



July 12, 2021

Chairman Fedorchak and Commissioners Christmann and Kroshus
Re: Case No. PU-21-150

Effective August 1, 2021, House Bill 1096 makes the following amendment, in bold, to NDCC 49-22.1-01 subsection 7, subdivision a, paragraph 3:

Subsection 7: “Gas or liquid transmission facility” means any of the following:

Subdivision a: “A gas or liquid transmission line and associated facilities designed for or capable of transporting coal, gas, liquid hydrocarbons, liquid hydrocarbon products, or carbon dioxide. This subdivision does not apply to:”

Paragraph 3: “**Carbon dioxide storage facility underground equipment, including a flow line, subject to chapter 38-22;**”

NDCC 38-22-03 – Carbon Dioxide Underground Storage – Is subject to the jurisdiction of the North Dakota Industrial Commission.

NDAC 43-05-01-01 (18) – “Flow lines” means pipelines transporting carbon dioxide from the carbon dioxide injection facilities to the wellhead.

“Injection facilities” is intended to be project specific and defined in the NDIC order approving the storage facility permit.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen Fried".

Stephen Fried
Carbon Capture and Storage Supervisor
North Dakota Industrial Commission
Department of Mineral Resources

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Stephen Fried