

Status by state and province of CO2 Storage Legal and Regulatory Development						
						9/17/2008
State/Province	Active Effort Begun	Legis. Drft/Enacted	Regs. Drft/Enacted	Summary of Status	Date Info updated	Link to additional info
Alabama	No				02/07/08	
Alaska	Yes			Reviewing EPA rules regarding CO2 Geologic Sequestration Wells. Governor's taskforce on Greenhouse Gas (GHG) mitigation is ongoing.	08/13/08	
Arizona	No				08/13/08	
Arkansas	No				08/13/08	
California	Yes			Report, already released (see link), being further developed.	08/13/08	http://www.energy.ca.gov/2007publications/CEC-500-2007-100/CEC-500-2007-100-SF.PDF
Colorado	No			The Colorado Geological Survey, one of the agencies in the Colorado Department of Natural Resources, is proposing to seek approval from the Colorado Legislature during its 2009 legislative session to fund a full-time equivalent to work on a pilot program to investigate and develop data regarding Colorado's potential for carbon sequestration.	08/13/08	
Florida	No				02/19/08	
Georgia	No				02/07/08	
Idaho						
Illinois	Yes	Enacted: Senate Bill 1704, now Public Act 95-0018		Public Act 95-0018 (January 30, 2007): Clean Coal FutureGen. Creates the Clean Coal FutureGen for Illinois Act for the purpose of providing the FutureGen alliance with adequate liability protection, land use rights and permitting certainty to facilitate the siting of the FutureGen Project in Illinois.	08/26/08	
Indiana	Yes			Summit scheduled for September 2008	08/11/08	

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Kansas	Yes	Enacted: House Bill 2419 (2007):		House Bill 2419 mandated development of regulation no later than July 1, 2008. The Kansas Corporation Commission has drafted regulations and submitted them to the Department of Administration for review. Thereafter they are expected to move to the Office of Attorney General and then to a public hearing sometime in November 2008.	09/02/08	
Kentucky	No				02/19/08	
Louisiana	No				02/14/08	
Maryland	No				08/13/08	
Michigan	Yes	Draft Senate Bill No. 707, 708, 801, 1166, 1184 and House Bill No. 5604		Senate and House Bills require development of regulations prior to July 1, 2008, provide for tax credits and exemptions to electric generating facilities capturing and sequestering carbon dioxide, tax credits for emissions reductions and sequestration, tax credits for purchasing and constructing of capture machinery or equipment, and authorization for storage of GHG on State owned lands. Bills introduced, analysis prepared by legislative staff.	9/13/2008	http://www.legislature.mi.gov
Mississippi	No				08/25/08	
Missouri	No				09/05/08	
Montana	Yes				02/14/08	
Nebraska	No				02/14/08	
Nevada	No				08/25/08	
New Mexico	Yes			Report issued on December 1 to (see link) Governor's Climate Change Action Implementation Team. No legislative action in 2008.	08/13/08	A BLUEPRINT FOR THE REGULATION OF GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE IN NEW MEXICO: http://www.emnrd.state.nm.us/ocd/documents/CarbonSequestrationFINALREPORT1212007.pdf
New York	Yes				08/27/08	

