

SENATE BILL No. 775

August 27, 2009, Introduced by Senators KUIPERS and BIRKHOLZ and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 67.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 67

CARBON DIOXIDE STORAGE

SEC. 6701. AS USED IN THIS PART:

(A) "ADMINISTRATIVE FUND" MEANS THE CARBON DIOXIDE ADMINISTRATIVE FUND CREATED IN SECTION 6705.

(B) "CARBON DIOXIDE" MEANS ANTHROPOGENICALLY GENERATED CARBON DIOXIDE AND OTHER CHEMICAL CONSTITUENTS OF SUFFICIENT PURITY AND QUALITY WHEN INJECTED INTO A RESERVOIR SO AS NOT TO COMPROMISE THE SAFETY, EFFICIENCY, AND INTEGRITY OF THE RESERVOIR.

(C) "CLEAN ENERGY PROJECT" MEANS A STEAM-POWERED ELECTRIC

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1 GENERATION FACILITY THAT PRODUCES BETWEEN 30 AND 100 MEGAWATTS OF
2 ELECTRIC POWER THROUGH THE USE OF FOSSIL FUELS AND IS DESIGNED AND
3 OPERATED TO CAPTURE, SEQUESTER, AND STORE AT LEAST 90% OF GROSS
4 CARBON DIOXIDE EMISSIONS IN A STORAGE FACILITY.

5 (D) "CREDIT" OR "CREDITS" MEANS THE ECONOMIC VALUE ATTRIBUTED
6 BY FEDERAL LAW OR REGULATION TO EACH 2,000 POUNDS OF CARBON DIOXIDE
7 THAT IS PERMANENTLY STORED IN A STORAGE FACILITY.

8 (E) "DEPARTMENT" MEANS THE DEPARTMENT OF ENVIRONMENTAL
9 QUALITY.

10 (F) "GEOLOGIC STORAGE" MEANS PERMANENT UNDERGROUND STORAGE OF
11 CARBON DIOXIDE IN A RESERVOIR PURSUANT TO A PERMIT ISSUED BY THE
12 DEPARTMENT UNDER THIS PART.

13 (G) "NOTICE OF COMPLETION" MEANS A NOTIFICATION BY THE
14 DEPARTMENT THAT A STORAGE OPERATOR HAS PERMANENTLY CEASED INJECTING
15 CARBON DIOXIDE INTO A STORAGE FACILITY AND HAS TAKEN THE ACTIONS
16 DETERMINED NECESSARY BY THE DEPARTMENT TO TERMINATE ACTIVE
17 OPERATION OF THE STORAGE FACILITY.

18 (H) "OIL OR GAS" MEANS OIL, NATURAL GAS, OR GAS CONDENSATE.

19 (I) "PERMIT" MEANS A PERMIT TO DRILL AND OPERATE A WELL FOR
20 THE INJECTION AND STORAGE OF CARBON DIOXIDE, AS PROVIDED FOR IN
21 THIS PART.

22 (J) "RESERVOIR" MEANS ANY OF THE FOLLOWING THAT ARE SUITABLE
23 FOR OR CAPABLE OF BEING MADE SUITABLE FOR THE INJECTION AND STORAGE
24 OF CARBON DIOXIDE:

25 (i) A SUBSURFACE SEDIMENTARY STRATUM, FORMATION, STRUCTURE,
26 AQUIFER, CAVITY, OR VOID, WHETHER NATURAL OR ARTIFICIALLY CREATED.

27 (ii) A SALINE FORMATION.

1 (iii) A COAL SEAM.

2 (K) "STORAGE FACILITY" MEANS A RESERVOIR, UNDERGROUND
3 EQUIPMENT, SURFACE BUILDINGS, FACILITIES, AND EQUIPMENT UTILIZED IN
4 THE STORAGE OF CARBON DIOXIDE PURSUANT TO A PERMIT ISSUED BY THE
5 DEPARTMENT UNDER THIS PART, EXCLUDING PIPELINES USED TO TRANSPORT
6 THE CARBON DIOXIDE FROM 1 OR MORE CAPTURE FACILITIES TO THE
7 INJECTION AND STORAGE SITE. A STORAGE FACILITY INCLUDES ANY
8 NECESSARY AND REASONABLE BUFFER AND SUBSURFACE MONITORING ZONES
9 DESIGNATED BY THE DEPARTMENT FOR THE PURPOSE OF PROTECTING AGAINST
10 POLLUTION OR INVASION, AND THE ESCAPE, RELEASE, OR MIGRATION OF
11 CARBON DIOXIDE STORED IN THE STORAGE FACILITY.

