

119TH CONGRESS
2D SESSION

H. R. 8990

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

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2026

Mr. PFLUGER (for himself, Mr. ARRINGTON, Mr. WEBER of Texas, Mr. LATTA, Mr. ELLZEY, Mr. GOLDMAN of Texas, Mrs. FEDORCHAK, Mr. BALDERSON, Mr. WILLIAMS of Texas, Mr. EVANS of Colorado, Mr. MANN, and Mr. ESTES) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act to exclude marginal wells from certain standards of performance and other requirements under such 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)(1) No standard of performance or guideline pre-
8 scribed by the Administrator under subsection (b) or
9 (d)(2), including in any regulation issued by the Adminis-
10 trator under either such subsection, and no requirement
11 for monitoring, reporting, record-keeping, conducting a fu-
12 gitive emission survey, detecting or repairing leaks, esti-
13 mating or measuring emissions, or any other related re-
14 quirement prescribed in regulations issued by the Admin-
15 istrator under this section, shall apply with respect to any
16 marginal well or, as applicable, owner or operator thereof.

17 “(2) The Administrator may not require any plan
18 submitted by a State to the Administrator under sub-
19 section (d)(1) to include a standard of performance appli-
20 cable to marginal wells or, as applicable, owners or opera-
21 tors thereof.

22 “(3) If a State makes a revision to a plan submitted
23 to the Administrator under subsection (d)(1) to make a
24 standard of performance inapplicable to marginal wells or,
25 as applicable, owners or operators thereof, the Adminis-
26 trator, or a designee thereof, shall within 180 days, ap-

1 prove, disapprove, approve in part, or disapprove in part
2 such revision without further review. Should the Adminis-
3 trator fail to act by the end of the 180 day period, the
4 revision shall be deemed approved.

5 “(4) In this subsection:

6 “(A) The term ‘associated equipment’, with re-
7 spect to an oil or natural gas well site, includes any
8 multiphase separator, treater, knockout, gun barrel,
9 test vessel, pump, storage vessel, compressor, proc-
10 ess controller, dehydrator, gas shack, meter, heater,
11 methanol pump, natural gas liquid loadout or stor-
12 age vessel, gathering line, flowline, dump line, trans-
13 mission line, water tank, oil tank, gunbarrel, or stor-
14 age tank, or any other equipment used in association
15 with such well site.

16 “(B) The term ‘marginal well’ means a well site
17 the average daily production of which, over the pre-
18 ceding calendar year, is—

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

20 “(I) 15 barrels of oil per day per well
21 or less; or

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

1 “(ii) in the case of a natural gas well site,
2 90,000 cubic feet of natural gas per day per
3 well or less.

4 “(C) The term ‘well site’ includes any well lo-
5 cated at a given site, and associated equipment, but
6 does not extend beyond the point of custody transfer
7 of natural gas or oil produced from such a well.”.

8 (b) IMPLEMENTATION.—

9 (1) CONFORMING REVISIONS.—Not later than
10 180 days after the date of the enactment of this Act,
11 the Administrator of the Environmental Protection
12 Agency shall revise such regulations and guidance as
13 may be necessary to implement subsection (k) of
14 section 111 of the Clean Air Act (42 U.S.C. 7411),
15 as added by this Act.

16 (2) PENDING ENFORCEMENT ACTIONS.—Any
17 action to enforce a standard of performance or re-
18 quirement specified in subsection (k)(1) of section
19 111 of the Clean Air Act (42 U.S.C. 7411), as
20 added by this Act, with respect to a marginal well
21 that is pending as of the date of the enactment of
22 this Act shall be terminated.

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