Changes, reviews and updates of national implementation legislation

1. Are there any changes to national legislation, permitting system or competent authorities that have taken place since the last report on implementation of the CCS Directive in your country?

No changes have been made since the submission of the third report.

Directive 2009/31/EC on the geological storage of carbon dioxide was transposed into national legislation by means of Legal Notice 346 of 2011 (Subsidiary Legislation 549.68, Geological Storage of Carbon Dioxide Regulations). These regulations were subsequently amended by Legal Notice 291 of 2015 (Geological Storage of Carbon Dioxide (Amendment) Regulations).

2. Are there processes in place for storage permit applicants to engage pro-actively with the competent permitting authorities regarding relevant applications? If yes, please provide details.

Currently the competent authority is not considering any storage permit applications. That said, the competent authority intends to proactively engage with future applicants if it exercises its right to determine the areas from which storage sites may be selected.

3. Please provide the name, email address and telephone of the contact point at the competent authority responsible for fulfilling the duties established under the Directive.

Name of the competent authority: Office of the Prime Minister and such other body or person as the Prime Minister may prescribe and designate.

Contact Person: Margaret Cassar, Director General, Sustainable Development, Environment and Climate Change within the Ministry for the Environment, Energy and Enterprise. Email address: margaret.a.cassar@gov.mt

Contact Person: Albert Caruana, Director General, Continental Shelf Department within the Ministry for Finance and Employment. Email address: albert.caruana@gov.mt

4. Are there any issues that the competent authority would like to discuss with other competent authorities in relation to the practical implementation of the Directive and the national permitting procedures in the Information Exchange Group under the auspices of Article 27(2)?

The Malta competent authority is interested in participating in exchange of information sessions with competent authorities from other Member States. Particularly, with respect to best practices when assessing the feasibility of geological storage of carbon dioxide in respective territories, prior to considering authorisation of such operations.

Selection of areas for storage sites (Article 4)

5. Which areas are determined from which storage sites may be selected pursuant to Article 4(1) until April 2023?

In 2021, the competent authority carried out a preliminary study to assess the potential for the geological storage of carbon dioxide in Malta. The results of this study highlighted geological risks and uncertainties associated with the offshore storage of carbon dioxide. In view of this study, the competent authority has not exercised its right to determine the areas from which storage sites may be selected pursuant to the requirements of the Geological Storage of Carbon Dioxide Regulations.

6. Will additional areas be determined from which storage sites may be selected in the period until the next report at the end of 2027, if so, which geological type of areas are considered (e.g, saline aquifers, depleted or not depleted gas & oil fields, mafic rocks) from a geological point of view and what are the next steps?

Member States are not obliged to justify any such decision, but an indication which territories are concerned, including their location, and why this has been done, would be appreciated.

It is not expected that new areas will be made available until the next reporting cycle.

7. Are there information about environmental and/or health risks relating to the geological storage of CO2 in accordance with the applicable Community legislation available to the public?

The competent authority has not issued any exploration or storage permits and thus it has not published any environmental and/or health risk guidelines specific to a particular sites or sites.

Exploration permits (Article 5)

8. Are there areas or specific sites where no exploration permits are required to generate the information necessary for the selection of storage sites, pursuant to Article 5?

The competent authority is of the view that exploration is required in all areas to generate the necessary data and information for site selection and thus all areas are likely to be subject to an exploration permit prior to the grant of a storage permit.

9. How many exploration permits have been given pursuant to Article 5 since your last reporting? Storage permits applications (Article 10)

No new exploration permits were granted since the last reporting in 2019.

10. Member States shall make the permit applications available to the Commission within one month after receipt. Are there any plans of potential operators to apply for storage permits pursuant to Article 7? If yes, please provide an approximate timing.

The competent authority is not aware of any potential applicants for storage permits.

Third-party fair and open access (Article 21)

11. What measures – if any – have been taken to ensure that potential users are able to obtain fair and open access to transport networks and to storage sites for the purposes of geological storage of the produced and captured CO2 (Article 21)

There are no existing storage sites in Malta and no transport networks for the transport of carbon dioxide to storage sites.

12. Are you aware that prospective transport operators and/or storage operators have refused access to their facilities on the grounds of lack of capacity?

This is not applicable for the reasons outlined in the reply to Q11.

13. What measures – if any – have been taken to ensure that the operator refusing access on the grounds of lack of capacity or a lack of connection makes any necessary enhancements as far as it is economic to do so or when a potential customer is willing to pay for them? (Article 21)

This is not applicable for the reasons outlined in the reply to Q11.

Transboundary cooperation (Article 24)

14. Is there any experience or plans for transboundary CO2 transport or CO2 storage sites or storage complexes? Please provide details on the status of preparations, if any.

CO2 capture readiness (Article 33)

There are no current plans or experience for transboundary cooperation on CCS as the competent authority has not yet exercised its right to determine the areas from which storage sites may be selected.

15. How many combustion plants with a rated electrical output of 300 MW or more have received a permit since the last implementation report? What was the outcome of the assessment under Article 36 of Directive 2010/75/EU4? In case of negative assessment, have the combustion plants set aside suitable space irrespectively? Please provide detail for each permit according to Annex 2.5

Since the last implementation report, no new combustion plants with a capacity of 300MW or more have been granted a permit.

Further questions

16. What other national programmes are in place or planned to support research, demonstration and deployment of CCS?

Since the submission of the third report, the competent authority carried out a preliminary study to assess the potential of geological storage of carbon dioxide. The results of this study highlighted geological risks and uncertainties associated with storage of carbon dioxide offshore Malta. The competent authority will be assessing the CCS option in the light of the results from this study and considering other decarbonisation options available for Malta.

17. Are there any ongoing national or European research projects that may have relevance to the Directive?

MFE (through the continental Shelf Department) is taking part in a five-year Coordinated and Support Action called Geological Service for Europe (GSEU). Work package 3 of this project covers underground storage inventory including carbon dioxide. This project is directly relevant to this Directive, as it seeks to provide an inventory atlas of subsurface storage of carbon dioxide sites, as well as the development of knowledge for subsurface management and planning of storage sites.

18. Are there other plans to support further appraisal of CO_2 storage sites, to prepare for CO_2 transport infrastructure or for CO_2 hubs and clusters?

Such plans may be considered when additional geoscientific data is available enabling the further assessment of the suitability of the area for the geological storage of carbon dioxide.