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North Carolina	No				02/14/08	
North Dakota	Yes			Rules were promulgated in 2007 but based on comments submitted and analysis by the North Dakota Attorney General's office, it was concluded that statutory jurisdiction was lacking in a few critical areas. A work group composed of representatives from the lignite and oil & gas industries, PCORP, the North Dakota Industrial Commission and the Attorney General's Office has been formed to develop a bill based on the IOGCC model statute for introduction during the 2009 North Dakota legislative session. Once legislation is passed and signed into law, rules will be re-promulgated.	08/13/08	
Ohio	Yes	Enacted: Ohio SB 221 which can be accessed at: http://www.legislature.state.oh.us/bills.cfm?ID=127_S_B_221	The Public Utilities Commission of Ohio is charged with developing rules under SB 221. The rules have been released for comment and can be accessed at: http://www.puco.ohio.gov/PUCO/Rules/index.cfm?navitem=leftsidebar	Draft rules have been released for public comment. An interagency workgroup is also now being formed to look specifically at carbon sequestration needs, although DNR and Ohio EPA have been communicating well on this for the last few years.	08/25/08	
Oklahoma	Yes	Enacted: Senate Bill 1765 (2008)		Senate Bill 1765 establishes the Oklahoma Geological Storage of Carbon Dioxide Task Force, which is to submit a report with legislative recommendations by December 1, 2008.	08/13/08	http://webserver1.lsb.state.ok.us/2007-08bills/SB/SB1765_ENR.RTF
Oregon	No				08/13/08	
Pennsylvania	No				02/14/08	
South Carolina	No				02/26/08	
South Dakota	No				08/13/08	
Texas	Yes			Legislation calling for Rules expected in 2009	08/13/08	
Tennessee	No				04/29/08	
Utah	Yes			SB 202 passed by legislature and signed by Governor requiring, among other things, development of rules and recommended legislative changes by Jan. 1, 2011.	04/02/08	http://le.utah.gov/~2008/htmdoc/sbillhtm/sb0202s01.htm

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Virgina	Yes			The Department of Mines, Minerals, and Energy Division of Gas and Oil, has begun reviewing issues related to CO2 field injection and storage. The Division is currently working with a gas operator and engineering consultant group on a pilot project for CO2 capture and sequestration. At this time, there are no legislation or regulatory actions planned during the FY 2009 state legislative session.	08/12/08	
Washington	Yes	Enacted: http://www.leg.wa.gov/pub/billinfo/2007-08/Pdf/Bills/Session%20Law%202007/6001-S.SL.pdf	Washington State has adopted UIC rules for the Geologic Sequestration of Carbon Dioxide, ch 173-218 WAC. These rules are effective. The rules are published and available on line at: http://www.ecy.wa.gov/biblio/wac173218.html The Geologic Sequestration rules were adopted along with companion air quality regulations covering carbon dioxide emissions. Information on the rule adoption process including comments received are available at: http://www.ecy.wa.gov/biblio/0802017.html	Final UIC rules for the Geologic Sequestration of Carbon Dioxide adopted by state on June 19, 2008. The rules are effective and available. The IOGCC model rules and the Federal UIC standards were the models initially used, however, Washington's water quality laws require that the state address some aspects in a different way than was suggested by the IOGCC model rules. Washington's rules are similar, but not the same as, recently published proposed federal rules. When federal rules are final (2010 or 2011) Washington will consider minor rule amendments to allow federal delegation of the state program. (For example, Washington's rules use class V wells for injection, draft federal rules create a new class VI wells for carbon sequestration.)	8/13/2008	
West Virgina	Yes			Preparing draft legislation - possible intro in 2009 legislative session.	08/25/08	
Wyoming	Yes	Enacted: http://legisweb.state.wy.us/2008/Enroll/08/08/089/089.pdf AND http://legisweb.state.wy.us/2008/Enroll/08/08/090/090.pdf		Two bills were introduced and passed by the legislature and signed by the Governor in March 2008. One of the bills addresses ownership and one addresses regulatory issues). Both bills required and passed by a 2/3 majority in both houses. Legislation addressing eminent domain aspect of CO2 storage will likely be addressed in 2009	04/15/08	

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Alberta	Yes			The province of Alberta in in the process of conducting a review of its current regulatory framework for large-scale implementation of geological storage. The province has also recently established a Carbon Capture and Storage Development Council (a partnership between governments, industry and scientific researchers) to conduct an assessment of CCS and to recommend steps for implementation in Alberta, including a legal and regulatory framework. The Council will be reporting back to the Alberta government in the Fall of 2008.	5/8/2008	
British Columbia	Yes				2/21/2008	
Newfoundland & Labrador	No				2/19/2008	
Nova Scotia	Yes			The lead in Nova Scotia on climate change issues is now with the Department of Environment. An initiative is under way to examine the potential for the sequestration of CO2 into both offshore and onshore geologic formations.	4/26/2008	
Saskatchewan	Yes				2/14/2008	