

RE HB24-1346

[Energy & Carbon Management Regulation | Colorado General Assembly](#)

Dear Members of the Senate Agriculture and Natural Resources Committee

Please vote "No" on HB23-1346 regarding carbon sequestration and the Energy and Carbon Management Commission (ECMC). **If you can't vote "No" for political reasons, please express concern about the risks of supercritical CO2 and the dangers it can pose for Coloradans and that we have lower-cost and lower-risk options available to us.**

I have worked very hard to help address the climate crisis for over 20 years, so of course I am anxious to get CO2 out of the atmosphere and to avoid emissions in the first place, **BUT**

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I am not in favor of an "all of the above" approach that involves options that are

**BOTH VERY EXPENSIVE AND VERY RISKY**

and serve to divert attention and resources from lower cost and lower risk options.

**In short, I am not in favor of risking the lives of innocent Coloradans to remove a small amount of CO2 from the atmosphere at a high price.**

A few points to note with references embedded and listed below.

- [Supercritical CO2](#) is at a pressure of over 70 x atmospheric pressure --like a monstrous champagne bottle with a massive amount of CO2.
- [CO2 is an asphyxiant](#)--meaning it has a very high risk of killing people and other living things. If a pipeline breaks, the CO2, which is heavier than air will spread out over the landscape risking killing all living things.
- Any money spent on CCS could almost certainly achieve more using it to avoid emissions of CO2 and other Greenhouse Gases (GHGs) to the atmosphere.

- The federal tax credits were the result of political "horse-trading" at the federal level. What happens at the federal level should not induce Colorado to encourage projects that risk killing people, wildlife and livestock.
- The argument that somehow this is going to happen in Colorado anyway, assumes we have no "agency." Importantly, Colorado can and should send a message that we don't want to put out a welcome mat for **a very risky endeavor** when we have much more cost-effective and lower-risk ways to keep CO2 out of the atmosphere in the first place.
- A review of EPA's list of Class VI wells under review shows only one well in process at the EPA with a draft permit not expected until late 2025. Colorado regulators and elected officials can focus on that EPA process making those permitting requirements as strong as possible. If and when the EPA proceeds with an inadequate permitting process, then Colorado can assess our options-- but **Colorado's first effort should be to send a strong message that we are not interested in bringing this very risky endeavor to our state. In contrast, HB24-1346 sends a message that Colorado is "open for CO2 business"--a very risky thing to do before we have considered ALL options for decarbonizing and also for sequestering CO2 in solid (instead of gaseous) forms.**
- Proponents often refer to "hard to decarbonize" industries as the reason we "must" have CCS and supercritical CO2 pipelines in our state--BUT--what is needed is a careful quantitative review of the magnitude of the issue. "Hard to decarbonize" does NOT mean "impossible" to decarbonize. There are many, many ways to reduce CO2 emissions from cement and steel and **what is needed is a careful assessment of how much it will cost to decarbonize these industries and what residual (if any) CO2 emissions will exist. Then the cost and risk of managing these residual emissions should be carefully analyzed to see if the risk and the cost make sense and what options exist (e.g. sequestering the carbon in solid form or in better soil management etc.)**
- **Colorado's track record on pipeline safety is beyond abysmal.** We should not risk supercritical CO2 releases until, at the very least, the state has shown it takes pipeline safety seriously.

In summary--Colorado should send a very strong signal that we DO NOT want to encourage this very risky endeavor to our state and that before proceeding we should do a careful **quantitative** analysis of **all** the options for decarbonizing hard to decarbonize industries (there is a broad array of options) and **all** the ways that carbon dioxide can be removed from the atmosphere and sequestered that do not involve very dangerous gaseous and supercritical CO2.

I hope you will vote "No" on HB24-1346 because we don't want to encourage this dangerous and distracting industry and that at the very least, you will express concern about the risks of supercritical CO2 pipelines and sequestration in our state.

