

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 629

By: Jolley

4
5
6 AS INTRODUCED

7 An Act relating to carbon sequestration; amending
8 Section 3, Chapter 429, O.S.L. 2009 (27A O.S. Supp.
9 2010, Section 3-5-102), which relates to the Oklahoma
10 Carbon Capture and Geologic Sequestration Act;
11 defining term; amending 27A O.S. 2001, Section 3-4-
12 101, as amended by Section 1, Chapter 221, O.S.L.
13 2003 (27A O.S. Supp. 2010, Section 3-4-101), which
14 relates to the Oklahoma Carbon Sequestration
15 Enhancement Act; modifying legislative findings;
16 defining term; amending 27A O.S. 2001, Section 3-4-
17 102, as last amended by Section 2, Chapter 221,
18 O.S.L. 2003 (27A O.S. Supp. 2010, Section 3-4-102),
19 which relates to Carbon Sequestration Advisory
20 Committee; eliminating Committee and duties of the
21 Oklahoma Conservation Commission; amending 27A O.S.
22 2001, Section 3-4-103, as amended by Section 3,
23 Chapter 221, O.S.L. 2003 (27A O.S. Supp. 2010,
24 Section 3-4-103), which relates to the Oklahoma
Conservation Commission; authorizing Commission to
assess certain properties for carbon sequestration
potential; requiring report by certain date; amending
Section 2, Chapter 273, O.S.L. 2002, as amended by
Section 4, Chapter 221, O.S.L. 2003 (27A O.S. Supp.
2010, Section 3-4-105), which relates to the carbon
sequestration certification program; authorizing
certain certification program; requiring consultation
with certain entities; requiring Commission to
develop certain standards and criteria; stating
requirements; stating procedures for certification;
authorizing Commission to establish fees for program;
amending 60 O.S. 2001, Section 6, which relates to
property definitions; modifying definition;
authorizing separation of certain pore space from
land surface; directing the Oklahoma Geological
Survey to assess public property for carbon

1 sequestration potential; providing for codification;
2 providing for noncodification; and declaring an
3 emergency.
4

5 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

6 SECTION 1. AMENDATORY Section 3, Chapter 429, O.S.L.
7 2009 (27A O.S. Supp. 2010, Section 3-5-102), is amended to read as
8 follows:

9 Section 3-5-102. As used in the Oklahoma Carbon Capture and
10 Geologic Sequestration Act:

11 1. "Agency" means the Corporation Commission or the Department
12 of Environmental Quality, as the case may be and as described in
13 Section 3 of this act;

14 2. "Anthropogenic carbon dioxide" or "man-made carbon dioxide"
15 means the carbon dioxide compound manufactured, mechanically formed
16 or otherwise caused to occur, as a result of either:

- 17 a. a chemical process performed by or involving efforts
18 of a person, or
19 b. separation of carbon dioxide from natural gas.

20 The term shall not include carbon dioxide that is naturally present
21 in underground locations;

22 3. "Approved reservoir" means a reservoir that is determined by
23 the Agency with jurisdiction to be suitable for the receipt, storage
24 and/or sequestration of injected carbon dioxide therein;

1 4. "Carbon dioxide" or "CO₂" means an inorganic compound
2 containing one carbon atom and two oxygen atoms, and exists as a gas
3 at standard temperature and pressure. Carbon dioxide is an inert,
4 stable, colorless, odorless, non-toxic, incombustible, inorganic gas
5 that is dissolvable in water and is naturally present, such as in
6 underground locations and in the atmosphere as a trace gas;

7 5. "Carbon sequestration" means long-term or short-term
8 underground storage or sequestration of anthropogenic carbon dioxide
9 in one or more reservoirs;

10 6. "CO₂ injection well" means an artificial excavation or
11 opening in the ground made by digging, boring, drilling, jetting,
12 driving, or another method and is used to inject or transmit
13 anthropogenic carbon dioxide into one or more reservoirs;

14 7. "CO₂ capture and compression equipment" means the equipment,
15 separation units, processing units, processing plants, pipe,
16 buildings, pumps, compressors, meters, facilities, motors, fixtures,
17 materials, and machinery, and all other improvements used in the
18 operation of any of them, and property, real or personal, intangible
19 or tangible, either attributable to or relating to, or located
20 thereon, used for the purpose of:

- 21 a. capturing carbon dioxide from a source that produces
22 anthropogenic carbon dioxide, and/or
- 23 b. compressing or otherwise increasing the pressure of
24 anthropogenic carbon dioxide;

