



June 19, 2026

Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, California 95814-4339

Re: SFM - Carbon Dioxide Pipelines

Dear Office of Administrative Law,

On behalf of the Central California Environmental Justice Network (CCEJN) and the undersigned organizations, we submit these comments on the final emergency carbon dioxide pipeline regulations adopted by the Office of the State Fire Marshal (OSFM) on May 28, 2026.

We want to thank the State Fire Marshal's Office for the efforts to develop safety standards for CO2 pipelines under a challenging statutory timeline, and we recognize that these regulations represent an important step in establishing a safety framework for this infrastructure. We'd like to make clear our opposition to the development and expansion of CO2 pipeline infrastructure. CO2 pipelines pose significant risks to public safety, health, and frontline communities, and our participation in this rulemaking reflects our commitment to ensuring the strongest possible protections for communities and the environment should any CO2 pipeline proposals move forward in spite of our opposition. Our group of organizations has been engaged throughout this rulemaking process, working with Senator Stern's office on Senate Bill 614, submitting formal comments, and testifying before the Pipeline Safety Advisory Committee meetings. We submit these comments in that same spirit to identify where the final regulations fall short of what our communities need and request specific commitments from OSFM as it implements and updates these regulations over time.

Since the draft federal CO2 pipeline safety regulations proposed by the Pipeline and Hazardous Materials Safety Administration (PHMSA) were withdrawn and never finalized, California has a unique and critical opportunity to set a model for national standards for CO2 pipeline regulation. While the final regulations incorporate several provisions from the draft PHMSA regulations and in some areas go beyond them, they fall short of fully using the PHMSA proposal as the baseline. Most notably, the final regulations remove the independent third-party verification requirement for the Emergency Flow Restriction Device (EFRD) study that was both present in the draft PHMSA regulations and in OSFM's own April 2026 draft regulations.

We strongly urge the Office of the State Fire Marshal to treat these final regulations as a floor, not a ceiling, and to commit to ongoing strengthening of these standards as pipelines are permitted and operational experience accumulates. We acknowledge the following as meaningful steps forward and encourage OSFM to build on them in future regulatory updates:

- **Section 2177.3(c)** - Emergency Equipment for First Responders: The final regulations now require operators to provide local emergency response organizations with equipment, instruments, tools, and materials necessary for CO2 pipeline emergencies. The inclusion of these requirements brings California into alignment with the federal baseline SB 614 mandates.
- **Section 2174.3(b)(3)(C)** - Vapor Dispersion Analysis in EFRD: The final regulations explicitly require that vapor dispersion analysis be used when conducting the EFRD study. Requiring this modeling to inform valve placement near sensitive receptors is an important improvement.
- **Section 2180.2** - Rupture Notification: The final regulations require operators to immediately trigger the automatic notification system within the emergency planning zone upon any rupture or potential rupture, integrating community notification directly into the rupture reporting requirement.
- **Section 2174.4** - Leak Detection: The final regulations specify that leak detection systems must include a computational pipeline monitoring (CPM) system alongside a continuous externally based sensor system, providing a stronger minimum standard.
- **Section 2173(a)(2)** - Federal Floor: The final regulations clarify that where federal regulations are more stringent, federal regulations shall govern.
- **Pipeline Engagement Program:** The final regulations specify that the Pipeline Engagement Program “must develop and implement an engagement program with external stakeholders for each pipeline under construction and throughout the life of those pipelines in accordance with API RP 1185”. This will be critical to ensuring that communities are aware of the project and can provide input in every life stage of the project.

We are disappointed that the final regulations do not fully address the community safety concerns our group raised throughout this rulemaking process. As stated by our previous letters to the OSMF, the following critical protections remain absent:

