

Bill No.: SF0047 **Effective:** **Multiple Dates**
LSO No.: 22LSO-0085
Enrolled Act No.: SEA No. 0053
Chapter No.: 101
Prime Sponsor: Joint Minerals, Business & Economic Development Interim Committee
Catch Title: **Carbon storage and sequestration-liability.**
Subject: Injector and state obligations and liabilities for injected carbon dioxide.

Summary/Major Elements:

- Current law sets a process by which carbon dioxide can be injected into underground spaces.
- This act specifies that an injector of carbon dioxide holds title to the injected carbon dioxide until receiving a certificate of project completion, and during that time, the injector is liable for any damage that the injected carbon dioxide may cause.
- The act authorizes the Department of Environmental Quality to issue a certificate of project completion to an injector who has completed all carbon dioxide injections. The certificate cannot be issued until 20 years after injections have ended and cannot be issued until the injector meets various conditions on the injections, including complying with all storage laws, addressing all pending claims regarding the injected and stored carbon dioxide, and other geological and safety considerations.
- Upon the issuance of a certificate of project completion, primary responsibility for and title to the stored or injected carbon dioxide transfers to the state, along with the title to any facilities used to inject or store the carbon dioxide. The injector is then forever released from all regulatory requirements associated with the continued storage and maintenance of the injected carbon dioxide. Any monetary liability for damages after the title is transferred to the state is limited to the available funds in the Wyoming geologic sequestration special revenue account.
- The act authorizes the Department of Environmental Quality to expend funds in the geologic sequestration account for remediating mechanical problems with injection wells, plugging and abandoning monitoring wells, and future claims associated with injected carbon dioxide for which the state has assumed primary responsibility.
- The act applies to all holders of sequestration permits.

The above summary is not an official publication of the Wyoming Legislature and is not an official statement of legislative intent. While the Legislative Service Office endeavored to provide accurate information in this summary, it should not be relied upon as a comprehensive abstract of the bill.

- The Department of Environmental Quality is required to report to the Joint Minerals, Business, and Economic Development Interim Committee on the status of implementing this act and whether further legislation is necessary to retain the state's primacy in the regulation of Class VI injection wells.

Comments:

- This act requires a report from the Department of Environmental Quality to the Joint Minerals, Business, and Economic Development Interim Committee.
- The act has a split and delayed effective date. Rulemaking provisions and the reporting requirement are effective immediately; the substantive provisions of this act are effective on July 1, 2023.

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