1 8. "CO₂ pipeline" means any pipeline, compressors, pumps,
2 meters, facilities, valves, fittings, right-of-way markers, cathodic
3 protection ground beds, anodes, rectifiers, and any other cathodic
4 protection devices, and other associated equipment, appurtenances
5 and fixtures located on, attributable to or used in connection with
6 the same, and used for the purpose of transporting carbon dioxide
7 for carbon sequestration in this state or another state, excluding:

- 8 a. CO₂ capture and compression equipment at the source of
9 the carbon dioxide, and
10 b. pipelines that are part of a CO₂ sequestration
11 facility;

12 9. "CO₂ sequestration facility" means the approved reservoir(s),
13 and all associated underground equipment and pipelines, all
14 associated surface buildings and equipment, and all associated CO₂
15 injection wells, utilized for carbon sequestration in a defined
16 geographic boundary established by the Agency, excluding any:

- 17 a. CO₂ capture and compression equipment at the source of
18 the carbon dioxide, and
19 b. CO₂ pipeline transporting carbon dioxide to the
20 facility from a source located outside the geographic
21 boundaries of the surface of the facility;

22 10. "CO₂ trunkline" means a CO₂ pipeline that both exceeds
23 seventy five (75) miles in distance and has a minimum pipe outside
24 diameter of at least twelve (12) inches;

1 11. "Commission" means the Corporation Commission as
2 established by Section 15 of Article 9 of the Oklahoma Constitution;

3 ~~11.~~ 12. "Common source of supply" shall have the same meaning
4 as in Section 86.1 of Title 52 of the Oklahoma Statutes;

5 ~~12.~~ 13. "Department" means the Department of Environmental
6 Quality as established by Section 2-3-101 et seq. of Title 27A of
7 the Oklahoma Statutes;

8 ~~13.~~ 14. "Enhanced oil or gas recovery" means the increased
9 recovery of hydrocarbons, including oil and gas, from a common
10 source of supply achieved by artificial means or by the application
11 of energy extrinsic to the common source of supply, such as
12 pressuring, cycling, pressure maintenance or injection of a
13 substance or form of energy, such as injection of water and/or
14 carbon dioxide, including immiscible and miscible floods; provided
15 that enhanced oil or gas recovery shall not include injection of a
16 substance or form of energy for the sole purpose of either:

- 17 a. aiding in the lifting of fluids in the well, or
18 b. stimulation of the reservoir at or near the well by
19 mechanical, chemical, thermal or explosive means;

20 ~~14.~~ 15. "Facility operator" means any person authorized by the
21 Agency to operate a CO₂ sequestration facility;

22 ~~15.~~ 16. "Facility owner" means the person who owns the CO₂
23 sequestration facility;

24

1 ~~16.~~ 17. "Gas" shall have the same meaning as in Section 86.1 of
2 Title 52 of the Oklahoma Statutes;

3 ~~17.~~ 18. "Governmental entity" means any department, commission,
4 authority, council, board, bureau, committee, legislative body,
5 agency, beneficial public trust, or other establishment of the
6 executive, legislative or judicial branch of the United States, the
7 State of Oklahoma, any other state in the United States, the
8 District of Columbia, the Territories of the United States, and any
9 similar entity of any foreign country;

10 ~~18.~~ 19. "Oil" shall have the same meaning as in Section 86.1 of
11 Title 52 of the Oklahoma Statutes;

12 ~~19.~~ 20. "Person" means any individual, proprietorship,
13 association, firm, corporation, company, partnership, limited
14 partnership, limited liability company, joint venture, joint stock
15 company, syndicate, trust, organization, committee, club,
16 governmental entity, or other type of legal entity, or any group or
17 combination thereof either acting in concert or as a unit;20.

18 "Private operator" means any person that is either a facility
19 operator or an operator of a CO₂ pipeline, but that is neither a
20 public utility nor a common carrier as such terms are defined by
21 Oklahoma statutes; and

22 ~~20.~~ 21. "Reservoir" means any portion of a separate and
23 distinct geologic or subsurface sedimentary stratum, formation,
24 aquifer, cavity or void, whether naturally occurring or artificially

1 created, including an oil or gas formation, saline formation, or
2 coal seam.

3 SECTION 2. AMENDATORY 27A O.S. 2001, Section 3-4-101, as
4 amended by Section 1, Chapter 221, O.S.L. 2003 (27A O.S. Supp. 2010,
5 Section 3-4-101), is amended to read as follows:

6 Section 3-4-101. A. This article shall be known and may be
7 cited as the "Oklahoma Carbon Sequestration Enhancement Act".

