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Ohio Revised Code

Section 1509.77 Certificates of project completion.

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

(A) After carbon dioxide injection into a storage facility ceases, the chief of the division of oil and gas resources management may issue a certificate of project completion upon application by the storage operator. The chief shall issue a certificate only upon satisfaction of the conditions imposed under this section and after providing public notice of the application, an opportunity for public comment, and if deemed necessary by the chief, a public hearing on the application.

(B) A certificate shall not be issued until at least fifty years after carbon dioxide injections cease or until an established alternative timeline approved by the chief has elapsed.

(C) A certificate shall not be issued until the storage operator establishes with a degree of certainty to the satisfaction of the chief that all of the following apply:

(1) The storage operator is in full compliance with all laws governing carbon sequestration.

(2) The following apply to the carbon dioxide that has been injected underground for storage:

(a) It is not expected to extend or migrate outside of the storage facility and is not expected to pose a threat to public health or safety or the environment or underground sources of drinking water.

(b) It is not likely to cross any boundary vertically from the storage facility and is not expected to endanger public health or safety or the environment or underground sources of drinking water.

(3) All carbon dioxide wells and associated equipment and facilities to be used in maintaining and managing the stored carbon dioxide, including any monitoring wells, are in good condition and will retain mechanical integrity.

(4) The storage operator has plugged all carbon dioxide wells not used in maintaining and managing the stored carbon dioxide and has completed all reclamation required by the division.

(D) Upon the issuance of a certificate of project completion, the following shall occur:

(1) Except as otherwise provided in this section, the former storage operator is released from all regulatory requirements associated with continued storage and maintenance of the

injected carbon dioxide, and financial assurance required under rules adopted under section 1509.73 of the Revised Code shall be released to the former storage operator.

(2) Primary responsibility and liability for the stored or injected carbon dioxide shall be transferred to the state, except for criminal and contractual liability and except under any of the following circumstances:

(a) The storage operator violated a duty imposed on the storage operator by state law or rule prior to the issuance of the certificate of project completion and any applicable statutes of limitations have not run out;

(b) After notice and a hearing, the chief determines either of the following:

(i) The storage operator provided deficient or erroneous information that was material and relied upon by the chief to support the issuance of the certificate of project completion;

(ii) There is carbon dioxide migration that threatens public health or safety or the environment or underground sources of drinking water ;

(c) The balance of the carbon dioxide storage facility fund is insufficient to cover costs arising from storage facilities and associated carbon dioxide wells after site closure.

(3) The storage operator and all individuals who generated, injected, or stored carbon dioxide shall be forever released from all regulatory requirements associated with the continued storage and maintenance of the injected carbon dioxide, except as provided in division (D)(2) of this section.