12 (l) "STORAGE OPERATOR" MEANS A PERSON THAT OPERATES A STORAGE
13 FACILITY PURSUANT TO A PERMIT ISSUED BY THE DEPARTMENT UNDER THIS
14 PART TO DRILL AND OPERATE AN INJECTION WELL AND STORAGE FACILITY.

15 (M) "TRUST FUND" MEANS THE CARBON DIOXIDE STORAGE FACILITY
16 TRUST FUND CREATED IN SECTION 6704.

17 SEC. 6702. (1) SUBJECT TO SECTION 6703(3), A PERSON SHALL NOT
18 INJECT INTO AND USE A RESERVOIR FOR THE GEOLOGIC STORAGE OF CARBON
19 DIOXIDE UNLESS THE PERSON IS ISSUED A PERMIT UNDER THIS PART. UPON
20 APPLICATION, THE DEPARTMENT MAY ISSUE A PERMIT TO DRILL AND OPERATE
21 A WELL FOR THE INJECTION AND STORAGE OF CARBON DIOXIDE IN A STORAGE
22 FACILITY. THE ISSUANCE OF A PERMIT SHALL BE IN ACCORDANCE WITH THIS
23 PART, APPLICABLE PROVISIONS OF PART 615, ANY RULES PROMULGATED
24 UNDER THIS PART, AND APPLICABLE FEDERAL LAW AND REGULATION. A
25 PERMIT SHALL BE ISSUED IF THE DEPARTMENT FINDS ALL OF THE
26 FOLLOWING:

27 (A) THE HORIZONTAL AND VERTICAL BOUNDARIES OF THE STORAGE

1 FACILITY ARE APPROPRIATE FOR THE STORAGE FACILITY.

2 (B) THE STORAGE FACILITY IS SUITABLE FOR THE INJECTION AND
3 STORAGE OF CARBON DIOXIDE.

4 (C) THE USE OF THE STORAGE FACILITY WILL NOT CONTAMINATE OTHER
5 FORMATIONS CONTAINING FRESH WATER, OIL, GAS, COAL, OR OTHER
6 COMMERCIALY VALUABLE MINERAL DEPOSITS.

7 (D) THE PROPOSED STORAGE OF CARBON DIOXIDE IN THE STORAGE
8 FACILITY IS IN THE PUBLIC INTEREST AND WILL NOT ENDANGER HUMAN
9 HEALTH OR THE ENVIRONMENT.

10 (E) THE APPLICANT, AS THE PROPOSED STORAGE OPERATOR, HAS MADE
11 A GOOD-FAITH EFFORT TO OBTAIN THE CONSENT OF A MAJORITY OF THE
12 OWNERS OF THE LAND OR OF RIGHTS OR INTERESTS IN THE LAND COMPOSING
13 THE STORAGE FACILITY AND THE APPLICANT INTENDS TO ACQUIRE ANY
14 REMAINING INTERESTS NECESSARY FOR THE PURPOSE OF DRILLING THE
15 INJECTION WELL AND OPERATING THE STORAGE FACILITY.

16 (2) THE DEPARTMENT MAY REQUIRE A STORAGE OPERATOR TO PROVIDE
17 ADEQUATE SURETY, SECURITY, OR CASH PERFORMANCE BONDS AS A CONDITION
18 OF THE ISSUANCE OF A PERMIT.

19 SEC. 6703. (1) A LOCAL UNIT OF GOVERNMENT MAY TAKE PRIVATE
20 PROPERTY SITUATED WITHIN OR OUTSIDE OF ITS CORPORATE LIMITS UNDER
21 1911 PA 149, MCL 213.21 TO 213.25, FOR USE AS A STORAGE FACILITY,
22 TO BE OWNED OR OPERATED, IN WHOLE OR IN PART, BY THE LOCAL UNIT OF
23 GOVERNMENT, ANOTHER LOCAL UNIT OF GOVERNMENT, OR THE STATE.

24 (2) RIGHTS OR INTERESTS IN A STORAGE FACILITY HELD BY A PARTY
25 WHO HAS OBTAINED A PERMIT FROM THE DEPARTMENT UNDER THIS PART ARE
26 NOT SUBJECT TO CONDEMNATION OTHERWISE AUTHORIZED BY THIS SECTION.