8 B. The Oklahoma Legislature finds that:

9 1. Increasing levels of carbon dioxide and other gases in the
10 atmosphere have led to growing interest in national and
11 international forums for implementing measures to slow and reverse
12 the buildup of such atmospheric constituents. These measures may
13 include, but are not limited to, the establishment of systems of
14 trading in carbon dioxide credits or adoption of practices,
15 technologies, or other measures which decrease the concentration of
16 carbon dioxide in the atmosphere and improve air quality;

17 ~~2. Improved agricultural practices, including, but not limited~~
18 ~~to, soil and vegetation, improved natural resources conservation~~
19 ~~practices, including, but not limited to, vegetation, revegetation,~~
20 ~~forestation and reforestation on rangeland and other agricultural~~
21 ~~and nonagricultural lands, improved practices for the capture and~~
22 ~~sequestration of carbon dioxide emissions through carbon dioxide~~
23 ~~injection in marginally producing oil and/or gas wells and abandoned~~
24 ~~oil and/or gas wells and other improved methods of stewardship for~~

1 ~~Oklahoma's natural resources~~ Carbon sequestration practices have
2 great potential to increase carbon sequestration and help offset the
3 impact of carbon dioxide emissions on carbon dioxide concentrations
4 in the atmosphere; and

5 3. It is in the interest of the citizens of this state that the
6 Oklahoma Conservation Commission document and quantify carbon
7 sequestration associated with ~~improved agricultural practices,~~
8 ~~improved natural resources conservation practices associated with~~
9 ~~other methods of improved stewardship of soil and vegetation for~~
10 ~~Oklahoma's natural resources, on rangeland, and other agricultural~~
11 ~~and nonagricultural lands, and associated with the capturing and~~
12 ~~sequestration of carbon dioxide emissions through carbon dioxide~~
13 ~~injection in marginally producing oil and/or gas wells and abandoned~~
14 ~~oil and/or gas wells~~ carbon sequestration practices.

15 C. It is the intent of the Legislature that such efforts to
16 document and quantify carbon sequestration ~~on agricultural and~~
17 ~~nonagricultural lands and the capturing and sequestration of carbon~~
18 ~~dioxide emissions through carbon dioxide injection in marginal oil~~
19 ~~and/or gas wells and abandoned oil and/or gas wells within the state~~
20 associated with carbon sequestration practices will enhance the
21 ability of the state's landowners, well owners and mineral owners to
22 participate in any system of carbon dioxide emissions marketing or
23 trading that may be developed in the future.

24

1 D. For purposes of this article, "carbon sequestration
2 practices" and "carbon capture and storage practices" shall mean and
3 include:

4 1. Improved agricultural practices, including, but not limited
5 to, decreasing soil tillage, planting and managing vegetation,
6 growing agricultural crops or managing any existing vegetated area;

7 2. Improved natural resources conservation practices,
8 including, but not limited to, vegetation, revegetation,
9 forestation, afforestation and reforestation on rangeland and other
10 agricultural and nonagricultural lands;

11 3. Practices involving the capture and sequestration and/or
12 storage of carbon dioxide emissions through carbon dioxide injection
13 in producing oil and/or gas wells, abandoned oil and/or gas wells,
14 or other wells;

15 4. Other improved methods of stewardship for Oklahoma's natural
16 resources; and

17 5. Other methods of sequestering, displacing or avoiding carbon
18 dioxide emissions approved by the Oklahoma Conservation Commission.

19 SECTION 3. AMENDATORY 27A O.S. 2001, Section 3-4-102, as
20 last amended by Section 2, Chapter 221, O.S.L. 2003 (27A O.S. Supp.
21 2010, Section 3-4-102), is amended to read as follows:

22 Section 3-4-102. ~~A. There is hereby created the Carbon~~
23 ~~Sequestration Advisory Committee. The Committee shall consist of~~
24 ~~the following members appointed by the Governor:~~

