

# Request for an Early Effective Date

Pursuant To Government Code Section 11343.4(b)(3)

## Proposed Amendments to the Greenhouse Gas Emission Standards for Crude Oil and Natural Gas Facilities

The California Air Resources Board (CARB or Board) requests, pursuant to Government Code section 11343.4(b)(3), that the Office of Administrative Law (OAL) prescribe an “earlier effective date” for the Proposed Amendments to the Greenhouse Gas Emission Standards for Crude Oil and Natural Gas Facilities (the Proposed Amendments), that were approved by the Board on June 22, 2023, and adopted by the Executive Officer on January 17, 2024. Specifically, CARB requests that the Proposed Amendments become effective April 1, 2024. The following demonstrates “good cause” for OAL to grant CARB’s request.

### Demonstration of Good Cause

This rulemaking primarily ensures that (1) reasonably available control technology (RACT) is required for existing oil and natural gas sector sources and (2) forthcoming satellite-based methane detection data is appropriately utilized to mitigate large oil and natural gas sector methane emission sources. The early effective date is necessary to avoid U.S. EPA sanctions with respect to the RACT standards.

CARB submitted the current Greenhouse Gas Emission Standards for Crude Oil and Natural Gas Facilities (the Regulation) to the U.S. Environmental Protection Agency (U.S. EPA) in 2018 to demonstrate compliance with RACT standards set forth by U.S. EPA in their 2016 Control Techniques Guidelines for the Oil and Natural Gas Industry (CTG). CARB is obligated to demonstrate compliance with the RACT standards in ozone nonattainment areas of moderate or above to meet Clean Air Act (CAA) obligations in the California State Implementation Plan (SIP).

On October 31, 2022, U.S. EPA finalized a *limited approval, limited disapproval* of the Regulation in the SIP. U.S. EPA set a deadline of April 30, 2024, for CARB to amend the Regulation, resubmit it to the SIP, and achieve approval from U.S. EPA. Pursuant to section 179(b) of the CAA, sanctions will be imposed on California if approval has not been issued by that date, starting with offset sanctions and progressing to highway sanctions six months later. The Proposed Amendments must be effective by the sanctions clock deadline (April 30, 2024) for U.S. EPA to approve the submission of the Proposed Amendments in California’s SIP and avoid sanctions.

The early effective date is critical for meeting the sanctions clock deadline set by U.S. EPA for approval of the Proposed Amendments in the SIP. If the Proposed Amendments go into effect later than April 30, 2024, U.S. EPA has signaled that sanctions would be imposed. CARB estimates 4 weeks for approval of the

Proposed Amendments in the SIP. For this reason, CARB believes good cause exists for an early effective date and hereby requests that OAL approve an early effective date for the amendments of April 1, 2024.

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Rhead Enion  
Senior Attorney  
California Air Resources Board  
(279) 208-7770  
[Rhead.Enion@arb.ca.gov](mailto:Rhead.Enion@arb.ca.gov)