



EARTHWORKS

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Earthworks appreciates the opportunity to provide comments on the proposed revisions to Regulation 7 to conclude the process of aligning Colorado's rules with the U.S. Environmental Protection Agency's (EPA) 40 C.F.R. Pt. OOOOc.

Earthworks is a nonprofit organization committed to working with frontline communities to address the adverse impacts of mining and energy development on public health and the environment while promoting sustainable solutions. For more than 10 years, Earthworks staff have worked on the ground with local partners across Colorado, the US, and the world using FLIR G-Series optical gas imaging (OGI) cameras¹ to expose harmful hydrocarbon pollution from oil and gas facilities. This extensive field experience and our strong relationships with communities impacted by oil and gas production and processing guides our advocacy and informs our engagement with local, state, and federal regulators and lawmakers. We strive for reformed policies and stricter rules that put the lives of people before the interests of industry.

Since 2014, Earthworks has worked with partners across the US to raise public awareness about methane pollution from the oil and gas industry and to advocate for federal methane standards. After the EPA finalized New Source Performance Standards OOOOb and OOOOc targeting methane emissions in the oil and gas sector in 2024, we have advocated for states including Colorado to move promptly to implement the new standards at the state level. We were supportive of the February 2025 revisions to Regulation 7 that initiated this process and adopted a new aggressive timeline for the statewide phase out of gas-emitting pneumatic controllers from oil and gas facilities. Those revisions encouragingly put Colorado on track to accomplish this goal ahead of the 2029 deadline set by the EPA rule. Similarly, we supported the Air Pollution Control Division's (Division) February 2026 revisions to Regulation 7² that continued the process of aligning state rules with the EPA standards. In particular, we championed the direct requirement of certain best management practices in the transmission and storage segment as is required by OOOOc. We consistently advocate for prescriptive rules that require best practices and effective technology. Facilities should be operated in a manner that reduces harmful impacts and achieves technically feasible emissions reductions regardless of operator discretion.

To conclude this multi-year process, Earthworks supports the Division's current proposed revisions to Regulation 7. The Air Quality Control Commission (Commission) should adopt the Division's Revised Proposal in full.

Dedicated to protecting communities and the environment from the adverse impacts of mineral and energy development while promoting sustainable solutions.

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¹ <https://www.flir.com/products/flir-g-series/>

² https://earthworks.org/wp-content/uploads/2026/02/EW_02_2026_CO-EPA-Methane-Comments.pdf

Increased Regulatory Oversight of Enclosed Combustion Devices (ECDs)

Earthworks is especially supportive of provisions in the proposed rules that strengthen the requirements for proper operation of ECDs. We have conducted hundreds of surveys using an OGI camera of both Colorado well production facilities and facilities in other jurisdictions where ECDs are deployed as a control technology. We routinely identify hydrocarbon emissions from incomplete combustion in these devices.³ When ECDs fail to achieve intended destruction efficiencies, methane and other volatile organic compounds that would have been controlled are released directly into the atmosphere instead, harming the climate, exacerbating the Front Range's ozone crisis, and exposing nearby communities to harmful compounds. Sometimes these emissions indicate a specific maintenance issue such as dirty or misaligned components. At other times, these emissions are the result of increased flow or over pressurization. Adopting OOOOc requirements that mandate that flow and pressure in these devices be measured continuously and/or maintained within certain limits will provide better assurance that the devices are operating as intended.

Additionally, the language included in the Division's proposed Statement of Basis and Purpose (SBAP) ensures that operators must adhere to the strict prohibition on routine flaring mandated by the Energy and Carbon Management Commission's (ECMC) Rule 903.d.(1). ECMC's regulatory authority is distinct from the Division's and Rule 903.d.(1) is stricter than the provisions the Division is proposing in order to implement OOOOc. The proposed SBAP language clarifies that operators must comply with both Regulation 7 and Rule 903.d.(1), ensuring that facilities will be prohibited from harmful routine flaring except in certain circumstances.



Left: Photo of ECDs on a well pad without visible smoke or heat distortion (Weld County, Colorado).

Right: OGI still from the same vantage point showing: 1) Thermal heat signature from combustion 2) Plume of hydrocarbon emissions indicating incomplete combustion. In this case, issues with the facility's vapor recovery system resulted in over pressurization and excess emissions from the ECD.

³ <https://earthworks.org/blog/flaring-in-plain-sight/>

Modeling State Action on Methane

Once these revisions to Regulation 7 are adopted by the Commission and Colorado submits its methane state implementation plan to the EPA, Colorado will serve as an important model for other states as it will be the first state in the nation to fully implement OOOOc. Importantly, throughout this process, Colorado also modeled the authority that states have to exceed federal guidelines and create rules and standards that are more protective of the environment and public health than those required by EPA.⁴ With this in mind, the Commission should disregard arguments by the Joint Industry Working Group and fully adopt the Division's proposal to extend the revised requirements to all facilities regulated by Regulation 7 as opposed to only those facilities subject to OOOOc requirements. The Commission has broad authority to adopt this proposal⁵ and an obligation to ensure that Colorado's legacy as a leader in methane regulations is maintained and reinforced through this rulemaking.

With this multi-year process finally coming to a close, the Commission should honor the hard work and dedication of Division staff, as well as the time and energy of Coloradans who have for years fought for cleaner air and healthier neighborhoods, by adopting the Division's proposal in full.



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⁴ <https://earthworks.org/blog/colorado-state-action-to-cutmethane/>

⁵ <https://drive.google.com/drive/folders/1hEXY2qJi6WD9jopqlfQzKZCldm5leJcp>