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119TH CONGRESS
2D SESSION

S. 4619

To amend the Clean Air Act to exclude marginal wells from certain standards of performance and other requirements under that Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2026

Ms. LUMMIS (for herself, Mr. BARRASSO, Mr. CRAMER, Mr. DAINES, Mr. MORAN, Mr. RICKETTS, and Mr. LEE) 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 exclude marginal wells from certain standards of performance and other requirements under that Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protect Domestic Oil and Gas Small Business Act of 2026''.

SEC. 2. EXCLUSION OF MARGINAL WELLS FROM STANDARDS OF PERFORMANCE AND OTHER CLEAN AIR ACT REQUIREMENTS.

(a) EXCLUSIONS.—Section 111 of the Clean Air Act (42 U.S.C. 7411) is amended by adding at the end the following:

''(k) EXEMPTION FOR MARGINAL WELLS.—

''(1) DEFINITIONS.—In this subsection:

''(A) ASSOCIATED EQUIPMENT.—The term 'associated equipment', with respect to an oil or natural gas well site, includes any multiphase separator, treater, knockout, gun barrel, test vessel, pump, storage vessel, compressor, process controller, dehydrator, gas shack, meter, heater, methanol pump, natural gas liquid loadout or storage vessel, gathering line, flowline, dump line, transmission line, water tank, oil tank, gunbarrel, or storage tank, or any other equipment used in association with that well site.

''(B) MARGINAL WELL.—The term 'marginal well' means an oil or natural gas well site the average daily production of which, over the preceding calendar year, is—

''(i) in the case of an oil well site—

"(I) 15 barrels of oil per day per well or less; or

"(II) 15 barrels of oil equivalent per day per well or less, using a conversion factor of 6,000 cubic feet per barrel of oil equivalent; or

"(ii) in the case of a natural gas well site, 90,000 cubic feet of natural gas per day per well or less.

"(C) WELL SITE.—The term 'well site' includes any well located at a given site, and associated equipment, but does not extend beyond the point of custody transfer of natural gas or oil produced from such a well.

"(2) EXEMPTION.—No standard of performance or guideline prescribed by the Administrator under subsection (b) or (d)(2), including in any regulation issued by the Administrator under either subsection, and no requirement for monitoring, reporting, recordkeeping, conducting a fugitive emission survey, detecting or repairing leaks, estimating or measuring emissions, or any other related requirement prescribed in regulations issued by the Administrator under this section shall apply with re-

spect to any marginal well or, as applicable, the owner or operator of a marginal well.

''(3) NO REQUIREMENT IN STATE PLANS.—The Administrator may not require any plan submitted by a State to the Administrator under subsection (d)(1) to include a standard of performance applicable to marginal wells or, as applicable, owners or operators of marginal wells.

''(4) EXPEDITED CONSIDERATION.—

''(A) IN GENERAL.—If a State makes a revision to a plan submitted to the Administrator under subsection (d)(1) to make a standard of performance inapplicable to marginal wells or, as applicable, owners or operators of marginal wells, the Administrator shall, not later than 180 days after the date on which the revision is submitted, approve, disapprove, approve in part, or disapprove in part that revision without further review.

''(B) DEEMED APPROVAL.—If the Administrator fails to act on a revision described in subparagraph (A) by the end of the 180-day period described in that subparagraph, the revision shall be considered approved.''.

(b) IMPLEMENTATION.—

(1) CONFORMING REVISIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall revise such regulations and guidance as may be necessary to implement subsection (k) of section 111 of the Clean Air Act (42 U.S.C. 7411) (as added by subsection (a)).

(2) PENDING ENFORCEMENT ACTIONS.—Any action to enforce a standard of performance or requirement described in subsection (k)(2) of section 111 of the Clean Air Act (42 U.S.C. 7411) (as added by subsection (a)) with respect to marginal wells that is pending on the date of enactment of this Act shall be terminated.

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