



EDUCATING OUR POLITICIANS ON CARBON CAPTURE AND STORAGE



AGENDA

- Welcome
- Paul Blackburn: The Budget Reconciliation Process and 45Q
- Michelle Allen: Insider tips on talking with your Congressman
- Paul Blackburn: Talking with conservative elected officials
- Carolyn Raffensperger: Talking with liberal elected officials
- Jim Walsh: Setting up District Meetings
- You!: Q and A

CO₂ IS UNIQUELY HAZARDOUS

- An asphyxiant
- An explosive force (can be measured like TNT)
- An acidifier when it meets water and highly corrosive
- An exceptional solvent

THREE KEY AGENCIES IN CARBON CAPTURE AND STORAGE

- Pipeline and Hazardous Material Administration (part of Dept. of Transportation)
- IRS (a bureau with in the Dept. of Treasury)
- US Environmental Protection Agency (EPA)

DEMOCRATS IN CONGRESS NEED TO KNOW:

- EPA is not equipped to handle the three key environmental issues raised by carbon capture and storage
 - Climate Change
 - Water quality and quantity
 - Air pollution

CLIMATE CHANGE

- Carbon capture is falsely put forward as a climate solution. It is not for these reasons:
 - there is no requirement to actually reduce the total CO₂ that goes into the atmosphere. You don't have to show that the total life cycle of your CCS operation reduces the CO₂. That is, in part, because CCS requires so much more energy to capture the CO₂, ship it through pipelines and then inject it underground than just emitting the CO₂ from the top of the smokestack.
 - 80% of the CO₂ currently captured is used for what is called EOR, or enhanced oil recovery
 - There is no tracking of CO₂ from cradle to grave. We know pipelines leak. There are no requirements to treat this like the hazardous material it is and have hazardous waste manifests that document each transaction of the CO₂.
 - there is no requirement for permanent sequestration

CCS IS A THREAT TO DRINKING WATER

- Because CO₂ acidifies water it mobilizes heavy metals and radionuclides in water. This can make drinking water toxic.
- Because of its acidifying properties, it becomes very corrosive for pipelines, and well casings. This becomes a public health issue, particularly when considering the deep well injection of CCS for either EOR or sequestration if it contaminates an aquifer that people depend on for drinking water
- Water quantities are not usually regulated by EPA but your Congressman should know that CCS uses a lot of water for the carbon capture and cooling of CO₂ piping. Given climate change, we will see more droughts and more threats to the quantity of available water in both rural and urban communities

CCS MAKES AIR POLLUTION WORSE

- CCS increases air pollution at carbon capture facilities because of the extra energy required to capture the CO₂. This is a particularly bad problem in urban, heavily industrialized communities

EPA NOT UP TO THE TASK

- EPA is not equipped to handle any of these. They have not taken steps to work with the IRS to do cradle to grave. And the current administration is actively dismantling EPA. These leaves our communities, and your congressperson's constituents at the mercy of corporations getting rich on 45Q

CONCLUSION?

- Carbon capture and storage makes EVERY environmental problem worse
- We have a right to be secure in our own homes. Contaminating our drinking water, polluting our air and seizing land through eminent domain threatens our well-being
- The federal agencies charged with protecting the public are failing to do so
- Repeal 45Q!

Preparing for Meetings with Congressional Offices: Legislative Process and 45Q Tax Credit Policy Background

The 45Q Tax Credit

- A tax credit is a one-to-one reduction in taxes owed granted when a taxpayer does something the government wants, usually some investment
- The 45Q tax credit is granted by the federal government to entities that own CO2 capture equipment to: each ton of CO2 = \$85/\$60 in tax credits
- Once CO2 is captured, often it often must be transported to a distant locations by pipeline
- The 45Q tax credit must pay essentially for 100% of capture, pipeline and sequestration costs
- These are not free market pipelines

