

Dansk Offshore – the Danish association for upstream oil, gas and CCS companies - has the following comments:

Despite Denmark being widely regarded as a CCS frontrunner country, we expect it to be somewhat uncertain as to whether our industry will be able to reach FID that warrants CCS-projects able to inject 4 mio. tons (our own “guesstimate”) of CO₂ by the end of 2030.

Key reasons for this are reasons NOT related to Danish upstream oil and gas companies: Such as national and EU-regulators processing time for review of permits and whether it is possible for firms to process the (by law) required technical surveys and work programs.

We would also like to emphasize that the value to European citizens and companies will be limited if costly CO₂ storage sites are set up in 2030 - and they do not have any customers amongst European emitters. Hence, we call upon lawmakers to make sure that a complete CCS value chain is established by 2030.

With respect to the delegated act (DA), we have the following remarks:

- a) NZIA article 23,(3) specifically mentions injection capacity as our industry's responsibility. Despite the wording of article 23 (12) in NZIA it is our opinion that there is no legal basis for the wording of article 5 (g) in the DA. It would require a change in the original NZIA regulation for the Commission to ask for and afterwards to publish confidential information on commercial agreements made by our members and a third party. Hence, we suggest article 5 (g) is deleted in the DA.
- b) Likewise, it would in our view also require a change in NZIA to ask for the planned transportation infrastructure that will be needed to transport CO₂ from emitters to the handover point as mentioned in article 5(f) in the DA, as this is also a part of a confidential commercial agreements made by our members with a third party. Hence, we suggest article 5 (f) is deleted in the DA.
- c) With respect to hand-over point. Dansk Offshore interprets this point as the point, where the CO₂ enters the offshore platform or the physical property of the onshore storage site. Please clarify this in the final DA.

- d) If the hand-over-point is not understood as the point where the CO₂ enters the offshore platform or the physical property of the onshore storage site, that would entail further economic obligations for upstream oil and gas companies not mandated in NZIA
- e) Dansk Offshore recommends the Commission to specify as soon as possible the threshold for exempted entities mentioned in article 3 of the DA.
- f) Furthermore, it is not feasible for the industry that progress reports should be kept updated between annual reports. We instead call for the Commission to issue rules where only material changes to the project timeline mandates updates of the annual report (e.g. evidence pointing to a reservoir not being tight, or a stand-still period occurs due to complaints from third parties).
- g) Also, we call upon the “30 June 2025”-deadline to be moved to the end of December 2025. As we haven’t received binding individual storage obligations yet from our competent authorities.
- h) We also call on the calculation formula in article 4 of the DA *only* to cover obligated entities to be in line with preamble 7 of the DA.
- i) Furthermore, we call upon NZIA to be revised with two adjustments. Firstly, an obligated entity should be exempted from fulfilling the obligation in NZIA article 23 (1) if (and only if) material and significant changes outside the obligated entity’s control impacts the obligated entity. That could be stand-still periods mandated in other legislation, delays in the EU or national competent authority’s processing of permits that jeopardize the timeline of the whole CCS project, significant market changes etc.
- j) Secondly we also call for a change of NZIA article 23 (7b). For this article to have any material meaning for a member state, the deadline needs to be a lot closer to 2030. We suggest the deadline to be end of 2029.