
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 387

**The Storage of Carbon Dioxide (Licensing
etc.) Regulations (Northern Ireland) 2015**

Powers and duties of the authority

Consequences of revocation of a storage permit

12.—(1) This regulation applies where the authority has revoked a storage permit under regulation 11(7).

(2) The authority shall either—

- (a) close the storage site; or
- (b) consider any application for a new licence (and, if such a licence is granted, for a new storage permit) in respect of the storage site.

(3) Following the procedure under paragraph (2)(b)—

- (a) if no new storage permit is granted, the authority shall close the storage site (but the existing licence shall continue in force);
- (b) if a new storage permit is granted, the existing licence shall terminate on the date of that grant.

(4) Until the storage site is closed, or the new storage permit is granted, the authority is deemed to be the operator of the site for the purposes of the following obligations—

- (a) in relation to the acceptance and injection of CO₂;
- (b) in relation to monitoring;
- (c) in relation to corrective measures;
- (d) in relation to the surrender of allowances under legislation implementing the ETS Directive; and
- (e) under legislation implementing Articles 5(1) and 6(1) of the Environmental Liability Directive.

(5) Where the storage site is closed under paragraph (2)(a) or (3)(a), the authority—

- (a) is deemed to be the operator of the storage site for the purposes of the obligations referred to in paragraph (4)(b) to (e); and
- (b) shall ensure that the storage site is sealed and the injection facilities removed (but this is without prejudice to the obligations of any person under Part 4 of the Petroleum Act 1998(1)).

(6) The holder of the existing licence shall pay to the authority any reasonable costs incurred in meeting the authority's obligations under paragraph (4) or (5); and section 24(6) and (7) apply to the recovery of such costs as they apply to the recovery of costs under section 24(5).

(1) Section 30 of the Energy Act 2008 applies Part 4 of the Petroleum Act 1998 (c.17) to carbon dioxide installations (as defined by section 30(5))

(7) In this regulation, “existing licence” means the licence under which the revoked storage permit was granted.

(8) The authority may consult the Department of the Environment in relation to the carrying out by the authority of the obligations referred to in paragraph (4)(a) to (e) and paragraph (5)(b).