

Identified legislative gaps relating to offshore legacy wells and carbon storage

Legacy Wells Workgroup | CO₂ Transportation and Storage (CTS) Taskforce

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On behalf of the Legacy Wells Workgroup

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Where this work comes from

A subgroup of the CO₂ Transportation and Storage Taskforce



Workgroup members

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NSTA

A mature regime, strong institutions, different lenses

Multiple regulators, overlapping responsibilities and different objectives. The issue is not the absence of regulation. It is the interface between objectives, time horizons and accountabilities.

NSTA

Licensing authority for petroleum and CO₂ storage; consents to well abandonment.

OPRED

Environmental and decommissioning regulator; approves Decommissioning Programmes

HSE

Safety regulator; wells abandoned per DCR 1996 to prevent unplanned escape of fluids

OMAR

Offshore major accident hazards, including infrastructure integrity

Tension 1: OGA Strategy

- Decommission cost-effectively without prejudicing CCS reuse (para 16)
- No obligation to fund activity without a satisfactory commercial return (para 33)
- Beneficiaries may be asked to contribute to additional costs (para 35)

Tension 2: Different Risk Thresholds

ALARP

Oil & gas abandonment (DCR 1996)

≠

No significant risk

Long-term CO₂ containment

A well can meet ALARP yet fall short of CCS containment criteria.

Seven gaps, three themes



THEME A Decommissioning today

1

CO₂ storage-specific
barriers when abandoning
petroleum wells

5

Timing of petroleum well
decommissioning



THEME B Liability, access & remediation

2

Liability for leaks once
injection starts

3

Multiple storage projects in
one hydraulic unit

4

Remediation of legacy
wells



THEME C Data & licensing

6

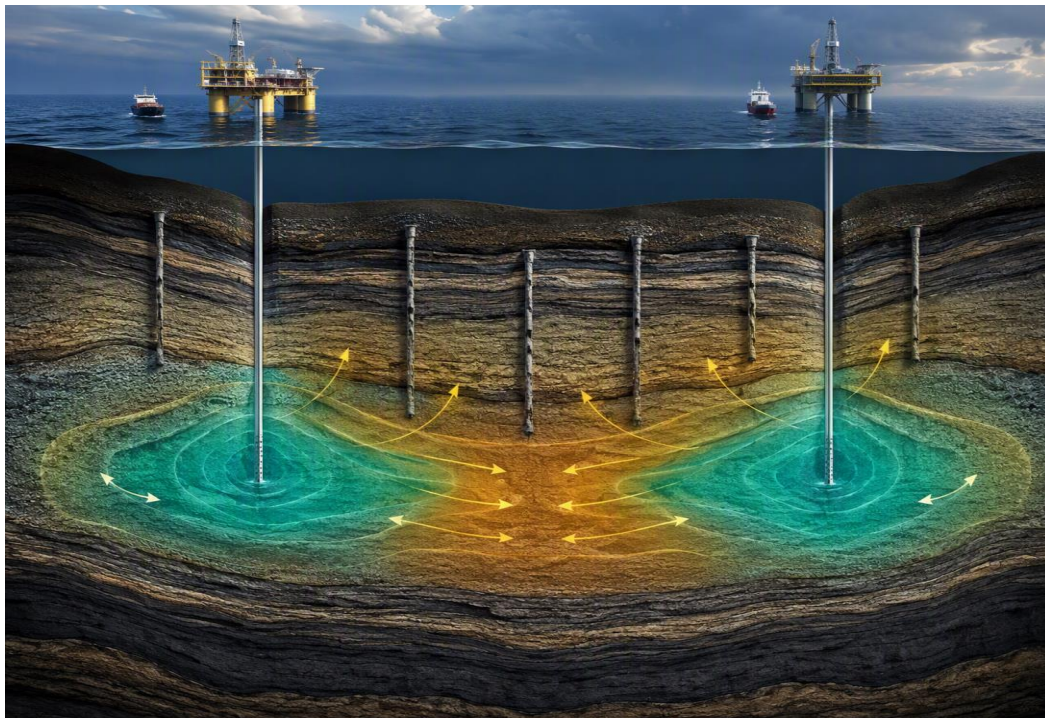
Well abandonment data
access

7

Storage licences where
petroleum operations
continue

Theme A: Decommissioning today

Gaps 1 and 5 - Petroleum abandonment choices made today can define tomorrow's CO₂ storage envelope.