27 (3) A PERMIT UNDER THIS PART IS NOT REQUIRED IF THE INJECTION

1 OF CARBON DIOXIDE INTO A RESERVOIR HAS BEEN APPROVED BY THE
2 DEPARTMENT UNDER PART 615 OR PART 617 AND IF THE APPROVAL REMAINS
3 IN EFFECT. THIS SUBSECTION DOES NOT PROHIBIT A PERSON FROM SEEKING
4 PERMITS OR APPROVALS AS PROVIDED FOR IN THIS PART OR AS PROVIDED
5 FOR IN PART 615 OR PART 617.

6 (4) THE EXERCISE OF THE RIGHT OF CONDEMNATION AUTHORIZED BY
7 THIS SECTION DOES NOT PRECLUDE THE RIGHT OF THE OWNER OF THE LAND
8 OR OF RIGHTS OR INTERESTS IN THE LAND TO DRILL THROUGH THE STORAGE
9 FACILITY RESERVOIR, IF THE DRILLING COMPLIES WITH THIS ACT AND THE
10 RULES PROMULGATED UNDER THIS ACT. THE RIGHT OF CONDEMNATION
11 AUTHORIZED BY THIS SECTION DOES NOT PREJUDICE, IMPAIR, OR DIMINISH
12 THE RIGHTS OF THE OWNER OF THE LAND OR OF RIGHTS OR INTERESTS IN
13 THE LAND TO THE ENJOYMENT OF ALL OTHER USES NOT ACQUIRED FOR THE
14 STORAGE FACILITY.

15 SEC. 6704. (1) THE CARBON DIOXIDE STORAGE FACILITY TRUST FUND
16 IS CREATED WITHIN THE STATE TREASURY.

17 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM
18 ANY SOURCE FOR DEPOSIT INTO THE TRUST FUND. THE STATE TREASURER
19 SHALL DIRECT THE INVESTMENT OF THE TRUST FUND. THE STATE TREASURER
20 SHALL CREDIT TO THE TRUST FUND INTEREST AND EARNINGS FROM TRUST
21 FUND INVESTMENTS.

22 (3) MONEY IN THE TRUST FUND AT THE CLOSE OF THE FISCAL YEAR
23 SHALL REMAIN IN THE TRUST FUND AND SHALL NOT LAPSE TO THE GENERAL
24 FUND.

25 (4) THE DEPARTMENT SHALL BE THE ADMINISTRATOR OF THE TRUST
26 FUND FOR AUDITING PURPOSES.

27 (5) MONEY IN THE TRUST FUND SHALL BE USED BY THE DEPARTMENT,

1 UPON APPROPRIATION, FOR 1 OR MORE OF THE FOLLOWING:

2 (A) LONG-TERM MONITORING OF STORAGE FACILITIES, INCLUDING
3 SURFACE FACILITIES, EQUIPMENT, AND WELLS.

4 (B) REMEDIATION OF MECHANICAL PROBLEMS ASSOCIATED WITH WELLS
5 AND SURFACE INFRASTRUCTURE AT STORAGE FACILITIES.

6 (C) REPAIRING MECHANICAL LEAKS AT STORAGE FACILITIES.

7 (D) PLUGGING AND ABANDONING WELLS UNDER THE JURISDICTION OF
8 THE DEPARTMENT FOR USE AS OBSERVATION WELLS.

9 (E) PAYING CLAIMS ASSOCIATED WITH STORAGE FACILITIES.

10 (6) THERE IS LEVIED ON EACH STORAGE OPERATOR A 1-TIME FEE OF
11 \$1.00 FOR EACH TON OF CARBON DIOXIDE INJECTED INTO A STORAGE
12 FACILITY. THE DEPARTMENT SHALL COLLECT FEES LEVIED UNDER THIS
13 SECTION AND SHALL FORWARD THOSE FEES TO THE STATE TREASURER FOR
14 DEPOSIT IN THE TRUST FUND.

15 SEC. 6705. (1) THE CARBON DIOXIDE ADMINISTRATIVE FUND IS
16 CREATED WITHIN THE STATE TREASURY.

17 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM
18 ANY SOURCE FOR DEPOSIT INTO THE ADMINISTRATIVE FUND. THE STATE
19 TREASURER SHALL DIRECT THE INVESTMENT OF THE ADMINISTRATIVE FUND.
20 THE STATE TREASURER SHALL CREDIT TO THE ADMINISTRATIVE FUND
21 INTEREST AND EARNINGS FROM ADMINISTRATIVE FUND INVESTMENTS.

