

EPA Finalizes Weakened Standards for OOOO Rules

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EPA released a final rule revising certain provisions of its 2024 regulations for methane emissions from the oil and gas sector on April 6, 2026.¹ The rule will loosen requirements for flares and vent gas. EPA states the revisions are intended to provide flexibility to oil and gas operators in response to industry petitions for reconsideration² and additional industry input. While the Biden EPA granted industry petitions for reconsideration on these issues, the final rule reduces the stringency beyond what the Trump EPA originally proposed.³ The rule is narrowly focused on these two issues. It does not explain its legal reasoning for continuing to regulate methane emissions when it has found that it does not have the authority to regulate carbon dioxide (CO₂) emissions from vehicles and has proposed it does not have the authority to regulate power plants' CO₂ emissions.⁴

How did we get here?

EPA's New Source Performance Standards (NSPS) and Emission Guidelines (EGs) for the oil and natural gas sector, known as OOOOb and OOOOc, regulate VOCs and methane under section 111 of the Clean Air Act.⁵ The NSPS set emission limits for new and modified oil and natural gas sources, requiring measures like leak detection and repairs. The EGs establish standards for existing sources. In 2024, the Biden EPA finalized more stringent methane standards for oil and natural gas and expanded them to include existing sources as well as new ones.⁶

Upon finalization of the Biden 2024 rule, industry petitioned for reconsideration of certain elements of the rule, including flaring and net heating value. The Biden EPA granted reconsideration on these issues before leaving office.⁷ Under the Trump administration, EPA proposed changes to the 2024 rule, and the requirements now finalized are less stringent than originally proposed.

¹ Reconsideration of Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review, 91 FR 15056 (Apr. 9, 2026), <https://www.govinfo.gov/content/pkg/FR-2026-04-09/pdf/2026-06808.pdf>

² AXPC and API Petition for Reconsideration (May 2024), <https://www.regulations.gov/document/EPA-HQ-OAR-2024-0358-0009>.

³ 90 FR 3734 (Jan. 15, 2025).

⁴ See EELP, [Eliminating the Foundation: Vulnerabilities in and Implications of EPA's Endangerment Finding Rescission](#) (March 2026).

⁵ 40 CFR Part 60, Subparts OOOOb, OOOOc; see also Harvard EELP, [EPA VOC and Methane Standards for Oil and Gas Facilities](#); Harvard EELP, [EPA's Final Methane Rule](#) (Dec. 2023).

⁶ Harvard EELP, [EPA's Final Methane Rule](#) (Dec. 2023).

⁷ EPA Response to API and AXPC Petition for Reconsideration (May 2024), https://www.epa.gov/system/files/documents/2024-05/letter-to-api-and-apx.-5.6.24-signed_1.pdf.

Although new sources have been required to comply with the OOOO standards since the Biden administration proposed them in 2021,⁸ the Trump administration extended compliance deadlines in July 2025 for new and existing sources through an interim final rule.⁹ In December 2025, the Trump administration issued a final interim final rule further delaying some deadlines.¹⁰

What does the rule do?

This 2026 rule makes two technical changes to the 2024 rule.¹¹ First, it relaxes temporary flaring provisions for associated gas from new sources, allowing operators to flare for up to 72 hours, with additional flexibility if needed. This is more lenient than EPA's proposal, which extended flaring up to 48 hours. EPA states that industry claimed the 72-hour timeframe was "more appropriate."

Second, EPA loosens requirements for continuous monitoring and testing of vent gas net heating value for flares and enclosed combustion devices by vastly expanding exemptions to monitoring except under certain scenarios, for example where inert gases are added. The final rule broadens the exemption initially proposed to include pressure-, air-, and steam-assisted flares. EPA states that the changes to this provision are based on the industry petitions and "further information provided by industry," noting that industry considered the 2024 requirements "unnecessary" and "technically infeasible" with a compliance timeframe that was too short.

Consistent with recent analysis for rulemakings, EPA did not quantify the emissions changes and benefits in its Regulatory Impact Analysis. It concludes that the rule will save \$2.5 billion over 15 years.

⁸ EPA, [2025 Final Rule to Extend Compliance Deadlines](#), (Dec. 2025); Harvard EELP, [EPA VOC and Methane Standards for Oil and Gas Facilities](#).

⁹ 90 FR 35966 (July 31, 2025).

¹⁰ 90 FR 55671 (Dec. 3, 2025).

¹¹ EPA states that this rule "neither finalize[s] changes to any other aspect of the March 8, 2024, final rule, nor finalize[s] alterations to the substance of any emission standards within that final rule."

Table 1. Comparing 2024 rule and 2026 revision

	2024 Rule	2025 Proposed Revisions	2026 Final Revisions
Flaring	24-hour limit	48-hour limit	72-hour limit plus additional extensions possible
Vent gas	Continuous monitoring or initial and periodic testing Associated gas exempted	Exempt all unassisted flares and enclosed combustion devices for new and existing sources except in certain circumstances (e.g. inert gas present), but continue to cover pressure-, air-, and steam-assisted flares at existing sources Revised alternative testing option Remove exemption for associated gas	Exempt all flares and enclosed combustion devices for new and existing sources except in certain circumstances (e.g. inert gas present) (including pressure-, air-, and steam-assisted flares at existing sources covered by proposed rule) Revised alternative testing option Remove exemption for associated gas

Does EPA still have authority to regulate methane?

The rule does not address EPA’s recent rescission of the Endangerment Finding, the predicate for EPA regulation of greenhouse gases.¹² The final Endangerment Finding rescission rule focused on the vehicle standards, and for this rulemaking EPA does not explain its distinction for regulating methane emissions compared to power sector or vehicle emissions. While there are potential arguments EPA may assert, it will be important to watch if any stakeholders raise concern with EPA’s approach.

What are the next steps?

EPA has indicated that it is working on additional revisions to OOOO regulations. In the meantime, we will track legal challenges to this final rule. Follow EELP’s [EPA VOC and Methane Standards for Oil and Gas Facilities](#) regulatory tracker page for developments.

¹² EELP, *Eliminating the Foundation: Vulnerabilities in and Implications of EPA’s Endangerment Finding Rescission* (Mar. 2026), <https://eelp.law.harvard.edu/eliminating-the-foundation-vulnerabilities-in-and-implications-of-epas-endangerment-finding-rescission/>.