

353.810 Carbon injection wells to be closed and plugged after completion of active injection -- Monitoring for leaking and migration -- Transfer of ownership and liability of storage facilities -- Finance and Administration Cabinet to effect transfer.

- (1) Upon completion of active injection, the storage operator shall notify the division of the completion and close and plug the carbon injection wells as required by the permit issued by USEPA for the demonstration carbon injection wells.
- (2) The storage operator shall monitor the storage facility for leakage and migration for the time period and by the methods required by the permit for the carbon injection wells after completion of active injection and plugging of the carbon injection wells.
- (3) The ownership and liability for a storage facility may be transferred to:
 - (a) The federal government if a federal program exists; or
 - (b) The Finance and Administration Cabinet pursuant to subsections (4), (5), and (6) of this section if a federal program does not exist.
- (4) If no federal program exists, and the storage operator seeks to transfer the ownership and liability of a storage facility to the Finance and Administration Cabinet, after completion of the required period of monitoring following completion and plugging, the storage operator shall notify the division of its intent to transfer ownership of the stored carbon dioxide and associated liability to the Finance and Administration Cabinet. The storage operator shall provide evidence to the division of the satisfactory completion of all permit conditions pertaining to the demonstration carbon injection well. Upon receipt and evaluation of satisfactory evidence, the division shall forward the evidence to the Finance and Administration Cabinet with a recommendation for the transfer of ownership of the stored carbon dioxide and liability. The storage operator may then apply to the Finance and Administration Cabinet for the transfer of ownership and liability for the stored carbon dioxide.
- (5) Ownership of and liability for the stored carbon dioxide shall remain with the storage operator until the transfer is completed.
- (6) Upon receipt of the evidence and recommendation of the division and the application for transfer by the storage operator, the Finance and Administration Cabinet shall take appropriate action to effect a transfer.

Effective: June 8, 2011

History: Created 2011 Ky. Acts ch. 24, sec. 6, effective June 8, 2011.