22 (3) MONEY IN THE ADMINISTRATIVE FUND AT THE CLOSE OF THE
23 FISCAL YEAR SHALL REMAIN IN THE ADMINISTRATIVE FUND AND SHALL NOT
24 LAPSE TO THE GENERAL FUND.

25 (4) THE DEPARTMENT SHALL BE THE ADMINISTRATOR OF THE
26 ADMINISTRATIVE FUND FOR AUDITING PURPOSES.

27 (5) MONEY IN THE ADMINISTRATIVE FUND SHALL BE USED BY THE

1 DEPARTMENT TO ADMINISTER AND ENFORCE THIS PART DURING THE
2 OPERATIONAL PHASE OF A STORAGE FACILITY, INCLUDING INSPECTING,
3 TESTING, AND MONITORING THE STORAGE FACILITY.

4 (6) DURING THE PERIOD PRIOR TO ISSUANCE OF A NOTICE OF
5 COMPLETION, THERE IS LEVIED ON EACH STORAGE OPERATOR AN ANNUAL
6 CHARGE IN AN AMOUNT EQUAL TO 15 CENTS PER TON OF CARBON DIOXIDE
7 STORED IN A STORAGE FACILITY. THE DEPARTMENT SHALL COLLECT FEES
8 LEVIED UNDER THIS SECTION AND FORWARD THEM TO THE STATE TREASURER
9 FOR DEPOSIT INTO THE ADMINISTRATIVE FUND.

10 SEC. 6706. (1) A STORAGE OPERATOR MAY SUBMIT A REQUEST TO THE
11 DEPARTMENT FOR A NOTICE OF COMPLETION. THE DEPARTMENT SHALL ISSUE A
12 NOTICE OF COMPLETION IF IT DETERMINES THAT A RESERVOIR IS
13 REASONABLY EXPECTED TO RETAIN ITS MECHANICAL INTEGRITY AND CONTAIN
14 THE CARBON DIOXIDE STORED IN IT.

15 (2) TEN YEARS AFTER A NOTICE OF COMPLETION IS ISSUED, ALL OF
16 THE FOLLOWING SHALL OCCUR:

17 (A) OWNERSHIP OF THE STORAGE FACILITY, INCLUDING THE STORED
18 CARBON DIOXIDE, TRANSFERS BY OPERATION OF LAW TO THIS STATE.

19 (B) THE STORAGE OPERATOR, ALL GENERATORS OF ANY INJECTED AND
20 STORED CARBON DIOXIDE, AND THE OWNERS OF THE LAND OR OF RIGHTS OR
21 INTERESTS IN THE LAND COMPOSING THE STORAGE FACILITY ARE RELEASED
22 BY OPERATION OF LAW FROM CIVIL, ADMINISTRATIVE, OR CRIMINAL
23 LIABILITY ASSOCIATED WITH THE STORAGE FACILITY.

24 (C) ANY PERFORMANCE BONDS POSTED BY THE STORAGE OPERATOR SHALL
25 BE RELEASED, AND THE CONTINUED MONITORING OF THE STORAGE FACILITY,
26 INCLUDING REMEDIATION OF ANY WELL LEAKAGE, BECOME THE
27 RESPONSIBILITY OF THE DEPARTMENT.

1 (3) NOTWITHSTANDING SUBSECTION (2), FOR ALL CLEAN ENERGY
2 PROJECTS INITIALLY FUNDED, IN WHOLE OR IN PART, BY THIS STATE OR
3 THE FEDERAL GOVERNMENT IN AN AMOUNT EXCEEDING \$80,000,000.00, FOR
4 THE PURPOSE OF CONDUCTING RESEARCH AND DEVELOPMENT AND THE
5 DEMONSTRATION OF PERMANENT CARBON DIOXIDE SEQUESTRATION AND
6 STORAGE, ALL OF THE FOLLOWING SHALL APPLY:

