



June 1, 2026

State Fire Marshal Daniel Berlant
 Office of the State Fire Marshal
 715 P St Sacramento, CA 95814

Re: Comments on Draft Regulations for Carbon Dioxide (CO₂) Pipeline Safety Standards

Dear State Fire Marshal Berlant,

On behalf of the undersigned organizations, we submit these comments on the most recent draft [carbon dioxide pipeline regulations](#), heard at the Pipeline Safety Advisory Committee meeting on May 14th. These organizations represent communities, workers, residents, and natural areas of California that would be directly impacted by the construction of CO₂ pipelines across the state.

We appreciate the State Fire Marshal's (SFM) efforts to develop comprehensive safety standards and the opportunity to provide input on the draft regulations. Given the significant

impacts that CO₂ pipelines can have on our communities and ecosystems, **we are advocating for clear and stringent regulations that center and focus on protecting the health and safety of California communities and ecosystems.**

Since the draft federal PHMSA regulations were withdrawn and never finalized, it is imperative that the state adopt stringent regulations for carbon dioxide pipelines that go above what was stated in the draft PHMSA regulations.

California is a climate leader and has the unique opportunity to set a high standard for the safe build out of carbon dioxide pipelines in the state. **We strongly encourage the Office of the State Fire Marshal to incorporate the following into the final CO₂ pipeline regulations:**

Public Engagement, Health, and Emergency Response

- Section 2175.3 of the recent draft regulations requires right-of-way selection to avoid sensitive receptors “as far as practicable”. This doesn’t provide enforceable criteria for what constitutes an adequate effort to avoid sensitive receptors. Given the hazardous nature of CO₂, there must be clearly stated **minimum setback distances, and requirement to demonstrate that alternative routes were evaluated.**
- Section 2174.3(b)(2) shortens rupture-mitigation valve spacing near populated areas, but the draft regulations don’t include enhanced physical design requirements for pipeline segments located where sensitive receptors fall within the 2-mile emergency planning zone.
- The proposed rule does not require the distribution of CO₂ monitors or air supply respirators to all sensitive receptors within the Emergency Planning Zone (EPZ). **Recommendations are given on what residents can buy; however, the public should not be required to purchase these devices themselves. These should be provided by the operator.**
- **The current draft still does not include anything on odorant requirements,** or any language on a review process for revisiting this decision. To give communities the best chance to avoid catastrophe, this must be addressed before these regulations go into effect.
- There should be **early community notification requirements** for permit applications to allow for meaningful public engagement, accessible on the OSFM website [here](#). This portal should include regularly updated information for all CO₂ pipelines in California including pressure reading, leak detection alerts, and inspection findings.
- Landowners along the route of a proposed CO₂ pipeline should be made aware of their rights regarding eminent domain claims early in the permitting process of the pipeline.

- There is **still no requirement for operators to supply local emergency response organizations with equipment**, instruments, tools, and materials necessary in the event of an emergency on a carbon dioxide pipeline. **This requirement is directly from the PHMSA draft regulations and MUST be incorporated** into the OSFM regs to comply with SB 614, the state statute mandating this rulemaking.
 - There should be **investment in electric emergency response vehicles** since internal combustion engines cannot function in the presence of excess CO₂.
 - According to section 2178, Pipeline operators must provide annual training services for State and local emergency services. **This training should include how to identify a carbon dioxide release and consequences of a carbon dioxide release** for both onshore pipelines and pipelines located in a commercially navigable waterway.
- Annual training is required; however, earlier drafts included language that specifically required at least two public training sessions and one training session for medical personnel along the route of the pipeline within the EPZ. **Earlier draft language which gave clear direction to operators should be reinstated.**
- There is **still no language requiring that a vapor dispersion analysis must be used in the Emergency Flow Restriction Device (EFRD) study**. This study and risk analysis helps operators determine the placement of additional valve locations where one or more sensitive receptors are located within the EPZ.
- There is 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.

High Design Standards

- **Higher design standards are needed for pipelines near sensitive receptors.** To protect water bodies from CO₂ leaks, **valves should be required under Section 2174.1 to be placed in a CO₂ pipeline just before the pipeline passes through or underneath a body of water** and just after the pipeline passes through or underneath a body of water.
- According to section 2175, “All carbon dioxide pipelines must be tested or internally inspected at least once every 5 years (60 months).” **Testing a pipeline every 3 years should be required for CO₂ pipelines that pass through or underneath a commercially navigable waterway.**
- These regulations should require a project developer and 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

- We strongly recommend 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. **This means that pipelines would be 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 would not be allowed to run through state parks without the proper permits.** The committee can find a map of these federal areas [here](#), from the National Energy Technology Laboratory.
- To protect against potential significant weakening of CEQA as it relates to CO₂ pipelines, the State Fire Marshal should build robust safety analysis, public disclosure, and community participation requirements directly into the CO₂ pipeline permitting framework.

Since federal PHSMA regulations for CO₂ pipelines were never finalized, and given the risks posed by CO₂ pipelines, it is crucial for the state to adopt stringent regulations on carbon dioxide pipelines that not only meet but go beyond federal regulations.

We appreciate the committee's consideration of these recommendations and are ready to provide additional perspectives and feedback as you finalize these critical safety regulations.

Sincerely,

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