- ~~1. The Director of the Department of Agriculture or designee;~~
- ~~2. The Director of the Department of Environmental Quality or designee;~~
- ~~3. The Director of the Oklahoma Conservation Commission or designee;~~
- ~~4. One member representing the Natural Resources Conservation Service of the United States Department of Agriculture;~~
- ~~5. One member representing Oklahoma State University;~~
- ~~6. One member representing the Oklahoma Energy Board;~~
- ~~7. One member representing an entity which generates electrical energy and operates facilities/equipment associated with the transmission and distribution of electrical energy;~~
- ~~8. Two members who are producers of field crops at least one of whom actively employs a minimum tillage management system in his or her farming operation;~~
- ~~9. Two members who are producers of livestock at least one of whom is actively involved in range management;~~
- ~~10. One member with expertise in carbon dioxide emissions marketing or trading;~~
- ~~11. One member representing an agri business that does business and trading with farmers and ranchers and is involved with day-to-day merchandising in agricultural products;~~
- ~~12. One member representing conservation districts in this state;~~

1 ~~13. One member representing the ethanol industry;~~

2 ~~14. One member representing electric cooperatives in this state~~
3 ~~designated by the industry;~~

4 ~~15. The Director of the Oklahoma Climatological Survey; and~~

5 ~~16. One member representing production agriculture who is~~
6 ~~actively engaged in carbon based energy and wildlife related~~
7 ~~activities to be designated by the Director of the Conservation~~
8 ~~Commission.~~

9 ~~B. Members of the Committee shall serve without compensation~~
10 ~~but shall be reimbursed for their actual and necessary expenses as~~
11 ~~provided in the State Travel Reimbursement Act. The Oklahoma~~
12 ~~Conservation Commission shall, subject to availability of~~
13 ~~appropriations, provide space for meetings of the Committee and~~
14 ~~shall provide other assistance and staffing needs of the Committee.~~

15 ~~C. The Carbon Sequestration Advisory Committee shall:~~

16 ~~1. Advise and assist the Oklahoma Conservation Commission in~~
17 ~~preparing any reports required by this section and in conducting the~~
18 ~~assessment pursuant to Section 3-4-103 of this title;~~

19 ~~2. Identify existing opportunities for Oklahoma agricultural~~
20 ~~and nonagricultural landowners, owners of marginally producing oil~~
21 ~~and/or gas wells and mineral owners to participate in any system of~~
22 ~~carbon dioxide emissions marketing or trading that may be developed~~
23 ~~in the future, and to optimize the economic benefits to Oklahoma~~
24 ~~agricultural and nonagricultural landowners, owners of marginally~~

~~producing oil and/or gas wells and mineral owners who participate in such carbon dioxide emissions trading transactions. Such policies or programs may include, but are not limited to, identifying existing or new nonprofit organizations or other public or private entities capable of serving as assemblers of carbon dioxide emissions credits or as intermediaries on behalf of agricultural and nonagricultural landowners, owners of marginally producing oil and/or gas wells and mineral owners in any carbon dioxide emissions trading or marketing system that may be developed in the future;~~

~~3.~~ The Oklahoma Conservation Commission shall:

1. Encourage the production of educational and advisory materials regarding carbon sequestration and storage and the opportunities to participate in any system of carbon dioxide emissions trading or marketing that may be developed in the future; and

~~4.~~ 2. Identify ~~and recommend~~ areas of research needed to better understand and quantify ~~the processes of~~ carbon sequestration ~~on agricultural and nonagricultural lands and through the use of marginally producing oil and/or gas wells and abandoned oil and/or gas wells~~ and storage involved in carbon sequestration practices within the state.

~~D. On or before December 1, 2003, the Oklahoma Conservation Commission, in consultation with the Carbon Sequestration Advisory~~

1 ~~Committee, shall prepare an updated report to the Legislature. The~~
2 ~~updated report shall include, but not be limited to:~~

3 ~~1. Any new potential economic impact from utilizations of a~~
4 ~~voluntary system of carbon dioxide emissions trading or marketing~~
5 ~~for carbon sequestered on agricultural or nonagricultural lands in~~
6 ~~the state and for capturing and sequestering carbon dioxide~~
7 ~~emissions through carbon dioxide injection in marginally producing~~
8 ~~wells and abandoned oil and/or gas wells that could be used in the~~
9 ~~event carbon dioxide emissions regulations are adopted in the~~
10 ~~future;~~

11 ~~2. Improved agricultural practices, including, but not limited~~
12 ~~to, soil and vegetation, improved natural resources conservation~~
13 ~~practices, improved practices for the capture and sequestration of~~
14 ~~carbon dioxide emissions through carbon dioxide injection in~~
15 ~~marginal oil and/or gas wells and abandoned oil and/or gas wells,~~
16 ~~and other improved methods of stewardship for Oklahoma's natural~~
17 ~~resources which increase stored soil carbon and/or minimize carbon~~
18 ~~dioxide emissions associated with practices and activities that may~~
19 ~~generate carbon dioxide emissions;~~

