

119TH CONGRESS
2^D 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

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.

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 “Protect Domestic Oil
5 and Gas Small Business Act of 2026”.

1 **SEC. 2. EXCLUSION OF MARGINAL WELLS FROM STAND-**
 2 **ARDS OF PERFORMANCE AND OTHER CLEAN**
 3 **AIR ACT REQUIREMENTS.**

4 (a) EXCLUSIONS.—Section 111 of the Clean Air Act
 5 (42 U.S.C. 7411) is amended by adding at the end the
 6 following:

7 “(k) EXEMPTION FOR MARGINAL WELLS.—

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

9 “(A) ASSOCIATED EQUIPMENT.—The term
 10 ‘associated equipment’, with respect to an oil or
 11 natural gas well site, includes any multiphase
 12 separator, treater, knockout, gun barrel, test
 13 vessel, pump, storage vessel, compressor, proc-
 14 ess controller, dehydrator, gas shack, meter,
 15 heater, methanol pump, natural gas liquid
 16 loadout or storage vessel, gathering line,
 17 flowline, dump line, transmission line, water
 18 tank, oil tank, gunbarrel, or storage tank, or
 19 any other equipment used in association with
 20 that well site.

21 “(B) MARGINAL WELL.—The term ‘mar-
 22 ginal well’ means an oil or natural gas well site
 23 the average daily production of which, over the
 24 preceding calendar year, is—

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

1 “(I) 15 barrels of oil per day per
2 well or less; or

3 “(II) 15 barrels of oil equivalent
4 per day per well or less, using a con-
5 version factor of 6,000 cubic feet per
6 barrel of oil equivalent; or

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

10 “(C) WELL SITE.—The term ‘well site’ in-
11 cludes any well located at a given site, and as-
12 sociated equipment, but does not extend beyond
13 the point of custody transfer of natural gas or
14 oil produced from such a well.

15 “(2) EXEMPTION.—No standard of perform-
16 ance or guideline prescribed by the Administrator
17 under subsection (b) or (d)(2), including in any reg-
18 ulation issued by the Administrator under either
19 subsection, and no requirement for monitoring, re-
20 porting, recordkeeping, conducting a fugitive emis-
21 sion survey, detecting or repairing leaks, estimating
22 or measuring emissions, or any other related re-
23 quirement prescribed in regulations issued by the
24 Administrator under this section shall apply with re-

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

3 “(3) NO REQUIREMENT IN STATE PLANS.—The
4 Administrator may not require any plan submitted
5 by a State to the Administrator under subsection
6 (d)(1) to include a standard of performance applica-
7 ble to marginal wells or, as applicable, owners or op-
8 erators of marginal wells.

9 “(4) EXPEDITED CONSIDERATION.—

10 “(A) IN GENERAL.—If a State makes a re-
11 vision to a plan submitted to the Administrator
12 under subsection (d)(1) to make a standard of
13 performance inapplicable to marginal wells or,
14 as applicable, owners or operators of marginal
15 wells, the Administrator shall, not later than
16 180 days after the date on which the revision
17 is submitted, approve, disapprove, approve in
18 part, or disapprove in part that revision without
19 further review.

20 “(B) DEEMED APPROVAL.—If the Admin-
21 istrator fails to act on a revision described in
22 subparagraph (A) by the end of the 180-day pe-
23 riod described in that subparagraph, the revi-
24 sion shall be considered approved.”.

25 (b) IMPLEMENTATION.—

1 (1) CONFORMING REVISIONS.—Not later than
2 180 days after the date of enactment of this Act, the
3 Administrator of the Environmental Protection
4 Agency shall revise such regulations and guidance as
5 may be necessary to implement subsection (k) of
6 section 111 of the Clean Air Act (42 U.S.C. 7411)
7 (as added by subsection (a)).

8 (2) PENDING ENFORCEMENT ACTIONS.—Any
9 action to enforce a standard of performance or re-
10 quirement described in subsection (k)(2) of section
11 111 of the Clean Air Act (42 U.S.C. 7411) (as
12 added by subsection (a)) with respect to marginal
13 wells that is pending on the date of enactment of
14 this Act shall be terminated.

○