

Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (Text with EEA relevance)

CHAPTER 2

SELECTION OF STORAGE SITES AND EXPLORATION PERMITS

Article 5

Exploration permits

1 Where Member States determine that exploration is required to generate the information necessary for selection of storage sites pursuant to Article 4, they shall ensure that no such exploration takes place without an exploration permit.

Where appropriate, monitoring of injection tests may be included in the exploration permit.

2 Member States shall ensure that the procedures for the granting of exploration permits are open to all entities possessing the necessary capacities and that the permits are granted or refused on the basis of objective, published and non-discriminatory criteria.

3 The duration of a permit shall not exceed the period necessary to carry out the exploration for which it is granted. However, the Member States may extend the validity of the permit where the stipulated duration is insufficient to complete the exploration concerned and where the exploration has been performed in accordance with the permit. Exploration permits shall be granted in respect of a limited volume area.

4 The holder of an exploration permit shall have the sole right to explore the potential CO₂ storage complex. Member States shall ensure that no conflicting uses of the complex are permitted during the period of validity of the permit.