

Unofficial Draft Copy

As of: August 18, 2008 (11:28am)

LC4003

**** Joint Resolution No. ****

Introduced By *****

By Request of the *****

A Joint Resolution of the Senate and the House of Representatives of the State of Montana providing for an interim study of geologic carbon sequestration.

WHEREAS, the federal environmental protection agency is proposing rules to create a permitting system for carbon dioxide injection that is consistent with the Safe Drinking Water Act and additional national carbon regulations are anticipated; and

WHEREAS, it is important that Montana design a regulatory framework for the long-term storage of carbon dioxide that is consistent with national regulations but protects Montana's unique interests; and

WHEREAS, decisions about long-term liability and the associated regulatory costs of geological sequestration will significantly impact the viability of carbon sequestration projects.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

(1) evaluate, using the best data available:

(a) existing regulatory analogues for geologic carbon sequestration;

(b) appropriate bonding procedures and other financial assurance methods to assure that adequate financial resources are provided to pay for carbon sequestration projects;

(c) options for determining ownership of pore space used for the potential sequestration of carbon dioxide; and

(d) appropriate oversight, permitting, and regulation of carbon sequestration projects;

(2) assess the costs and benefits of carbon sequestration specific to Montana;

(3) analyze issues of jurisdiction as they relate to the geologic storage of carbon dioxide underground;

(4) evaluate liability questions associated with geologic carbon sequestration and determine how Montana should address these issues; and

(5) determine options and alternatives for advancing geologic sequestration in Montana.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2010.

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BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 62nd Legislature.

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