



Styrelsen for Grøn  
Arealomlægning og Vandmiljø

Espoo Points of Contact in  
Norway  
Sweden  
United Kingdom  
Germany  
Poland  
the Netherlands

Agency for Green Transition and  
Environment

EIA and Plan

ESPOO

J.nr. 2025 - 11028

Ref. marbs

10th of June 2025

## **Notification regarding the environmental assessment of a proposed amendment to Executive Order on the geological storage of CO<sub>2</sub> below 100 kilotonnes for the purposes of research, development or testing of new products and processes.**

On 1 May 2025, Denmark issued an orientation concerning the upcoming strategic environmental assessment process for a proposed amendment to the Executive Order on the geological storage of CO<sub>2</sub> in quantities below 100 kt for the purposes of research, development or testing of new products and processes (hereinafter referred to as the Executive Order on pilot and demonstration projects).<sup>1</sup> This notification is being sent to you in your capacity as a point of contact for a neighbouring state that has expressed its intention to participate in the transboundary consultation process.

### **Legal basis**

The Espoo Convention and the associated Protocol on Strategic Environmental Assessment (SEA Protocol)<sup>2</sup> on transboundary environmental impacts have been implemented through the EIA Directive<sup>3</sup>, the SEA Directive<sup>4</sup> and the Danish Environmental Assessment Act<sup>5</sup>. These legal instruments require the notification and consultation of potentially affected countries, as well as the undertaking of environmental assessments across national borders. This notification concerning the environmental assessment of the amendment to the Executive Order on pilot and demonstration projects constitutes a transboundary consultation under Article 7 of the SEA Directive and Article 10 of the SEA Protocol.

### **Description of the plan**

As part of the implementation of political agreements on the geological storage of CO<sub>2</sub>, it is proposed to expand the geographical scope within which permits for

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<sup>1</sup>Executive Order No. 974 of 22 June 2022 on the geological storage of CO<sub>2</sub> in quantities below 100 kt for the purposes of research, development or testing of new products and processes [link]: [Executive Order on CO<sub>2</sub> storage pilot and demonstration projects](#)

<sup>2</sup>Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention), 25 February 1991 and the associated Protocol on Strategic Environmental Assessment (SEA Protocol), 21 May 2003.

<sup>3</sup>Directive 2011/92/EU of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment, as amended by Directive 2014/52/EU of 16 April 2014.

<sup>4</sup>Directive 2001/42/EC of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment.

<sup>5</sup>Consolidating Act No. 4 of 3 January 2023 on the Environmental Assessment of Plans and Programmes and of Specific Projects (the Environmental Assessment Act).

pilot and demonstration projects may be granted. At present, such permits can only be issued for specific areas in the North Sea. The planned amendment to the Executive Order will allow for the submission of permit applications for pilot and demonstration projects across all of Denmark's land and maritime territory, including the Danish exclusive economic zone. The amendment will concern only the territorial scope of the Executive Order and will not alter its substantive provisions. Each individual pilot or demonstration project will remain subject to a separate application process, including case handling and authorisation, in accordance with applicable legislation—such as environmental regulations and provisions for the protection of designated areas. The Danish Energy Agency notes that the Helsinki Convention currently prohibits dumping (in accordance with Article 11(1) of the Convention), which presently precludes the authorisation of pilot and demonstration projects in the Baltic Sea.

**Proposed scoping note for the environmental report and description of possible transboundary environmental impacts:**

A strategic environmental assessment will be carried out to evaluate the potential significant environmental impacts arising from the proposed amendment to the Executive Order on pilot and demonstration projects.

As part of this process, the Danish Energy Agency has prepared a draft scoping note (attached in email) outlining the environmental factors to be addressed in the forthcoming environmental report. Since the amendment proposes to extend the territorial scope of the Executive Order to include all of Denmark's land and maritime areas, there is a possibility that future pilot and demonstration projects may be located near borders with neighbouring countries. Accordingly, any significant environmental effects within Denmark could potentially result in transboundary environmental impacts. The environmental factors set out in the draft scoping note will form the basis for the environmental assessment and will be reflected in the final environmental report.

**Time schedule**

Following the review of the draft scoping note and any consultation responses received, the Danish Energy Agency will initiate the preparation of the environmental report. It is anticipated that the environmental report will be published for public consultation in the fourth quarter of 2025.

**Invitation to participate in the consultation process**

Should you have any comments regarding the potential transboundary environmental impacts outlined in the attached scoping note, you are kindly invited to submit them no later than the **8<sup>th</sup> of July 2025** to [espoo@sgav.dk](mailto:espoo@sgav.dk) quoting the file reference number: **2025-11028**.

Kind regards  
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