The Budget Reconciliation Process

- In the 1974, Congress passed the Congressional Budget Act, which overrides the Senate filibuster rule on federal budget issues
- This law, in theory, makes it easier to pass laws that reduce the federal budget deficit by cutting spending or increasing taxes
- A simple majority is needed in the House and Senate
- The majority party, in theory, could eliminate federal spending programs with a one-vote majority
- The current Republic leadership is currently attempting to use this process
- Since the 45Q program would impact the federal budget, it could be included in the budget reconciliation process

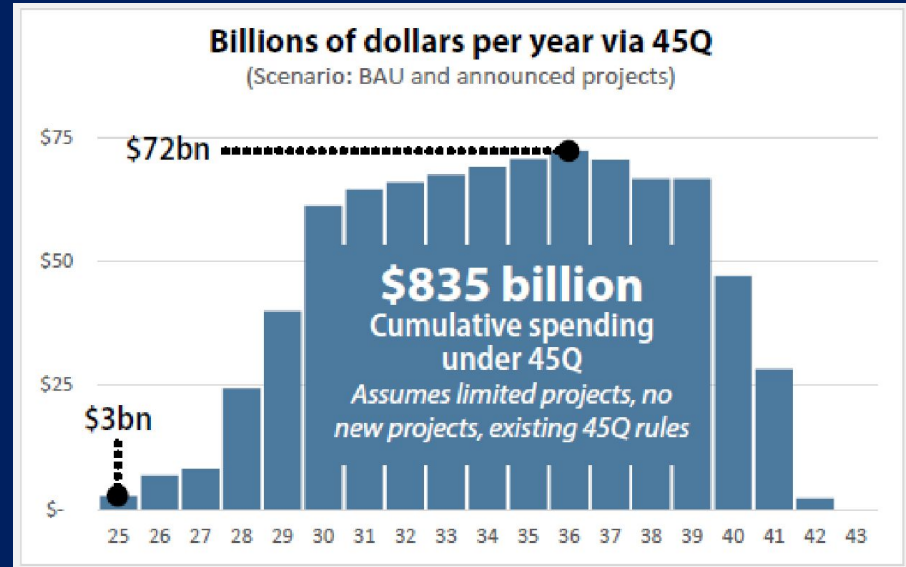
45Q Policy Issue Brief

Tailor Your Message to Your Audience

- 45Q issues typically of concern to Republican
 - Program costs and budget deficits
 - Fraud and waste
 - Property Rights
 - Landowner Safety
- 45Q issues typically of concern to Democrats
 - Fails to prevent climate change
 - Fossil fuel industry subsidy
 - Community safety and environmental justice
 - Fraud and waste