7 (A) AFTER CARBON DIOXIDE HAS BEEN INJECTED INTO THE WELL AND
8 HAS PASSED INTO THE RESERVOIR FOR STORAGE, ALL RIGHT, TITLE, AND
9 INTEREST IN AND TO, AND ANY LIABILITIES ASSOCIATED WITH, THE CARBON
10 DIOXIDE INJECTED AND STORED IN THE STORAGE FACILITY TRANSFER BY
11 OPERATION OF LAW TO THIS STATE, AT WHICH TIME THE STORAGE OPERATOR,
12 ALL GENERATORS OF ANY INJECTED CARBON DIOXIDE, AND THE OWNERS OF
13 THE LANDS OR RIGHTS OR INTERESTS IN THE LANDS COMPOSING THE STORAGE
14 FACILITY SHALL BE IMMUNE FROM ANY CIVIL, ADMINISTRATIVE, AND
15 CRIMINAL LIABILITY ARISING OUT OF, IN CONNECTION WITH, OR RESULTING
16 FROM THE STORAGE, ESCAPE, RELEASE, OR MIGRATION OF THE CARBON
17 DIOXIDE INJECTED BY THE STORAGE OPERATOR. THIS SUBSECTION IS IN
18 ADDITION TO AND NOT IN LIEU OF ANY IMMUNITY FROM OR LIMITATION OF
19 LIABILITY OTHERWISE PROVIDED BY STATUTE OR COMMON LAW. THE IMMUNITY
20 FROM LIABILITY PROVIDED BY THIS SUBSECTION DOES NOT EXTEND TO
21 CLAIMS ARISING FROM ACTIVITIES OCCURRING BEFORE CARBON DIOXIDE HAS
22 BEEN INJECTED INTO A WELL AND HAS PASSED INTO A RESERVOIR.

23 (B) IF STATE OR FEDERAL LAW CREATES OR CONFIRMS THE EXISTENCE
24 OF A COMMERCIAL MARKET RELATING TO CREDITS OR OTHER ECONOMIC VALUE
25 ATTRIBUTABLE TO CARBON DIOXIDE THAT HAS BEEN PERMANENTLY STORED, A
26 STORAGE OPERATOR THAT IS OPERATING UNDER THIS SUBSECTION IS
27 RESPONSIBLE FOR THE PREPARATION, FILING, AND REGISTRATION OF ALL

1 APPLICATIONS AND RELATED DOCUMENTATION AND FUND TRANSACTIONS IN
2 CONNECTION WITH CARBON DIOXIDE PERMANENTLY STORED IN A STORAGE
3 FACILITY OPERATED UNDER THIS SUBSECTION. UPON RECEIPT OF ANY FUNDS,
4 PAYMENTS, CREDITS, OR OTHER ITEMS OF ECONOMIC VALUE ATTRIBUTABLE TO
5 SUCH PERMANENTLY STORED CARBON DIOXIDE, THE STORAGE OPERATOR SHALL
6 TRANSFER TO THIS STATE A PAYMENT IN AN AMOUNT EQUAL TO THE MARKET
7 VALUE OF THE CREDIT OR OTHER ITEMS OF ECONOMIC VALUE ISSUED LESS AN
8 AMOUNT SUFFICIENT TO COVER THE STORAGE OPERATOR'S CAPITAL AND
9 OPERATING COSTS FOR THE SAME PERIOD FOR WHICH THE CREDIT OR OTHER
10 ITEMS OF ECONOMIC VALUE ARE ISSUED WHICH WERE INCURRED BY REASON OF
11 THE STORAGE. THESE FUNDS SHALL BE DEPOSITED BY THIS STATE INTO THE
12 TRUST FUND. IF STATE OR FEDERAL LAW CREATES OR PROVIDES FOR ANY
13 BONUS CREDIT OR CREDITS FOR EARLY ADOPTION OF A CARBON DIOXIDE
14 STORAGE PROGRAM, THE VALUE OF THE BONUS CREDIT OR CREDITS SHALL BE
15 THE PROPERTY OF THE STORAGE OPERATOR.

16 (C) A STORAGE OPERATOR THAT IS OPERATING UNDER THIS SUBSECTION
17 MAY IRREVOCABLY ELECT TO DISCLAIM THE APPLICABILITY OF THIS
18 SUBSECTION AND TO BE SUBJECT TO SUBSECTION (1), EFFECTIVE AS OF THE
19 DATE DESIGNATED BY THE STORAGE OPERATOR IN A WRITTEN STATEMENT
20 FILED WITH THE DEPARTMENT.

