

353.445 Certification of injected carbon dioxide -- Fee. (Effective July 15, 2026)

- (1) The cabinet shall, upon request of an operator, certify the amount of injected carbon dioxide demonstrated to have been stored in a reservoir that has been or is being used for a Class II well in an enhanced oil or gas recovery project. Upon request of an operator, the cabinet may also certify the amount of injected carbon dioxide sequestered under KRS 353.411 to 353.459.
- (2) The amounts determined by the cabinet under subsection (1) of this section may be used for such matters as establishing the amounts of carbon credits, allowances, trading, emissions allocations, offsets, and for other similar purposes.
- (3) A person requesting a certification of a sequestration determination shall pay the cabinet a certification fee as authorized in KRS 353.459. The fee shall be calculated to ensure sufficient funds are available for the actual or anticipated cost to the cabinet to provide the certifications described in subsection (1) of this section.
- (4) Any fees the cabinet receives to provide the certifications described in subsection (1) of this section shall be deposited into the carbon dioxide sequestration facility administrative fund established in KRS 353.437.

Effective: July 15, 2026

History: Created 2026 Ky. Acts ch. 152, sec. 18, effective July 15, 2026.