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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Energy
Subject:	DK comments on well in the Methane Regulation (WK 13534/23)

Delegations will find in the annex the DK comments on wells in the Methane Regulation (WK 13534/23).

Danish comments

on the Presidency's compromise proposals on wells (art. 18)

General comments on the proposal

Denmark acknowledges the Presidency's hard work to find a balanced and proportionate compromise on Article 18. The Presidency's latest compromise proposal on wells is considered to reflect much more feasible provisions on the permanently plugged and abandoned wells.

In general, Denmark supports an ambitious approach to the detection and mitigation of methane leaks from wells in the EU. However, it remains important that the specific requirements are proportionate and operational, so efforts will translate into real emissions reduction.

In continuation of the proportionality remark, Denmark would like to highlight a general challenge regarding the documentation requirements. Within the Danish territory, there are wells that were drilled and sealed back in the 1930s. Data regarding these old wells is generally very scarce and of very poor quality (up to 700 wells were drilled before digitization took place). Furthermore, it is very difficult to say anything about what data can actually be extracted through a manual review.

Comments on art. 18

Article 2 – line 118 – inactive wells

- Denmark suggests that the definitions also cover injection and appraisal wells as a lot of wells can change purpose over time.

Article 2 – line 118a – definition of permanently plugged and abandoned well

- The general remark regarding the documentation requirements is especially relevant for the definition of permanently plugged and abandoned wells. As we interpret the requirements in line with the current definition, there will be a need for documentation – even for a well drilled and permanently plugged and abandoned in the 1950s – before a well can meet the requirements of the current definition. Denmark is worried that it will be very challenging, if not impossible, to provide any data or information about the individual, older wells that can meet this requirement.
- If it is rendered impossible to meet the requirements for a permanently plugged and abandoned well, Denmark understands that these wells will be regarded as 'inactive' wells. This means that the permanently plugged and abandoned well must meet all the requirements for inactive wells, including annual pressure measurements and quantifications, mitigation plans to remediate, reclaim, and permanently plug the wells, and execution of these mitigation plans.
- Therefore, Denmark kindly requests the Presidency to consider possible forms of flexibility in relation to this requirement. Flexibility could potentially be included either by taking reservations as to whether the information is available or setting requirements based on the age of a well.

Article 18(4) – 276a– 4a on repair of wells

- Denmark welcomes the emphasis on the environmental impacts of necessary remediation, reclamation, or plugging of the wells.

Article 18(6) – line 279 – on implementation of mitigation plans

- A mitigation plan will often involve the hiring of an offshore rig to perform the work. These are not necessarily available within 12 months. Therefore, the requirement should be limited to initiating the mitigation plan – for example by hiring the required rig.
- Therefore, Denmark kindly requests the Presidency to consider changing the last part of Article 18(6) line 279 to “[...] and ~~implement it~~ **initiate the implementation of the repair plan** by 12 months after the first reports referred to in paragraph 2.”

Annex IV, fifth paragraph – line 468 – on information in inventories

- Wells do not have borders. Instead, it should be described as **“showing the location of the well or extend of the well site”**.

Annex IV sixth paragraph – line 469 – on information in inventories

- In this paragraph, there is a requirement that “results of quantification of methane emissions to air and to water carried out” are included in the inventories, which have to be done for all wells including permanently plugged and abandoned wells. In Article 18 quantifications are only required for inactive and temporarily plugged wells (line 275). However, this part of Annex IV contains information that “must be included”, cf. line 465. To ensure unambiguous regulation, this requirement should be put under Annex IV, sixth paragraph a (line 469a), as this contains information that should only be included if the information is available.

Annex IV, sixth paragraph a – line 469a – on information to be included if available

- Denmark suggests that it is made clear from the text how “where available” is to be understood. Our suggestion is to clarify the sentence by adding “where available **with reasonable effort**”.