

119TH CONGRESS  
1ST SESSION

# S. 3044

To amend the Clean Air Act to modify the handling of air quality monitoring with respect to prescribed fires, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 23, 2025

Mr. CURTIS (for himself and Ms. LUMMIS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Clean Air Act to modify the handling of air quality monitoring with respect to prescribed fires, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wildfire Emissions  
5 Prevention Act of 2025”.

1 **SEC. 2. AIR QUALITY MONITORING DATA INFLUENCED BY**  
2 **EXCEPTIONAL EVENTS AND PRESCRIBED**  
3 **FIRES.**

4 (a) IN GENERAL.—Section 319(b) of the Clean Air  
5 Act (42 U.S.C. 7619(b)) is amended—

6 (1) in the subsection heading, by inserting  
7 “AND PRESCRIBED FIRES” after “EVENTS”;

8 (2) in paragraph (1)—

9 (A) in subparagraph (A)—

10 (i) in clause (ii), by inserting “, unless  
11 the purpose is to prevent more severe emis-  
12 sions” before the semicolon at the end;

13 (ii) by striking clauses (iii) and (iv)  
14 and inserting the following:

15 “(iii) is a natural event, or an event  
16 caused by human activity that is unlikely  
17 to recur unless the event intended to mir-  
18 ror the occurrence or reoccurrence of a  
19 natural event, or a prescribed fire; and

20 “(iv) is determined to be an excep-  
21 tional event by the impacted State, unless  
22 the Administrator, through the process es-  
23 tablished in the regulations revised under  
24 paragraph (2), subsequently determines  
25 that the event is not an exceptional  
26 event.”; and

1 (iii) by redesignating clauses (i)  
2 through (iv) as subclauses (I) through  
3 (IV), respectively, and indenting appro-  
4 priately;

5 (B) in subparagraph (B)—

6 (i) in the matter preceding clause (i),  
7 by striking “In this subsection, the” and  
8 inserting “The”; and

9 (ii) by redesignating each of clauses  
10 (i) through (iii) as subclauses (I) through  
11 (III), respectively, and indenting appro-  
12 priately;

13 (C) by redesignating subparagraphs (A)  
14 and (B) as clauses (i) and (ii), respectively, and  
15 indenting appropriately;

16 (D) by striking the paragraph designation  
17 and heading and all that follows through “this  
18 section:” in the matter preceding clause (i) (as  
19 so redesignated) and inserting the following:

20 “(1) DEFINITIONS.—In this subsection:

21 “(A) EXCEPTIONAL EVENT.—”; and

22 (E) by adding at the end the following:

23 “(B) PRESCRIBED FIRE.—The term ‘pre-  
24 scribed fire’ means a fire originating from a  
25 planned ignition in accordance with applicable

1 laws, policies, and regulations to meet specific  
2 objectives.”;

3 (3) in paragraph (2)—

4 (A) by striking subparagraph (A) and in-  
5 serting the following:

6 “(A) PROPOSED REVISIONS.—Not later  
7 than 270 days after the date of enactment of  
8 the Wildfire Emissions Prevention Act of 2025,  
9 the Administrator, after consultation with Fed-  
10 eral land managers, State air pollution control  
11 agencies, State foresters, and State fish and  
12 wildlife agencies, shall publish in the Federal  
13 Register revisions to existing regulations pro-  
14 mulgated under this section to govern the re-  
15 view of State determinations and handling of  
16 air quality monitoring data influenced by excep-  
17 tional events or prescribed fires.”; and

18 (B) in subparagraph (B)—

19 (i) in the subparagraph heading, by  
20 striking “REGULATIONS” and inserting  
21 “REVISIONS”;

22 (ii) by striking “proposed regulations”  
23 each place it appears and inserting “pro-  
24 posed revisions”;

1 (iii) by striking “1 year” and insert-  
2 ing “180 days”; and

3 (iv) by striking “promulgate final reg-  
4 ulations” and all that follows through the  
5 period at the end and inserting “finalize  
6 the revisions under subparagraph (A) to  
7 regulations promulgated under this section  
8 to govern the review of State determina-  
9 tions and handling of air quality moni-  
10 toring data influenced by exceptional  
11 events or prescribed fires that are con-  
12 sistent with paragraph (3).”;

13 (4) in paragraph (3)—

14 (A) in subparagraph (A)(iii), by striking  
15 “manner, an appropriate” and inserting “man-  
16 ner in an appropriate”; and

17 (B) in subparagraph (B)—

18 (i) in clause (i), by inserting “or a  
19 prescribed fire” after “an exceptional  
20 event”;

21 (ii) in clause (ii)—

22 (I) by inserting “or be reasonably  
23 expected to exist” after “must exist”;  
24 and

1 (II) by striking “exceptional  
2 event” each place it appears and in-  
3 serting “exceptional event or a pre-  
4 scribed fire”; and

5 (iii) in clause (iv)—

6 (I) by striking “Governor of a  
7 State to petition the Administrator”  
8 and inserting “Administrator to re-  
9 view State determinations”;

10 (II) by inserting “or prescribed  
11 fires” after “exceptional events”;

12 (III) by striking “with respect to  
13 exceedances” and inserting the fol-  
14 lowing: “with respect to—

15 “(I) exceedances”;

16 (IV) in subclause (I) (as so des-  
17 ignated), by striking the period at the  
18 end and inserting “; or”; and

19 (V) by adding at the end the fol-  
20 lowing:

21 “(II) the designation, redesigna-  
22 tion, classification, or reclassification  
23 of an area, the demonstration by a  
24 State of attainment of a national am-  
25 bient air quality standard, or other

1                   determinations by the Administrator  
2                   for determining compliance with this  
3                   Act.”; and

4                   (5) by striking paragraph (4) and inserting the  
5                   following:

6                   “(4) REGIONAL, NATIONAL, OR INTERNATIONAL  
7                   EXCEPTIONAL EVENTS.—At the request of multiple  
8                   State or local government agencies or Tribal au-  
9                   thorities, the Administrator shall conduct analyses  
10                  or otherwise collaborate with such agencies or au-  
11                  thorities to lead the development of regional, na-  
12                  tional, or international exceptional event demonstra-  
13                  tions when exceptional events impact multijuris-  
14                  dictional areas.”.

15                  (b) SAVINGS PROVISION.—Nothing in this Act or an  
16                  amendment made by this Act makes stationary source (as  
17                  defined in section 51.491 of title 40, Code of Federal Reg-  
18                  ulations (as in effect on the date of enactment of this Act))  
19                  emissions that were not an exceptional event (as defined  
20                  in section 319(b)(1) of the Clean Air Act (42 U.S.C.  
21                  7619(b)(1))) on the day before the date of enactment of  
22                  this Act an exceptional event under that section after that  
23                  date of enactment.

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