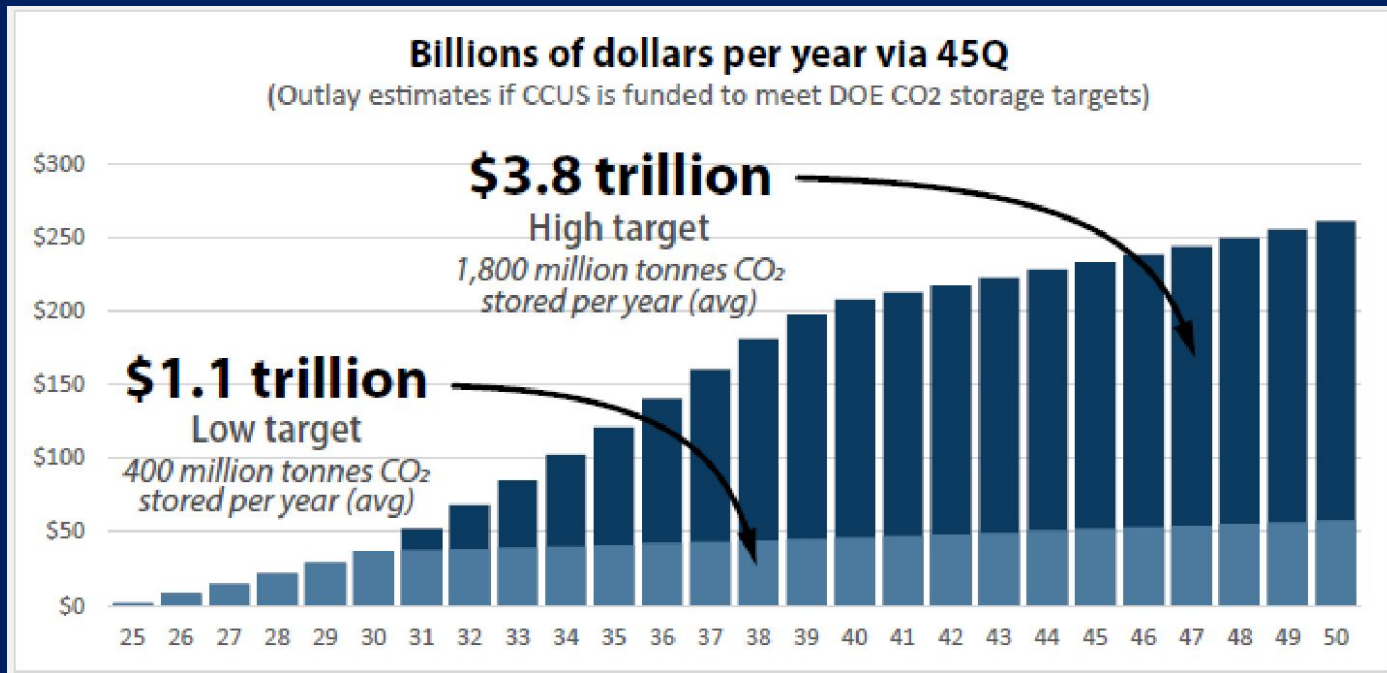
The 45Q Tax Credit Is a Blank Check

The 45Q tax credit is uncapped so could increase to hundreds of billions of dollars



Source: <https://ieefa.org/sites/default/files/2025-02/IEEFA%20CCUS%2045Q%20factsheet.pdf>

To Meet Climate Goals, 45Q Would Need to Grow Even More



The 45Q Tax Credit Creates Windfall Profits

- Set at \$85/ton for sequestered CO₂ and \$60/ton for CO₂ used in oil recovery
- CO₂ capture costs vary greatly from ~\$30/ton to well over \$100/ton
- The fixed nature of 45Q means that some CCS developers receive far more money than they need while others get nothing

The 45Q Tax Credit Is Secret

- 45Q tax credit claims are filed as part of tax returns
- Federal law makes tax return information confidential, with limited exceptions
- There is no exception for 45Q information
- Therefore, the identities of individuals and businesses, domestic and foreign, and the amount of tax credit claimed cannot be released to the public, or even to Members of Congress
- The IRS is not even required to provide aggregate data
- If Congress made grants to develop CCS, the identities and amounts would be public information

The 45Q Claim Process Is Inadequate

- To claim a 45Q tax credit, a claimant must provide basic information on a formal tax form (IRS Form 8933), but must also provide information required by “model certificates”
- Claimants are not required to use the exact form of the model certificates
- There are different versions of the model certificates for different types of claimants and related contractors
- There could be tens of thousands of 45Q claimants
- Unlike formal tax forms, the data on the model certificates will not be automatically scanned and the data saved in an IRS database
- IRS enforcement would depend on manually analyzing all of this data, making fraud detection and enforcement very difficult

The 45Q Tax Credit Is Subject to Fraud

- The IRS depends on EPA data to confirm amounts of CO2 captured and injected underground
- The EPA relies on unverified reporting by capture and injection facilities
- The EPA has no authority to require CO2 meters in capture facilities, pipelines, sequestration facilities, or enhanced oil operations, and neither does any other federal agency
- Without physical metering requirements, capture facilities could simply lie about how much CO2 the capture and enter into a conspiracy with pipeline, sequestration and/or enhanced oil recovery operations to submit false claims