1

No absolute requirement to install additional CO₂ storage-specific barriers

Shallow or storage-incompatible barriers may restrict pressure, capacity or feasibility.

Policy direction

Define when CO₂-relevant barriers are required and establish a mechanism for incremental cost.

5

Timing of decommissioning

Suspended wells or slipping decom plans can defer injection. No mechanism compels abandonment for CCS readiness.

Theme B: Liability, access & remediation

Gaps 2, 3 and 4 - When a legacy well becomes a problem, who acts and who pays?

2

Liability once injection starts

Unclear whether the petroleum or storage licensee is liable for CO₂ or brine leaks from legacy wells in the hydraulic unit.

Does it change for AB1, AB2 or AB3 wells? Without a baseline survey, how is causality proven?

3

Multiple projects, one hydraulic unit

Overlapping pressure fields from different storage permits can affect wells outside both. Abandonment rules don't account for this.

If the later injector tipped the balance, are they responsible?

4

Remediation of legacy wells

No clear legal route to remediate: jurisdictional ambiguity, no explicit re-entry rights, complex consenting; All these hinder liability discussions.

Can a storage licensee re-enter a well it doesn't own?

Theme C: Data & licensing

Gaps 6 and 7 - Assessing risk and planning stores on realistic timelines



6 · Abandonment data access

- Recent wells often still under the typical 2-year confidentiality period
- Appraisal wells may carry extended confidentiality
- Cement quality, barrier placement and intervention history can be missing, inconsistent or not machine-readable
- **Result: conservative assumptions and costly, sometimes unnecessary, mitigation**



7 · Licences alongside ongoing production

- Storage licences awarded where petroleum operations, including new wells, may continue for years
- Some licence and permit requirements cannot be met yet
- Hard to justify significant spend on a store unavailable for 15–20 years
- **The storage licensee often has no control over when the store becomes available**

Potential solutions

Options proposed in the report, mapped to the gaps



Shared well stewardship

Government, O&G operators and storage developers share cost, liability, monitoring and data per hydraulic unit

Gaps 1 · 2 · 3



Statutory liability & access framework

Clear (joint or tiered) liability allocation and legal rights to re-enter legacy wells

Gaps 2 · 4



Remediation consenting pathway

Dedicated route across HSE, NSTA and OPRED, with clear cost allocation

Gaps 4



Pressure "headroom primacy"

Later permits show they operate within remaining headroom without raising legacy well risk

Gaps 3



Power to direct decommissioning

Require full abandonment within a set time where a well is material to a storage licence

Gaps 1 · 5



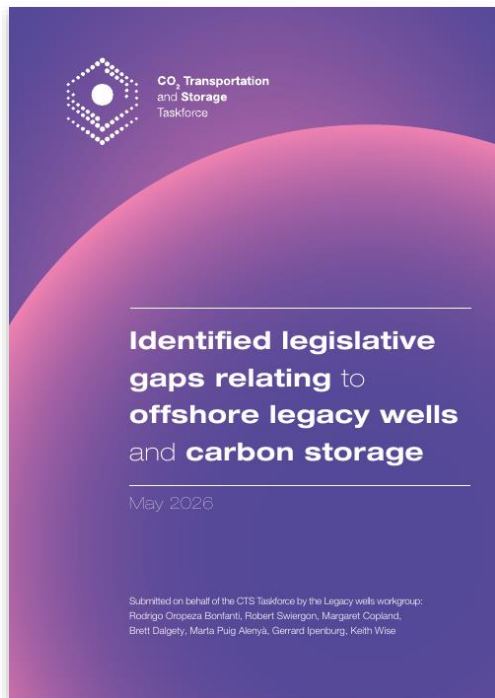
CO₂-relevant data & flexible licensing

Mandatory CO₂ data fields, privileged access under NDA; licence milestones tied to CoP/decom

Gaps 6 · 7

Read the full report

Now published by the CO₂ Transportation and Storage Taskforce



Legal framework

PUBLISHED

"Identified legislative gaps relating to offshore legacy wells and carbon storage" — available on the CTS Taskforce LinkedIn page.

September 2026 · 20 pages

Coming shortly



Data & Engagement

NDR data BI report on the data required for well integrity assessments and its availability