Leslie Glustrom

720-341-3154-cell

Clean Energy Action, Boulder, Colorado

**Accelerating the Transition to the Post Fossil Fuel World**

<http://cleanenergyaction.org/>

Senate Agriculture & Natural Resources  
 04/25/2024 01:30 PM  
 HB24-1346 Energy & Carbon Management Regulation  
 Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Missy Espinoza Against herself	VOTE NO.
Kevin Cross Against Colorado Coalition for a Livable Climate	<p>Dear Members of the Senate Agriculture and Natural Resources Committee –</p> <p>The Colorado Coalition for a Livable Climate (CCLC) has taken an “oppose” stance on HB24-1346: Energy &amp; Carbon Management Regulation. On behalf of the CCLC, I urge you to vote against moving it out of committee during your hearing tomorrow.</p> <p>This bill would move Colorado toward storing gaseous carbon dioxide in geological formations, which would in turn involve transporting carbon dioxide at high pressure via pipelines. Given that carbon dioxide is an asphyxiant and heavier than air, proceeding along this path would result in significant risks to humans and animals in case of a leak. The CCLC does not believe that this risk is acceptable, and we do not think you should, either.</p> <p>The money that would be spent on burying gaseous carbon dioxide would be better spent on reducing the amount of carbon dioxide that is generated by fossil fuel combustion in the first place, and in researching and developing technologies focused on “decarbonizing” industrial processes such as cement manufacture.</p> <p>Please vote this bill down.</p> <p>Sincerely,</p> <p>Kevin Cross            Convener            Colorado Coalition for a Livable Climate            P.O. Box 672            Fort Collins, CO 80522            Ph. 970-484-3141 <a href="https://colivableclimate.org">https://colivableclimate.org</a></p> <p>The CCLC is a project of the Northern Colorado Alliance for a Livable Future (NCALF), which is incorporated under section 501(c)3 of the IRS code.</p> <p>We adhere to all requirements applying to 501(c)3 organizations, including those related to political and commercial activity.</p>

<p>Scott Simmons Against Climate Reality Project - Northern Colorado Chapter</p>	<p>I am asking the committee to vote "No" on HB23-1346 regarding carbon sequestration.</p> <p>Carbon sequestration is both expensive and very risky - more importantly - this boondoggle will continue to divert attention and resources from lower cost and lower risk options.</p> <p>In short, I am not in favor of risking the lives of innocent Coloradans to remove a small amount of CO2 from the atmosphere at a high price.</p> <p>In addition to concerns on the safety of Class VI wells, we need to also address the pipeline risks. We have already seen the shocking effects of CO2 pipeline breaks in multiple places -- see <a href="https://www.npr.org/2023/05/21/1172679786/carbon-capture-carbon-dioxide-pipeline">https://www.npr.org/2023/05/21/1172679786/carbon-capture-carbon-dioxide-pipeline</a>. Ask yourself if you want your name to be associated with a tragedy like this. And this is even more problematic given the state of pipeline infrastructure in Colorado as evidenced by our audit last year <a href="https://www.coloradopolitics.com/legislature/gas-pipeline-safety-audit/article_95ed0eb6-0937-11ee-a952-87125fa7f621.html">https://www.coloradopolitics.com/legislature/gas-pipeline-safety-audit/article_95ed0eb6-0937-11ee-a952-87125fa7f621.html</a></p> <p>Furthermore - this "money grab" takes money away from real projects. There are SO MANY more cost-effective and lower-risk ways to keep CO2 out of the atmosphere in the first place.</p> <p>We should be focused on making permitting requirements as strong as possible. And we need to send a strong message that we are extremely concerned about the risks of this unproven technology. But instead HB24-1346 is an ENDORSEMENT CO2 business and a welcome for industry to continue their con job.</p> <p>So - we need to take a step back. We do not want this risky unproven and expensive solution in Colorado.</p> <p>Please vote "No" on HB24-1346 to ensure we do not continue to make mistakes as we decarbonize - we need to carefully examine the risks and costs before we "invest" into these technologies. Do not fall prey to the lies of the "snake oil sales people" peddling these risky solutions.</p>
<p>Thomas Rivers For themselves</p>	<p>Hello, my name is Thomas Rivers, a graduate student at the Colorado School of Public Health, specializing in Environmental and Occupational Health. I am writing to express my strong support for HB24-1346, which aims to regulate energy and carbon management in Colorado. This bill is crucial for our state as it addresses the impact of climate change by expanding the Energy and Carbon Management</p>

	<p>Commission's authority to include geologic storage operations, a key step towards decarbonizing our community.</p> <p>HB24-1346 is pivotal in establishing Colorado as a leader in carbon management and environmental protection. It enhances the commission's regulatory capabilities and introduces important changes to enforcement and civil penalty procedures, ensuring thorough oversight of geologic storage operations. The addition of administrative law judges to oversee related proceedings demonstrates the state's commitment to fair and rigorous regulatory enforcement, improving the commission's ability to manage violations and maintain compliance.</p> <p>While there may be concerns regarding economic impacts, potential government overreach, and the technological feasibility of the bill, these are addressed by its structured approach which promotes economic growth through innovation and ensures the safety and sustainability of operations. The bill emphasizes financial assurances and long-term monitoring mechanisms, providing a systematic method to manage risks at geologic storage sites and ensuring responsible and transparent operations that protect our community and environment.</p> <p>I urge the committee to strengthen provisions related to financial assurances and long-term monitoring to prevent future risks from geologic storage sites. Additionally, I recommend increasing support for local governments in managing land use and siting regulations for carbon sequestration, helping them align with state guidelines and make informed decisions.</p> <p>HB24-1346 offers a comprehensive approach to managing Colorado's carbon footprint. I commend the bill's sponsors and supporters for their commitment to environmental stewardship. Thank you for considering my views on this vital legislation.</p>
<p>Edward Behan Against Larimer Alliance for Health, Safety, and the Environment</p>	<p>Dear Members of the Senate Agriculture and Natural Resources Committee –</p> <p>The Colorado Coalition for a Livable Climate (CCLC), including my organization the Larimer Alliance for Health, Safety and the Environment, has taken an “oppose” stance on HB24-1346: Energy &amp; Carbon Management Regulation. On behalf of the CCLC and the Larimer Alliance, I urge you to vote against moving it out of committee during your hearing tomorrow.</p> <p>This bill would move Colorado toward storing gaseous carbon dioxide in geological formations, which would in turn involve transporting carbon dioxide at high pressure via pipelines. Given that carbon dioxide is an asphyxiant and heavier than air, proceeding along this path would result in significant risks to humans and animals in case of a leak. Our</p>