- **Enforceable Siting Standards:** Section 2175.3(a) retains “as far as practicable” without a requirement to demonstrate that alternative routes were evaluated. This standard doesn’t provide an enforceable basis to reject a pipeline route near homes, schools, or healthcare facilities and must be replaced with specific, enforceable requirements.
- **Emergency Preparedness:** Section 2177.4 states that emergency preparedness materials should be distributed to sensitive receptors. We support this section and recommend that these materials are provided in multiple languages.
- **Higher Design Standards Near Sensitive Receptors:** There are no enhanced physical design requirements, other than maximum EFRD distances, that apply to pipeline segments near sensitive receptors. Where communities cannot be avoided, operators must be required to use thicker-walled pipes.
- **Odorant Requirements:** The final regulations do not contain an odorant or colorant requirement and don’t include a review process for revisiting this decision.
- **Mandatory Distribution of CO2 Monitors and Air Supply Respirators:** Section 2177.4(a)(3) recommends residents obtain CO2 monitors and air supply respirators but does not require operators to provide them. Residents within the emergency planning zones should not bear the cost of safety equipment. Operators should be required to distribute these devices free of charge to all sensitive receptors before operations begin.
- **Centralized Public Portal and Real-Time Monitoring:** The final regulations don’t require a centralized public information portal or real-time monitoring dashboard. OSFM should require operators to publish real-time pipeline monitoring data publicly, and establish a centralized state portal for pipeline locations, emergency planning zone maps, inspection records, and incident reports.
- **Vapor Dispersion Analysis in EFRD:** The final regulations should explicitly require that the vapor dispersion analysis in Section 2174.3(b)(3)(C) -be made publicly available under a centralized public portal.
- **Risk Assessment Requirement:** There is still no requirement that operators conduct a risk analysis assessment or to outline what should be included in one. Since the FEMA risk assessment map ([Figure 5](#)) reflects that most California counties are in a moderate to high risk category, it is imperative that these assessments take place prior to the build out of a pipeline.
- **Prioritization of co-location for carbon capture and pipeline projects:** The final regulations do not require a project developer and/or operator to prioritize co-location or minimize the total distance of pipeline transportation from a carbon capture or removal project site to a suitable well and/or geologic storage site. If a project developer/ operator cannot co-locate a project or access a geologic storage site with minimal pipeline distance, they must sufficiently demonstrate to the OSFM why the pipeline must go beyond this distance. This information should be made available to the public.
- **Environmental Protection:** These regulations do not require that, at a minimum, these pipelines are subject to the same federal and state siting regulations for oil and gas pipelines through state and national parks. The OSFM should ensure that pipelines are restricted or prohibited from running through areas identified by the federal government as tribal land, wilderness areas, national monuments, national parks, historic sites, and

protected areas. Similarly, pipelines should not be allowed to run through state parks without the proper permits.

We recognize that SB 614 requires OSFM to reassess these safety standards at least once every five years. We urge OSFM to treat this statutory floor as the bare minimum and commit to ongoing engagement with frontline communities between review cycles. Specifically, we request that OSFM establish a formal mechanism for ongoing community input and proactively address identified regulatory gaps as new information about CO2 pipeline risks becomes available.

We request that OSFM commit to developing and publishing a comprehensive public report after two years of final regulation implementation. This report should document patterns in CO2 pipeline siting and community impacts, and must include at minimum:

- The total number of CO2 pipelines permitted and operational in California;
- The number of pipeline segments sited where one or more sensitive receptors are located within the two-mile emergency planning zone, and the types and number of those sensitive receptors;
- A summary of all pipeline incidents, ruptures, leaks, or safety system failures reported to OSFM and their proximity to sensitive receptors;
- The status of operator compliance with emergency training, preparedness materials distribution, and community notification requirements.

This report must be publicly available on OSFM's website. We further request that OSFM submit this report to the California State Legislature to inform any future legislative action on CO2 pipeline safety, and that its findings be used as a basis for evaluating whether regulatory updates are warranted ahead of the five-year statutory review.

In conclusion, California has the opportunity and the responsibility to set the highest standards in the nation for CO2 pipeline safety. The communities we represent, many of which are already among the most polluted in the country, cannot afford regulations that treat public health as a secondary consideration. We urge OSFM to address the gaps identified in this letter, commit to ongoing transparency and community engagement, and use the two-year report we have requested to ensure these regulations are working as intended for the people most at risk.

We appreciate your consideration of these comments and stand ready to provide additional technical input or community perspectives as OSFM implements and refines these critical safety regulations. For questions, please contact Ileana Navarro at ileana.navarro@ccejn.org.

Sincerely,

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Cc: CAL FIRE / Office of the State Fire Marshal, Code Development and Analysis Division (Attn: SFM - Carbon Dioxide Pipelines), Title19Regulations@fire.ca.gov