21 (D) NOTWITHSTANDING ANY LAW TO THE CONTRARY, INCLUDING 1964 PA
22 170, MCL 691.1401 TO 691.1419, AFTER THE TRANSFER OF TITLE TO
23 CARBON DIOXIDE TO THE STATE, THIS STATE HAS SOLE CIVIL,
24 ADMINISTRATIVE, AND CRIMINAL LIABILITY, IN CONNECTION WITH, ARISING
25 OUT OF, OR RESULTING FROM THE STORAGE, ESCAPE, RELEASE, OR
26 MIGRATION OF THE CARBON DIOXIDE.

27 (E) NOTWITHSTANDING ANY LAW TO THE CONTRARY, THIS STATE SHALL

1 INDEMNIFY, HOLD HARMLESS, DEFEND, AND RELEASE THE STORAGE OPERATOR
2 FROM AND AGAINST ANY LIABILITY, WHETHER CIVIL, ADMINISTRATIVE, OR
3 CRIMINAL, ASSERTED AGAINST THE STORAGE OPERATOR IN CONNECTION WITH
4 CARBON DIOXIDE STORED IN A STORAGE FACILITY, INCLUDING PAYMENT TO
5 THE STORAGE OPERATOR OF REASONABLE ATTORNEY FEES AND ALL OTHER
6 COSTS OF LITIGATION INCURRED BY IT. HOWEVER, THE OBLIGATION OF THIS
7 STATE TO INDEMNIFY THE STORAGE OPERATOR SHALL NOT EXTEND TO ANY
8 LIABILITY ARISING OUT OF OR RELATING TO ANY OF THE FOLLOWING:

9 (i) THE INTENTIONAL OR WILLFUL MISCONDUCT OF THE STORAGE
10 OPERATOR IN ITS OPERATION OF THE STORAGE FACILITY.

11 (ii) THE FAILURE OF THE STORAGE OPERATOR TO COMPLY WITH STATE
12 OR FEDERAL LAW.

13 (iii) THE PREINJECTION OPERATION OF THE STORAGE FACILITY.

14 (F) THE OPERATION OF A STORAGE FACILITY OR THE INJECTION OR
15 STORAGE OF CARBON DIOXIDE IN A STORAGE FACILITY BY THE STORAGE
16 OPERATOR DOES NOT CONSTITUTE A PUBLIC OR PRIVATE NUISANCE OR A
17 TRESPASS. A COURT OF THIS STATE DOES NOT HAVE JURISDICTION TO
18 ENJOIN OR RESTRAIN THE OPERATION OF A STORAGE FACILITY OR THE
19 INJECTION OR STORAGE OF CARBON DIOXIDE IN A STORAGE FACILITY UNDER
20 ANY OTHER LAW. RULES OF ANY STATE DEPARTMENT OR AGENCY, TO THE
21 EXTENT THAT THEY CONFLICT WITH THIS PART, DO NOT APPLY TO THE
22 OPERATION OF A STORAGE FACILITY OR THE INJECTION OR STORAGE OF
23 CARBON DIOXIDE IN A STORAGE FACILITY.

24 SEC. 6707. THE DEPARTMENT SHALL HAVE CONTINUING JURISDICTION
25 AND AUTHORITY OVER ALL PERSONS AND PROPERTY NECESSARY TO ADMINISTER
26 AND ENFORCE THIS PART. THE DEPARTMENT'S JURISDICTION SHALL INCLUDE
27 ALL PERIODS AFTER THE CESSATION OF OPERATIONS BY THE STORAGE

1 OPERATOR.

2 SEC. 6708. THE DEPARTMENT AND LOCAL UNITS OF GOVERNMENT MAY
3 ENTER INTO AGREEMENTS WITH EACH OTHER AND WITH THE FEDERAL
4 GOVERNMENT OR OTHER STATES FOR THE PURPOSE OF REGULATING CARBON
5 DIOXIDE STORAGE PROJECTS OR OWNING OR OPERATING STORAGE FACILITIES.

6 SEC. 6709. THIS PART PREEMPTS ANY CONFLICTING RESOLUTION,
7 ORDINANCE, CHARTER, ZONING, LAND USE, OR OTHER PROVISION ADOPTED BY
8 A LOCAL UNIT OF GOVERNMENT.

9 SEC. 6710. THE DEPARTMENT MAY PROMULGATE RULES PURSUANT TO THE
10 ADMINISTRATIVE PROCEDURES ACT, 1969 PA 306, MCL 24.201 TO 24.328,
11 TO IMPLEMENT THIS PART.