

**Summary of State Geologic Storage Policy
May 1, 2010**

State	Property rights, including Access to Pore Space	Permitting Rules	Long-Term Stewardship
Kansas 2009: KAR 82-3-1100-1120 2007: HB 2719	N/A	Agency: KS Corporation Commission. Rules adopted Feb. 2010	State will assume long-term site management, but limited liability. Fund established for long-term monitoring and remediation.
Louisiana 2009: HB 661 2008: HB 1220, 1117	Addresses CO ₂ ownership, liability during operations, and eminent domain. Does not address pore space ownership.	Agency: Office of Conservation, Dept. of Nat. Resources Rules not yet proposed.	State will assume long-term ownership but limited liability. Fund established for long-term monitoring and limited remediation.
Montana 2009: SB 498	Addresses pore space ownership, liability during operations, mineral rights primacy, CO ₂ ownership, and provides for unitization.	Agency: MT Board of Oil and Gas Conservation, with comments from MT Board of Env. Review. Rules not yet proposed.	State will assume long-term ownership and liability. Fund established for all long-term liabilities.
North Dakota 2009: SB 2095, SB 2139	Addresses pore space ownership, CO ₂ ownership, liability during operations, mineral rights primacy, and provides for unitization.	Agency: ND Industrial Commission Rules adopted November 2009	State will assume long-term ownership and liability. Fund established for all long-term liabilities.
Oklahoma 2009: SB 610 2008: SB 1765	Addresses CO ₂ status and ownership and mineral rights primacy. Inventory accounting rules adopted. Does not address pore space ownership and liability during operations.	Agency: Corporation Commission for fossil fuel-bearing formations, Dept. of Env. Qual. for all others. Rules not yet proposed.	N/A
Texas 2009: HB 1387, HB1796	Addresses CO ₂ ownership, liability during operations. Does not address pore space ownership.	Agency: Railroad Commission, Texas Commission on Env. Quality. Draft rules issued March 26, 2010	State will assume limited long-term site management but not all liabilities. Fund established for long-term monitoring and limited remediation.
Utah 2008: SB 202	N/A	Agency: Dept. Of Env. Quality Rules not yet proposed.	N/A
Washington 2008: WAC 173-407-110 2007: ESSB 6001	N/A	Agency: Department of Ecology Rules adopted in 2008.	N/A
West Virginia 2009: HB 2860, W.V. Code, Chap. 22, Art. 11A	Addresses mineral rights primacy. Assigns study group to make recommendations on other issues such as pore space ownership by 2011.	Agency: Dept. of Env. Protection Rules not yet proposed.	N/A
Wyoming 2010: HB 17 2009: HB 57, 58, 80, Water Qual. Rules & Regs. Chap. 24** 2008: HB 89, 90	Addresses pore space ownership, CO ₂ ownership, liability during operations, mineral rights primacy, and provides for unitization.	Agency: Dept. of Env. Quality Draft rules published 3/13/09, rev. 9/25/09	State will assume limited long-term site management but not all liabilities. Fund established for long-term monitoring.

N/A – Not Addressed

**Proposed Rules