipeline systems.
 - The administration should require federal agencies to implement the authority established under FAST-41 to ensure that project development can move forward within time frames that ensure successful project deployment.

- **Class VI Wells – Predictable Review Timelines and Support for Primacy and Individual Well Applications**
 - The Coalition recognizes that states and EPA regulators are the best determinants of a state’s capacity and ability to implement Class VI primacy programs: the Coalition advocates equally for resources for both federal and state permitting authorities, where appropriate.
 - Class VI well permits are the lynchpin to scaling geologic storage to climate scale. Project developers require certainty and predictability to move forward to secure project financing without sacrificing a rigorous review process.
 - In our FY25 appropriations request, the Coalition stated that predictable timelines for Class VI review were crucial to projects moving forward.
 - In our FY25 appropriations request, the Coalition recommended that EPA review and provide a final decision on individual Class VI injection well applications within 18 months of having been deemed ‘administratively complete’ by the Underground Injection Control Program.

- **Create optional pathway for federal siting authority for interstate CO₂ pipelines**
 - Interstate CO₂ pipelines are sited on a state-by-state basis while, in contrast, there is federal siting authority for interstate natural gas pipelines under the Natural Gas Act.
 - The Coalition supports establishing an optional a pathway for federal siting authority for interstate carbon dioxide pipelines to provide similar parity for all linear infrastructure types.
 - Priority is to maximize the benefits of recent federal historic investments dedicated to carbon management infrastructure to enable efficient and responsible buildout of the necessary CO₂ pipeline network.
 - An optional federal pathway for the interstate construction process for CO₂ pipelines could provide additional certainty to project developers.
 - Projects that are well served by the current state by state regulatory siting authority should be allowed to continue with that process.

- **Guiding Principles for Permitting**
 - Unprecedented federal bipartisan investments in carbon management technologies have set the stage to scale deployment, but building out associated infrastructure will require efficient and effective permitting, grounded in robust environmental protections and community engagement.
 - Principles:

- Ensure federal and state agencies have the resources to efficiently complete a growing number of reviews and community engagement processes as carbon management projects scale in deployment.
- Ensure early, robust, meaningful, and timely public engagement and input from affected communities is reflected in decision making.
- Ensure environmental standards and protections are maintained, and environmental outcomes are strengthened.
- Direct agencies to appropriately use programmatic review and categorical exclusions for carbon management infrastructure.
- Create a pathway for federal siting authority for interstate CO₂ pipelines, creating appropriate parity for all types of interstate linear infrastructure.
- Ensure review of Class VI state primacy applications, as well as individual Class VI well applications, occur on a reasonable and predictable timeframe.

Framing Questions for Discussion

- Are there other regulatory needs related to transport and storage that the Coalition needs to consider?
 - Currently, we support the agency issuing and finalizing the PHMSA rulemaking, issuing and finalizing the OCS storage rules, providing certainty and transparency in the Class VI application process.
- How do we want to continue to support the buildout of interstate CO₂ pipelines?
 - Beyond CIFIA and federal backstop authority, are there other topics that would help to build out coordinated, regional CO₂ transport systems?
 - Do we need DOE to undertake regional planning for CO₂ corridors? (see [DOE Transmission Siting and Economic Development Grants Program as a potential model](#)).
- Beyond existing federal programs for scaling geologic storage (Class VI well program, CarbonSAFE), what is the federal role in maximizing safe, permanent geologic storage?
 - Is there a federal role for coordinating basin-scale geologic storage, to allow for maximizing CO₂ injection and storage? (See recent DOE funding award announcement for [Technical Assistance in Geologic Basins Targeted for Carbon Storage](#)).
- Should the federal government assume long term environmental liability for carbon storage projects?

- States have begun creating frameworks for assuming long term liability over CO₂ storage.
- Is there a need for a federally pooled trust fund to cover the long-term liability of CO₂ storage (post-injection)?
- Would enacting a tiered liability structure, where project developers cover the liability up to a certain dollar amount, and then a pooled fund administered via the federal government (similar to the Price Anderson Act), create more certainty for project developers and greater certainty for host communities?

New Topics for Discussion

- **Transmission Siting and Economic Development Grants Program:** comparisons and lessons for federal siting authority for CO₂ pipelines
 - The Transmission Siting and Economic Development (TSED) Grant Program is a \$760 million investment through the Inflation Reduction Act (IRA) administered by DOE's Grid Development Office (GDO) designed to advance critical transmission projects by accelerating siting and permitting while supporting economic development efforts in communities impacted by transmission construction and operation.
 - Includes 2 types of grants:
 - Grants for siting and permitting activities; and
 - Grants for economic development activities.
 - GDO selected four siting and permitting projects for a combined federal investment of more than \$17 million. GDO selected 16 economic development projects for a combined investment of more than \$353 million.
 - Applicants applying for support for siting and permitting activities under IRA Section 50152(b)(1) may propose one or more of the activities below:
 - Studies and analyses of the impacts of the covered transmission project.
 - Examination of up to 3 alternate siting corridors within which the covered transmission project feasibly could be sited.
 - Participation by the siting authority in regulatory proceedings or negotiations in another jurisdiction, or under the auspices of a Transmission Organization (as defined in section 796 of title 161) that is also considering the siting or permitting of the covered transmission project.
 - Participation by the siting authority in regulatory proceedings at the Federal Energy Regulatory Commission or a State regulatory commission, or relevant authority within an Indian Tribe, for

determining applicable rates and cost allocation for the covered transmission project.

- Other measures and actions that may improve the chances of, and shorten the time required for, approval by the siting authority of the application relating to the siting or permitting of the covered transmission project, as the Secretary determines appropriate.

- **Long-term Environmental Stewardship for CO₂ Storage**

- Currently, there is no federal framework for the long-term environmental stewardship of CO₂ storage.
- A handful of states have promulgated post-closure stewardship laws, which transfer liability to the state after a certain number of years.
- The Price Anderson Act serves to limit nuclear operators' liability. Industry provides pooled funds to the federal government through a 'tipping fee'. The operator covers liability up to a certain level, the industry pooled fund covers a certain amount, and then above the pooled fund, the federal government assumes liability.
- See: Colorado School of Mines: [Locked up for the long term: risk mitigation and liability assumption in the geological storage of CO₂](#)

Resources

- [2023 Policy Blueprint](#)
- [CCC Guiding Principles for Permitting](#)
- [CCC Comment to National Forest Service](#)
- [CCC PHMSA Pipeline Safety Fact Sheet](#)
- [CCC Class VI Injection Wells Fact Sheet](#)
- [CCC SFR to House Energy & Commerce on PHMSA](#)
- [CCC SFR to Senate ENR on Offshore Energy Strategies and Policies](#)
- [FOA: Transmission Siting and Economic Development Grants](#)
- [FY2025 Senate Appropriations Readout](#)
- Colorado School of Mines: [Locked up for the long term: risk mitigation and liability assumption in the geological storage of CO₂](#)

Have to run - but wanted to say that there was discussion of a national CO₂ storage easement framework to ensure a base level of landowner protections - if that went forward, the federal long-term stewardship could tie in there