



Session 4: Open discussion questions

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Resolving the Legal and Regulatory Challenges to Geologic
Sequestration of CO₂—A CCSReg Project Workshop

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Questions for discussion

- Performance-based regulation:
 - Could we, in fact, structure a regulatory program—UIC or otherwise—that is driven on a performance basis?
 - Would this be such a radical change from the current structure that it isn't practicable?
 - Does this structure require differentiation between EOR and GS?
- Adaptive regulation:
 - After sleeping on it, is there a better way to "regularize uncertainty" rather than "institutionalize uncertainty?"

Questions for discussion

- Pore space:
 - Would a revised restatement of trespass that excepts intrusions in the subsurface be an alternative to our proposal?
 - While the cost to someone like C-12 is currently low—as a first entrance—what happens to the cost of pore space in the future?
 - If use of the pore space for recovery of EOR is required, and you leave more CO₂ in the ground than required for oil recovery, does this mean you have to deal with a surface owner?

Questions for discussion

- Integrating permitting in a program broader than the current UIC:
 - A program with a goal of protecting human health & environment through any medium, not just water.