20 ~~3. Methods for measuring and modeling net carbon sequestration~~
21 ~~associated with improved agricultural practices, improved natural~~
22 ~~resources conservation practices, improved practices for the capture~~
23 ~~and sequestration of carbon dioxide emissions through carbon dioxide~~
24

1 ~~injection in marginal and abandoned oil and/or gas wells and other~~
2 ~~improved methods of stewardship for Oklahoma's natural resources;~~

3 ~~4. Areas of scientific uncertainty with respect to quantifying~~
4 ~~and understanding sequestration associated with improved~~
5 ~~agricultural practices, improved natural resources conservation~~
6 ~~practices, improved practices for the capture and sequestration of~~
7 ~~carbon dioxide emissions through carbon dioxide injection in~~
8 ~~marginal and abandoned oil and/or gas wells, and other methods of~~
9 ~~improved stewardship for natural resources; and~~

10 ~~5. Any recommendations of the Carbon Sequestration Advisory~~
11 ~~Committee developed pursuant to the Oklahoma Carbon Sequestration~~
12 ~~Enhancement Act.~~

13 SECTION 4. AMENDATORY 27A O.S. 2001, Section 3-4-103, as
14 amended by Section 3, Chapter 221, O.S.L. 2003 (27A O.S. Supp. 2010,
15 Section 3-4-103), is amended to read as follows:

16 Section 3-4-103. A. ~~1. The Oklahoma Conservation Commission~~
17 ~~shall, subject to availability of appropriations, in consultation~~
18 ~~with the Carbon Sequestration Advisory Committee, assess~~
19 ~~agricultural and nonagricultural lands and marginally producing and~~
20 ~~abandoned oil and/or gas wells in this state for past carbon~~
21 ~~sequestration and future carbon sequestration potential.~~

22 ~~2. The assessment shall seek to quantify carbon sequestration~~
23 ~~associated with improved agricultural practices, including, but not~~
24 ~~limited to, soil and vegetation, improved natural resources~~

1 ~~conservation practices, improved practices for capture and~~
2 ~~sequestration of carbon dioxide through carbon dioxide injection in~~
3 ~~marginally producing and abandoned oil and/or gas wells, and other~~
4 ~~improved methods of stewardship for natural resources.~~

5 ~~3. On or before January 1, 2004, the Commission shall publish~~
6 ~~an updated report of the findings. The Commission may, from time to~~
7 ~~time, update such findings as advancements in understanding of the~~
8 ~~processes of carbon sequestration and new data become available.~~

9 ~~B. The assessment required in subsection A of this section~~
10 ~~shall be conducted in a manner that provides a means for owners of~~
11 ~~land in this state to estimate past and future net carbon~~
12 ~~sequestration resulting from improved agricultural practices,~~
13 ~~improved natural resources conservation practices, improved~~
14 ~~practices for capture and sequestration of carbon dioxide through~~
15 ~~carbon dioxide injection in marginally producing and abandoned oil~~
16 ~~and/or gas wells, and other improved methods of stewardship of~~
17 ~~natural resources occurring on their property.~~

18 ~~C. The Commission may contract and cooperate with the Natural~~
19 ~~Resources Conservation Service of the United States Department of~~
20 ~~Agriculture to conduct assessment activities provided for in this~~
21 ~~section.~~

22 ~~D. The Commission may apply for and accept grants, gifts, or~~
23 ~~other sources of public and private funds to carry out the purposes~~
24 ~~of the Oklahoma Carbon Sequestration Enhancement Act.~~

1 SECTION 5. AMENDATORY Section 2, Chapter 273, O.S.L.
2 2002, as amended by Section 4, Chapter 221, O.S.L. 2003 (27A O.S.
3 Supp. 2010, Section 3-4-105), is amended to read as follows:

4 Section 3-4-105. A. The Oklahoma Conservation Commission is
5 hereby authorized to establish and administer the carbon
6 sequestration certification program. The ~~purpose~~ purposes of the
7 program ~~is~~ are to provide a mechanism for creating and preserving
8 carbon reserves in this state ~~produced as by products of best~~
9 ~~available resource management activities upon certified lands by~~
10 encouraging voluntary practices that protect or improve natural
11 resources, to enable Oklahomans to participate in market based
12 programs for natural resource protection, to provide a mechanism for
13 Oklahomans to benefit from the ecosystem services they provide, to
14 verify carbon sequestration or storage associated with carbon
15 sequestration practices, and to issue carbon sequestration
16 certificates associated with carbon sequestration practices that the
17 Commission determines qualify for such certificates.

