

(English version)

**Question for written answer E-000342/21  
to the Commission**

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(20 January 2021)

*Subject:* Laws for geological storage of carbon dioxide in Italy

Article 60a of Italy's Simplification Decree introduces provisions regulating the identification of areas for geological storage of carbon dioxide, preliminary storage authorisation permits, experimental exploration projects and the drawing up of programme contracts.

Depleted hydrocarbon fields lying under Italy's seabed are viewed as suitable sites for experimental CO<sub>2</sub> geological storage programmes. Experimental programmes involving a total volume for CO<sub>2</sub> geological storage of less than 100 kilotons are not subject to any environmental assessment requirements. The decree inserts a threshold (Article 4 of Directive 2014/52/EU) without, however, taking account of the selection criteria set out in Annex III to said Directive.

Various NGOs have highlighted how the provisions permit CO<sub>2</sub> storage projects to be launched — 'in some cases without an environmental impact assessment and excluding the agreement with the regions for projects involving storage at sea' — in depleted hydrocarbon fields, avoiding the costs of environmental restoration. Carbon dioxide could be stored in depleted hydrocarbon wells 'lying above natural seismic sources that have not been assessed for risk'.

Does the Commission consider these provisions to be at odds with the information conveyed in its answer to Question E-005352/2020 and with Directives 2009/31/EC and 2014/52/EU?

**Answer given by Executive Vice-President Timmermans on behalf of the European Commission**  
(25 March 2021)

Directive 2009/31/EC<sup>(1)</sup> does not apply to geological storage of CO<sub>2</sub>, with a total intended storage below 100 kilotons, undertaken for research, development or testing of new products and processes (Article 2(2)). The Commission considers that the risks related to research, development or testing of new products and processes related to storing CO<sub>2</sub> in small volumes are not significant, and imposing the strict requirements of the directive would slow down or halt useful research for further improving the safety of geological storage of CO<sub>2</sub>.

Projects for installations for geological storage of CO<sub>2</sub> fall under the scope of the Environmental Impact Assessment (EIA) Directive<sup>(2)</sup>. Projects for installations listed in Annex I<sup>(3)</sup> are subject to a mandatory EIA. For projects for installations listed in Annex II<sup>(4)</sup>, Member States have to determine either through a case by case examination or according to thresholds or criteria, if the project is to be made subject to an assessment because of its likely significant effects on the environment while always taking into account the relevant selection criteria set out in Annex III of the directive.

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<sup>(1)</sup> Directive 2009/31/EC of the 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) No 1013/2006.

<sup>(2)</sup> Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment.

<sup>(3)</sup> Storage sites pursuant to Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide or installations for the capture of CO<sub>2</sub> streams for the purposes of geological storage pursuant to Directive 2009/31/EC from installations covered by Annex I of the EIA Directive, or where the total yearly capture of CO<sub>2</sub> is 1,5 megatons or more.

<sup>(4)</sup> Installations for the capture of CO<sub>2</sub> streams for the purposes of geological storage pursuant to Directive 2009/31/EC from installations not covered by Annex I to the EIA Directive or pipelines for the transport of CO<sub>2</sub> streams for the purposes of geological storage.