

CARBON CAPTURE & SEQUESTRATION



As governing entities across the globe seek to implement aggressive policy plans for carbon emissions, carbon capture and sequestration has emerged as an indispensable enabling technology. That's why Husch Blackwell has assembled a multidisciplinary team of attorneys with deep energy industry experience to help clients overcome legal and regulatory challenges to CCS projects.

Our team includes attorneys with subject-matter expertise in corporate, real estate, midstream energy and transportation, ethanol, construction, tax, and environmental law, and we are capable of guiding clients at every project phase associated with CCS.

We view our CCS work as a natural extension of our larger Renewable Energy practice, which is recognized as a leading practice among U.S. law firms. Our team is skilled at multistate CCS projects with complex tax credit (including California Low Carbon Fuel Standard), project finance, and offtake components. We routinely work with project owners, operators, investors, lenders, and other participants to get and keep projects on track.

Representative Experience

Served as environmental and permitting counsel for a construction lender in connection with two carbon capture projects involving the capture of carbon dioxide (CO₂) from two ethanol plants in Hale and Deaf Smith Counties, Texas,

Contact Information

Brian M. Pullin
512.370.3460
brian.pullin@
huschblackwell.com

and the transportation of purified CO₂ via pipelines to delivery points in Hale County, Texas, and Curry County, New Mexico. The projects were designed to capture 95% of CO₂ produced at the ethanol facilities, which is currently vented to the atmosphere, for an estimated capture of 1,084 metric tons per day from each facility.

Drafting and negotiating joint ventures between ethanol plants and CCS infrastructure developers.

Drafting and negotiating equipment lease agreements, pipeline rights of way, and injection well agreements.

Advising clients on allocation and risks affiliated with LCFS Credits and 45Q tax incentives.

Advising clients on state regulations applicable to CCS (e.g. pore space ownership).

Advising on state and federal permitting requirements (e.g. permitting for EPA Class VI Injection Wells).

Drafting and negotiating offtake service agreements, EPC agreements, and similar development agreements.

Advising clients on investment and exit strategies affiliated with project-specific development timelines.

Project team and real estate lead on proposed carbon capture, utilization, and storage project in West Texas.