



SUPPORT THE CARBON DIOXIDE TRANSPORT AND STORAGE PROTECTIONS ACT

House bill (Williams) and Senate bill (Fine)

Carbon capture and sequestration (CCS) is coming to Illinois. Enticed by lucrative federal tax incentives, companies are seeking to inject carbon dioxide (CO₂) underground through 22 wells in six counties, and CO₂ pipelines have already been proposed in 23 counties.

Yet, Illinois laws and regulations do not exist to address health and safety concerns.

What we know about CO₂ and CCS:

- Carbon capture can require a lot of energy, meaning that **emissions of other harmful pollutants will increase.**
- The **federal government has acknowledged there are inadequate regulations** specific to CO₂ pipelines. A CO₂ pipeline failure in Mississippi resulted in 45 people being hospitalized and emergency responders unable to operate their vehicles.
- Underground storage of CO₂ has, in large part, been for enhanced oil recovery. Carbon storage has not been done at the scale proposed in Illinois.
- CO₂ is an asphyxiant that at concentrated levels can cause **brain damage** or even **death** in a matter of minutes.
- First responders do not currently have the training or the equipment to deal with a CO₂ release.

What we do **NOT** know about CO₂ and CCS:

- Will capturing CO₂ and storing it underground actually reduce overall carbon emissions?
- **How far** from a pipeline should homes, schools, hospitals, and businesses be to protect people from being asphyxiated by a release of CO₂?
- How should underground CO₂ be monitored to make sure it does not **migrate** and potentially contaminate drinking water, such as the Mahomet Aquifer?
- Who bears long-term legal and financial responsibility for CO₂ stored underground?
- How do communities with CO₂ projects, especially environmental justice communities, have meaningful input?



May 21, 2023

The U.S. is expanding CO₂ pipelines. One poisoned town wants you to know its story

... they heard a boom and saw a big white cloud shooting into the evening sky... Brown gathered her young grandchild and great-grandchildren she was watching, took them into her back bedroom, and got under the quilt with them. And waited.

"They didn't come," Brown says. "Ten minutes. I knew they would've been here in five minutes, but they didn't come."

Little did she know, her sons and nephew were just down the road in the Cadillac, unconscious, victims of a mass poisoning from a carbon dioxide pipeline rupture. As the carbon dioxide moved through the rural community, more than 200 people evacuated and at least 45 people were hospitalized. Cars stopped working, hobbling emergency response. People lay on the ground, shaking and unable to breathe. First responders didn't know what was going on. "It looked like you were going through the zombie apocalypse," says Jack Willingham, emergency director for Yazoo County.

Support the Carbon Dioxide Transport and Storage Protections Act.

This bill establishes protections for human health and existing property owners at all key points in the carbon capture process: at the capture facility, in the pipelines, and at the sequestration site.

Capture Facility Protections

The bill creates a permit, issued by IEPA, for new CO₂ capture projects. Operators will be required to:

- Report how much CO₂ is actually captured and how much is still released.
- Complete an analysis that demonstrates the project will not harm or deplete local water supplies, increase harmful emissions, or **generate more carbon** than it will capture.
- **Engage in a public process**, including posting key analyses underpinning the permit application before submission to IEPA, accepting public comments, and holding a public meeting. Draft permits will be subject to public comment and hearing.

Pipeline Protections

Under current law, pipeline operators are required to obtain a certificate of authority from the IL Commerce Commission (ICC) prior to construction. The bill includes essential new protections to:

- **Prohibit the use of eminent domain** for CO₂ pipeline construction.
- **Ensure pipelines are located far enough away** from populated areas to allow adequate time for evacuation or rescue if the pipeline ruptures.
- Require operators to avoid areas with geohazards that can destabilize—or break—pipelines.
- Provide for **public meetings** with county boards in each county the pipeline will pass through.
- Ensure pipeline operators set aside funds to fix breaks and restore areas hit by a rupture.



August 11, 2023

Proposed CO₂ pipeline through Quad Cities raises concerns

Sequestration Site Protections

Federal sequestration permit requirements are inadequate. The bill puts in place protections that:

- Expressly **prohibit forced acquisition** of underground storage space (similar to eminent domain).
- Assure sequestration operators, not landowners, are liable for releases of stored carbon dioxide.
- Require carbon sequestration operators to avoid earthquake-prone areas, sole-source aquifers, and other risky locations, and perform long-term monitoring of the carbon dioxide to ensure it does not escape confinement.
- Ensure that sequestration operators **locate sequestration wells far enough away** from populated areas so that residents will be unharmed if a well blows out.
- Require sequestration operators to provide replacement water if CO₂ pollutes drinking water.

Other Key Provisions

- **Ban on use of captured CO₂ for enhanced oil recovery.** Captured carbon cannot be used to just create even more carbon emissions.
- Establishes a fund to help communities with emergency preparedness and emergency response capabilities in the event of a carbon dioxide release.