

Regional CCS Policy Update

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Introduction

Utah and Wyoming have Passed and Signed Legislation on Carbon Capture and Sequestration in 2008

Utah: Senate Bill 202 1st Sub. “Energy Resource and Carbon Emission Reduction Initiative”

Wyoming : House Bill 89 Enrolled Act 18 Pore Space Ownership and
House Bill 90 Enrolled Act 25 Carbon Sequestration

Utah Senate Bill 202 1st Sub

- Utah Legislature requires recommended rules for Carbon Capture and Geological Storage by January 1st, 2011
 - ▶ Requires the Division of Water Quality and Division of Air Quality in collaboration with PSC, DOGM, and UGS to recommend rules to the Legislature
 - ▶ Must give a progress report on or before July 1, 2009
- Rules would not apply to Class II injection wells (Enhanced Oil Recovery)



Wyoming Legislation

- H.B. 89 Pore Space Ownership
 - ▶ Affirms the “common law” in regard to pore space ownership and does not create new property rights
 - The pore space belongs to the surface owner
 - The pore space can be severed from the surface owner and sold separately



Wyoming Legislation

- H.B. 90 Carbon Storage and Sequestration
 - ▶ Establishes permit program for storage and sequestration
 - ▶ Identifies which government agency has regulatory authority
 - Wyoming Oil and Gas Conservation Commission- Class II UIC wells (Enhanced Oil Recovery)
 - DEQ has oversight of all other UIC injection well categories
 - ▶ A working group will convene to develop a bonding procedure and other financial assurance methods



Washington State

- Passed Emission Performance Standard
 - ▶ Allow Carbon Sequestration
- Developing Draft rules
 - ▶ How to permit CCS project
 - ▶ Two public hearings on draft rule in April
 - Written comment due April 18