

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S.** \_\_\_\_\_

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.

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IN THE SENATE OF THE UNITED STATES

Ms. LUMMIS introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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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.

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.