

State Regulatory Approaches to Geologic Carbon Sequestration in the Big Sky Region

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As technological developments and congressional action have made geologic sequestration more likely, state legislatures have responded with a variety of regulatory approaches to authorize, monitor, and regulate geologic sequestration. This presentation will evaluate and explicate different regulatory approaches concerning the following key components of regulatory frameworks: 1) primacy; 2) pore space ownership; 3) split estates; 4) unitization requirements; 5) complimentary rules for CO₂ transportation; 6) regulatory agencies and authorities; 7) financial responsibility and release of liability; 8) fee structures; 9) area of review; and 10) constituent allowances in the CO₂ stream. Comments will be offered concerning likely developments and/or changes to these approaches once UIC final rules are adopted by EPA and the likelihood of large scale commercial deployment of CCS in each state based on regulatory approaches.