

## Part 7 Carbon Sequestration

### **54-17-701 Rules for carbon capture and geological storage.**

- (1) By January 1, 2011, the Division of Water Quality and the Division of Air Quality, on behalf of the Board of Water Quality and the Board of Air Quality, respectively, in collaboration with the commission and the Division of Oil, Gas, and Mining and the Utah Geological Survey, shall present recommended rules to the Legislature's Administrative Rules Review Committee for the following in connection with carbon capture and accompanying geological sequestration of captured carbon:
  - (a) site characterization approval;
  - (b) geomechanical, geochemical, and hydrogeological simulation;
  - (c) risk assessment;
  - (d) mitigation and remediation protocols;
  - (e) issuance of permits for test, injection, and monitoring wells;
  - (f) specifications for the drilling, construction, and maintenance of wells;
  - (g) issues concerning ownership of subsurface rights and pore space;
  - (h) allowed composition of injected matter;
  - (i) testing, monitoring, measurement, and verification for the entirety of the carbon capture and geologic sequestration chain of operations, from the point of capture of the carbon dioxide to the sequestration site;
  - (j) closure and decommissioning procedure;
  - (k) short- and long-term liability and indemnification for sequestration sites;
  - (l) conversion of enhanced oil recovery operations to carbon dioxide geological sequestration sites; and
  - (m) other issues as identified.
- (2) The entities listed in Subsection (1) shall report to the Legislature's Administrative Rules Review Committee any proposals for additional statutory changes needed to implement rules contemplated under Subsection (1).
- (3) On or before July 1, 2009, the entities listed in Subsection (1) shall submit to the Legislature's Public Utilities, Energy, and Technology and Natural Resources, Agriculture, and Environment Interim Committees a progress report on the development of the recommended rules required by this part.
- (4) The recommended rules developed under this section apply to the injection of carbon dioxide and other associated injectants in allowable types of geological formations for the purpose of reducing emissions to the atmosphere through long-term geological sequestration as required by law or undertaken voluntarily or for subsequent beneficial reuse.
- (5) The recommended rules developed under this section do not apply to the injection of fluids through the use of Class II injection wells as defined in 40 C.F.R. 144.6(b) for the purpose of enhanced hydrocarbon recovery.
- (6) Rules recommended under this section shall:
  - (a) ensure that adequate health and safety standards are met;
  - (b) minimize the risk of unacceptable leakage from the injection well and injection zone for carbon capture and geologic sequestration; and
  - (c) provide adequate regulatory oversight and public information concerning carbon capture and geologic sequestration.

Amended by Chapter 13, 2016 General Session