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Ohio Revised Code

Section 1509.72 Carbon sequestration regulation authority.

Effective: September 23, 2026
Legislation: House Bill 170 - 136th General Assembly

The division of oil and gas resources management has sole and exclusive authority to regulate carbon sequestration and the operation of storage facilities within the state, excepting only those activities regulated under federal laws and for which the state does not have primacy. The regulation of carbon sequestration activities is a matter of general statewide interest that requires uniform statewide regulation, and sections 1509.71 to 1509.79 of the Revised Code and rules adopted under those sections constitute a comprehensive plan with respect to all aspects of carbon sequestration within this state, including storage facility operation and permitting related to those activities.

In order to assist the division in the furtherance of its sole and exclusive authority as established in this section, the chief of the division of oil and gas resources management may enter into cooperative agreements with other states that share jurisdiction regarding carbon sequestration projects and other state agencies regarding carbon sequestration projects. Such cooperative agreements do not confer on other state agencies any authority to administer or enforce sections 1509.71 to 1509.79 of the Revised Code and rules adopted under those sections. In addition, such cooperative agreements shall not be construed to dilute or diminish the division's sole and exclusive authority as established in this section.

The division may create a program to incentivize innovation for the use of and reutilization of captured carbon dioxide.

Nothing in this section affects the authority granted to the director of transportation and local authorities in section 723.01 or 4513.34 of the Revised Code, provided that the authority granted under those sections shall not be exercised in a manner that discriminates against, unfairly impedes, or obstructs carbon sequestration projects regulated under sections 1509.71 to 1509.79 of the Revised Code.