

**Environment and Communications Legislation**  
Answers to questions on notice  
**Climate Change, Energy, the Environment and Water Portfolio**

**Inquiry:** Environment Protection (Sea Dumping) Amendment (Using New Technologies to Fight Climate Change) Bill 2023

**Question No:** IQ23-000191

**Division/Agency:** Environmental Permitting and Compliance Division

**Topic:** Long-term liabilities

**Question Date:** 29 June 2023

**Question Type:** Written

**Senator Whish-Wilson asked:**

How will the Commonwealth manage any long-term liabilities for any project that falls under the legislation and resulting regulations/permits? For example, will liabilities be similar to the one established for Chevron's Gorgon project?

**Answer:**

The Environment Protection (Sea Dumping) Amendment (Using New Technologies to Fight Climate Change) Bill 2023 does not create any new arrangements for the management of long-term liabilities.

Under current regulatory arrangements, a proponent who is planning to dispose of carbon dioxide by offshore carbon capture and sequestration (CCS) requires multiple approvals, under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, *Environment Protection and Biodiversity Conservation Act 1999*, *Environment Protection (Sea Dumping) Act 1981* (the Sea Dumping Act) and associated regulations. Under the Sea Dumping Act:

- proponents must propose the length of the permit and provide justification as to why the proposed duration is acceptable. The duration of the permit must also consider appropriate timeframes to undertake sufficient long-term monitoring during and after the disposal of CO<sub>2</sub> activity has ceased;
- permit holders are responsible for the life of the permit and liable for the sequestered CO<sub>2</sub>;
- permits are subject to a robust monitoring and compliance regime.

If the Bill is passed and ratified, the assessment framework for export permits will be guided by the domestic permit application and assessment process.