Van Ness Feldman LLP
vnf.com



EPA Proposes Revisions to Oil and Gas Methane Standards

NOVEMBER 2, 2026

By Kyle Danish & Ben Schultz

On October 29, the Environmental Protection Agency (EPA or Agency) published a proposed rule that would modify several elements of the 2024 Clean Air Act methane regulations for new and existing facilities in the oil and gas sector. These regulations are sometimes referred to as the "OOOOb" and "OOOOc" regulations because they are found at 40 C.F.R. Part 60 Subparts OOOOb and OOOOc, respectively. If finalized as proposed, EPA estimates that the changes to the OOOOb and OOOOc regulations would provide $45 billion in savings and result in an additional 210 million barrels of U.S. oil production and 1.41 trillion cubic feet of U.S. natural gas production. Comments on the proposed rule are due December 16.

The proposed rule follows previous Trump Administration rulemakings affecting the oil and gas methane regulations. In November 2025, EPA issued a final rule extending certain compliance deadlines under the 2024 regulations. Earlier this year, EPA finalized revisions to provisions addressing temporary flaring of associated gas and certain net heating value monitoring and performance-testing requirements.

Companies in the oil and natural gas sector should review EPA's proposed rule because the scope of its potential impact is much broader than these previous actions. The rulemaking may also provide important insight into how EPA will reconcile its continued regulation of methane emissions with its proposed conclusion in a separate rulemaking that it lacks authority under Clean Air Act Section 111 to regulate power plant GHG emissions.

Key Changes in the Proposal

The Agency's rulemaking is broad in scope and includes the following key proposed revisions:

- **Certain Well Sites**: EPA is co-proposing two options to create separate categories and standards for well sites, which would relax or eliminate requirements on smaller wells. The first option would categorize well sites by production level (marginal or non-marginal). The second option would categorize well sites by resource type (conventional or unconventional).

- **Super Emitter Program**: EPA is proposing to eliminate the Super Emitter Program, which authorizes certified third-party entities to notify the Agency, states, and operators about large emissions events (i.e., "super emitter" leak events). Currently, these notifications trigger obligations to investigate and take corrective actions.

- **Covers and Closed Vent Systems**: EPA is proposing to split the "No Identifiable Emissions" aspect of covers and closed vent systems into design requirements and operational requirements. The proposed

operational requirements would allow for repairs of identified defects rather than classifying detection of emissions as an immediate violation.

- **Associated Gas**: EPA is proposing to rescind the requirement that all operators of oil wells with associated natural gas route the gas to a sales line. The proposal would restore the requirement that such operators can use 95% efficient flaring or other control devices to address the associated gas.

- **Control Devices**: EPA is proposing several technical changes to the requirements for control devices to give flexibility for flame monitoring data deviations, control device alerts, and visible emissions test conditions where appropriate.

Interaction with EPA's Proposed Repeal of Power Plant Greenhouse Gas Emissions Standards

This rulemaking has important interactions with EPA's ongoing rulemaking concerning its authority to regulate greenhouse gas (GHG) emissions from power plants under Clean Air Act Section 111. In a September 2026 supplemental proposal, discussed in a previous VNF Alert, EPA proposed that Section 111 does not authorize the Agency to regulate power plant GHG emissions in response to global climate change concerns and, on that basis, proposed to repeal all remaining power plant GHG emissions standards. One of EPA's proposed rationales for this conclusion is that Congress has not clearly authorized regulation of GHG emissions.

As discussed in a prior VNF Alert, the history of the oil and gas methane regulations complicates EPA's efforts to rescind CO_2 emission standards for other facilities. Like the CO_2 emissions standards for power plants, the methane regulations arise under Section 111 and regulate a GHG. Yet, EPA is proposing to revise the methane regulations rather than repeal them using the legal rationale it has proposed for the repeal of the power plant GHG standards.

In the proposed revisions to the methane standards, EPA acknowledges the interaction with the power plant rulemaking but observes that the methane regulations "operate in a distinct manner, have their own regulatory history, and involve different and additional considerations." EPA further states that, pending completion of the power plant rulemaking, the Agency might address in a future rulemaking the extent to which the conclusions in the power plant rulemaking require revisions to the methane regulations. The relationship between these different Section 111 regulatory programs will be an important issue to monitor as both rulemakings proceed.

For More Information

Van Ness Feldman has a team of environmental lawyers representing oil and gas companies and technology providers on regulatory and compliance issues. For further details or assistance with this rulemaking, please contact Kyle Danish or any member of Van Ness Feldman's Environmental Team.

© 2026 Van Ness Feldman, LLP. All Rights Reserved. This document has been prepared by Van Ness Feldman for informational purposes only and is not a legal opinion, does not provide legal advice for any purpose, and neither creates nor constitutes evidence of an attorney-client relationship.