The 45Q Tax Credit Is a Massive Federal Infrastructure Program

- All long-distance CO2 pipelines will be essentially 100% federally funded
- The DOE has estimated that up to 96,000 miles of pipeline could be built
- In comparison, the Interstate Highway System has 48,890 miles and cost \$618 billion (2023 dollars) when the system was declared complete in 1992
- The CO2 pipeline network may be the largest federal infrastructure program since the Interstate Highway System
- Unlike the interstates, there is no requirement that the CO2 pipeline system be planned
- The result will be an inefficient series of uncoordinated private CO2 sewer systems without interconnections

The 45Q Tax Credit Creates the Potential for Mass Casualty Events

- CO2 is an asphyxiant and an intoxicant
- CO2 pipeline ruptures can kill or injure people and animals far from a rupture site
- CO2 pipeline ruptures can stall gas and diesel vehicles
- Families living near a CO2 pipeline could be killed before they can evacuate
- The federal Pipeline and Hazardous Materials Administration recognized that its safety regulations for CO2 pipelines are inadequate and drafted amendments, but the Trump administration put these and all other new rules on hold
- Unless improved rules are adopted, 45Q tax credit claimants will get federal tax dollars while families, businesses will be put at risk

The 45Q Tax Credit Causes Eminent Domain Abuse

- Construction of CO2 pipelines will require use of eminent domain
- Many landowners are vehemently opposed to CO2 pipelines for many reasons
- South Dakota just passed a law to prohibit use of eminent domain for CO2 pipelines

What You Say Is Up To You

- The purpose of this presentation is to provide you with information about the 45Q tax credit
- If and how you use this information and how you express your position to your Senators and Representatives is

UP TO YOU



Educating & Engaging Your Elected Officials

March 6, 2025

AGENDA

How to prep for a meeting with your elected official
Tips and best practices for these meetings
How to cultivate the relationship after the meeting

HOW TO PREP FOR A MEETING

- Get a meeting scheduled
- Research the decision maker
(Representative or Senator)
- Prep your agenda
- Invite fellow organization members, ally orga
community leaders to join you



GETTING THE MEETING



Step 1: Email the member's staff and request a meeting. Include what you want to discuss.

Step 2: After 3-5 days, follow up with a phone call

Step 3: If you haven't heard back after 7 days since your email, follow up with another email. Repeat step 2, if needed.

GETTING THE MEETING, CONT'D

If you aren't receiving any response from the office, put a little pressure on them:

- Get 3-5 people in the district to call about the issue

- Ask other organizations in the district to call

- Build a power map to better understand the decision maker and what/who they care about

- Submit a letter to the editor about the issue to your local newspaper

- Show up to the district office with others

RESEARCH THE DECISION MAKER

Create a power map of the decision maker to better understand who and what they care about
3 main topics in the power map worksheet:

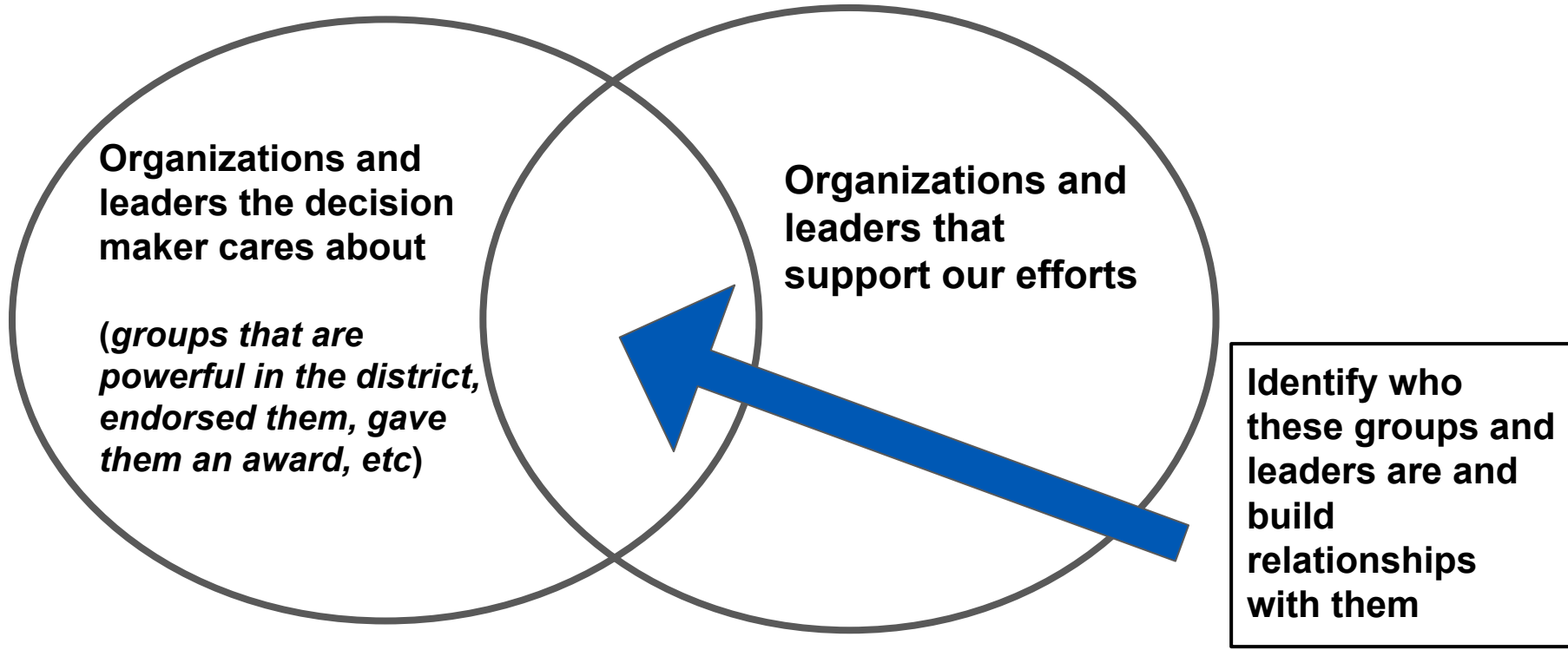
Issues

Sphere of influence

Media



SPHERE OF INFLUENCE



PUT THE RESEARCH INTO ACTION

Build a relationship with and recruit allies to meetings with your elected officials

Frame issues in a way the decision maker cares about

Get the issue covered in your local newspaper

PREP THE AGENDA

Ask the staffer how much time they'll have to meet
(usually 15-30 minutes)

Think through your goal and priorities for the meeting

Use the meeting agenda template to build out your
agenda

INVITE OTHERS TO JOIN

Invite other organizations or community leaders who align with our goals

Note: if others will join the meeting, give the staffer a heads up

Practice talking points before the meeting, review agenda together so everyone is on the same page

DURING THE MEETING

Be firm, but polite

Stick to your agenda and don't go over time

Get the staffer talking! You should only do 50% of the talking.

Ask questions to build your relationship, learn more about the decision maker, where they stand on our issues, and what they need to vote the right way.

Use strong language when making the ask!

CULTIVATION AFTER THE MEETING

Write thank you notes!

Email every once and awhile just to say “Hi” and provide them with an article or two

Invite staff and the Congressperson to events in your town

Reminder: Hello *patience* our old friend

WE CAN HELP!

We're here to help troubleshoot, come up with meeting agendas, etc!

Jim, FWW: jwalsh@fwwatch.org

Complete Report Back Form:

<https://forms.gle/YKe9LSY95n7qnpre9>

Questions?



foodandwaterwatch.org