

Hon Mark McGowan MLA  
Minister for Environment;  
Racing and Gaming

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Our Ref: 2405/06

RECEIVED  
27 NOV 2006

BY: *[Signature]*

Dr A Southcott MP  
Chair  
Joint Standing Committee on Treaties  
Parliament House  
CANBERRA ACT 2600

Dear Dr Southcott

**CO<sub>2</sub> SEQUESTRATION IN SUB-SEABED FORMATIONS: PROPOSAL TO AMEND ANNEX 1 TO THE 1996 PROTOCOL TO THE CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING OF WASTES AND OTHER MATTER, 1972**

The Western Australian Premier, Alan Carpenter, has referred your letter dated 18 September 2006 inviting comments on the proposal to amend Annex 1 to the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 to me. Although it is now after the date by which you sought comment, I felt it beneficial to still provide my portfolio's view.

The initiative to amend Annex 1 is supported in principle. However there are issues that need to be considered in its application. These include:

- any approvals processes associated with CO<sub>2</sub> sequestration would need to give very careful and particular attention to ensure proper containment of the carbon dioxide, both during injection and over the long term;
- risks of leaks of concentrated carbon dioxide during injection or as a result of catastrophic well-bore or reservoir failure could lead to acidification of significant areas of the sea and adverse affects on marine biota;
- the impacts of repeated seismic activity to monitor the stored carbon dioxide may also have the potential for adverse impacts on marine mammals, turtles and other marine life;
- subterranean fauna with high biodiversity conservation significance often occur in the sedimentary geological settings that are attractive for geo-sequestration. Careful consideration of the subterranean environments present and the fauna therein would be important when siting a geo-sequestration operation;

- consideration should be given to allowing jurisdictions to charge for the right to deposit carbon dioxide underground, particularly when credits may accrue to those who store their carbon dioxide or to those who provide a service by securing access to a storage reservoir;
- careful consideration needs to be given to the pricing of licences to store carbon dioxide underground to ensure that sufficient funds are collected to properly regulate the site during operations and to provide for remedial action if required once the operator has closed the facility and liability reverts to the State or Commonwealth governments; and
- careful consideration needs to be given to the long term liability for storage sites, including potential long term environmental liabilities. Whether such locations should be considered as contaminated sites under appropriate legislation warrants consideration.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark McGowan', followed by a long, horizontal, slightly wavy line extending to the right.

**HON MARK MCGOWAN MLA  
MINISTER FOR THE ENVIRONMENT;  
RACING AND GAMING**

16 NOV 2006