18 B. The Commission, in consultation with the Department of
19 Environmental Quality and with the advice of the Carbon
20 Sequestration ~~Committee~~ stakeholder groups appointed by the
21 Commission, shall develop and promulgate rules as necessary to
22 administer, implement and enforce the provisions of this article,
23 including, but not limited to, developing and implementing uniform
24 standards and criteria for ~~the certification of existing or~~

1 ~~potential carbon sinks located in this state~~ verifying carbon
2 sequestration and storage associated with carbon sequestration
3 practices and issuing carbon sequestration certificates associated
4 with approved carbon sequestration practices. In promulgating the
5 rules, the Commission shall develop the program to be as consistent
6 as possible with other governmental programs designed to create
7 carbon reserves for the purpose of voluntarily reducing greenhouse
8 gases or designed to certify carbon sequestration practices.

9 C. In order ~~to have land certified as an existing or potential~~
10 ~~carbon sink~~ for carbon sequestration to be verified and certified
11 hereunder, an applicant shall file an application with the
12 Commission. Along with the application, the applicant shall submit
13 a resource management plan, or a project plan as applicable,
14 detailing activities ~~which~~ that will increase or maintain existing
15 trapped carbon including, but not limited to, improved forest
16 management, alteration of or changes in silviculture practices, and
17 growing of designated crops and any other such practices including,
18 but not limited to, the capture and sequestration of carbon dioxide
19 emissions through injection of carbon dioxide ~~in marginal and~~
20 ~~abandoned oil and/or gas wells which, based on best available~~
21 ~~information, will increase trapped carbon~~ underground.

22 D. The Commission shall require applicants to submit such
23 information, forms, and reports as are necessary to properly and
24 efficiently administer the program.

1 E. ~~The~~ Prior to granting a carbon sequestration certificate,
2 the Commission shall adopt ~~site certification conditions for each~~
3 ~~carbon sink~~ criteria associated with the approved carbon
4 sequestration practice for which an application is submitted. In
5 addition, the Commission shall determine, based upon compliance with
6 ~~the site certification conditions~~ such site criteria, the volume or
7 numerical amount of credits or offsets achievable by the specific
8 carbon ~~sink~~ sequestration practice.

9 F. Applications for ~~certification of~~ a carbon sink
10 sequestration certificate shall be approved or denied in accordance
11 with criteria promulgated by the Commission.

12 G. ~~For purposes of this section, "carbon sink" means a~~
13 ~~geographical area that could be developed with reforestation,~~
14 ~~afforestation, growing agricultural crops or any existing vegetated~~
15 ~~area or marginally producing and/or abandoned oil and/or gas well~~
16 ~~area in which carbon is or could be trapped or injected~~ The
17 Commission is authorized to establish fees associated with the
18 carbon sequestration certification program.

19 SECTION 6. AMENDATORY 60 O.S. 2001, Section 6, is
20 amended to read as follows:

21 Section 6. Land is the solid material of the earth, whatever
22 may be the ingredients of which it is composed, whether soil, rock
23 or other substance, and includes any pore space. "Pore space" means
24 any interstitial space not occupied by soil or rock, within the

1 solid material of the earth, and any cavity, hole, hollow, or void
2 space within the solid material of the earth.

3 SECTION 7. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 10 of Title 60, unless there is
5 created a duplication in numbering, reads as follows:

6 Pore space, as that term is used and defined in Section 6 of
7 this act, is real property and until title thereto or rights,
8 interests or estates therein are separately transferred, pore space
9 is the property of the person or persons holding title to the land
10 surface above it.

11 SECTION 8. NEW LAW A new section of law not to be
12 codified in the Oklahoma Statutes reads as follows:

13 The Oklahoma Geological Survey, a state agency created by the
14 Oklahoma Constitution, shall, subject to availability of
15 appropriations or other funding, assess publicly-owned lands,
16 minerals and other public property for carbon sequestration
17 potential, including, but not limited to, determining suitable
18 reservoirs for carbon dioxide injection underlying state surface and
19 mineral property interests and estimating the volume capacity for
20 CO2 sequestration in such reservoirs, as such terms are used and
21 defined in Section 3-5-102 of Title 27A of the Oklahoma Statutes.

22 SECTION 9. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby
24

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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