	<p>groups do not believe that this risk is acceptable, and we do not think you should, either.</p> <p>The money that would be spent on burying gaseous carbon dioxide would be better spent on reducing the amount of carbon dioxide that is generated by fossil fuel combustion in the first place, and in researching and developing technologies focused on “decarbonizing” industrial processes such as cement manufacture.</p> <p>Please vote this bill down.</p> <p>Sincerely,</p> <p>Ed Behan          Media and Outreach Liaison          Larimer Alliance for Health, Safety, and the Environment          3580 Stanford Rd Unit 211          Fort Collins, CO 80525          970-631-8211</p>
<p>Doug Henderson          Against          Larimer Alliance for Health,          Safety and Environment</p>	<p>Dear Committee members,</p> <p>The Larimer Alliance for Health, Safety, and Environment opposes HB23-1346 regarding carbon sequestration and the Energy and Carbon Management Commission (ECMC).</p> <p>The ECMC is a re-branded COGCC, an agency with a legacy of serving oil &amp; gas industry interests and failing to serve the public interest. It is the classic example of a public agency utterly captured by the industry it is supposed to oversee. The ECMC should not be entrusted with additional important public responsibilities that will shape Colorado and have lasting impacts far beyond.</p> <p>Under ECMC regulation, carbon capture projects will be inevitably tied to oil and gas projects, presented and masquerading as climate change solutions. These projects will not be climate friendly. They will produce more oil and gas, increase carbon emissions, and involve huge costs to transfer carbon naturally locked away underground, up out of the ground, and then put it back underground.</p> <p>Carbon capture will be a fig leaf used to hide the real costs of continuing to produce and burn oil &amp; gas, and to divert attention and resources away from real solutions to mitigating climate change because real solutions mean transitioning to renewable non-C energy sooner rather than later.</p> <p>We urge you to vote NO on this bill -- to protect Colorado from the trojan horse of carbon capture to justify more oil &amp; gas production, and</p>

	<p>we encourage a revised approach to carbon capture that will not serve to subsidize and extend oil &amp; gas production.</p> <p>Doug Henderson for the Larimer Alliance for Health, Safety, and Environment</p>
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April 24, 2024

Re: HB 24-1346, Energy and Carbon Management

To Senate Agriculture and Natural Resources Committee, Chair Roberts, Vice Chair Danielson, and members,

I am writing to ask you to vote no on HB 24-1346.

The Energy and Carbon Management Commission has proposed 39 pages of new legislation that will give it sweeping new powers over the use of carbon capture technology and land use.

“Carbon capture and sequestration” is a wildly expensive technology that has never been applied successfully at scale. Billions of dollars and decades of research have been sunk into this failed idea. Carbon capture is too expensive, cannot sequester enough carbon fast enough, cannot hold the carbon for long enough, creates massive dangers to the public and the environment, and is almost entirely backed by the fossil fuel industry as a form of greenwashing. The impact of pumping large amounts of gas into the ground for an attempt at long term storage could be catastrophic, and piping CO<sub>2</sub> around the state is a major risk to the public due. If the United States had put the money it spent on CCS research over the past 40 years to renewable technology research and deployment, we might have shaved decades off the climate crisis. Unfortunately, these sunk costs cannot be recovered. But we can avoid compounding the error. Our whole efforts must be focused on reducing production and consumption of fossil-fuels, and not on figuring out how to even further turn our literal life-bearing earth into a garbage dump for excess CO<sub>2</sub>.

In my experience, when the ECMC has a good idea, it is usually very short.

ECMC has far more than enough work to do managing the oil and gas industry. In the five years since SB 19-181 was passed, requiring the ECMC to adopt rules to “evaluate and address cumulative impacts” the agency *still* has not adopted rules to address cumulative impacts. In fact, despite last year’s legislative effort (HB 23-1294) which gave the ECMC a new deadline of April 28, 2024 to adopt these rules, the ECMC put off its work again in order to work on this bill.

Please reject this bill. It is too big. It is bad for the state. The ECMC is not prepared for this new authority, when it has not yet proven itself equal to the responsibilities it already has.

Best regards,

Katherine Merlin  
WildEarth Guardians, staff attorney  
Boulder, CO