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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.

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.

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 ''Wildfire Emissions Prevention Act of 2025''.

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

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

(1) in the subsection heading, by inserting ''AND PRESCRIBED FIRES'' after ''EVENTS'';

(2) in paragraph (1)—

(A) in subparagraph (A)—

(i) in clause (ii), by inserting '', unless the purpose is to prevent more severe emissions'' before the semicolon at the end;

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

''(iii) is a natural event, or an event caused by human activity that is unlikely to recur unless the event intended to mirror the occurrence or reoccurrence of a natural event, or a prescribed fire; and

''(iv) is determined to be an exceptional event by the impacted State, unless the Administrator, through the process established in the regulations revised under paragraph (2), subsequently determines that the event is not an exceptional event.''; and

(iii) by redesignating clauses (i) through (iv) as subclauses (I) through (IV), respectively, and indenting appropriately;

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking ''In this subsection, the'' and inserting ''The''; and

(ii) by redesignating each of clauses (i) through (iii) as subclauses (I) through (III), respectively, and indenting appropriately;

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

(D) by striking the paragraph designation and heading and all that follows through ''this section:'' in the matter preceding clause (i) (as so redesignated) and inserting the following:

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

''(A) EXCEPTIONAL EVENT.—''; and

(E) by adding at the end the following:

''(B) PRESCRIBED FIRE.—The term 'prescribed fire' means a fire originating from a planned ignition in accordance with applicable

laws, policies, and regulations to meet specific objectives.'';

(3) in paragraph (2)—

(A) by striking subparagraph (A) and inserting the following:

''(A) PROPOSED REVISIONS.—Not later than 270 days after the date of enactment of the Wildfire Emissions Prevention Act of 2025, the Administrator, after consultation with Federal land managers, State air pollution control agencies, State foresters, and State fish and wildlife agencies, shall publish in the Federal Register revisions to existing regulations promulgated under this section to govern the review of State determinations and handling of air quality monitoring data influenced by exceptional events or prescribed fires.''; and

(B) in subparagraph (B)—

(i) in the subparagraph heading, by striking ''REGULATIONS'' and inserting ''REVISIONS'';

(ii) by striking ''proposed regulations'' each place it appears and inserting ''proposed revisions'';

(iii) by striking ''1 year'' and inserting ''180 days''; and

(iv) by striking ''promulgate final regulations'' and all that follows through the period at the end and inserting ''finalize the revisions under subparagraph (A) to regulations promulgated under this section to govern the review of State determinations and handling of air quality monitoring data influenced by exceptional events or prescribed fires that are consistent with paragraph (3).'';

(4) in paragraph (3)—

(A) in subparagraph (A)(iii), by striking ''manner, an appropriate'' and inserting ''manner in an appropriate''; and

(B) in subparagraph (B)—

(i) in clause (i), by inserting ''or a prescribed fire'' after ''an exceptional event'';

(ii) in clause (ii)—

(I) by inserting ''or be reasonably expected to exist'' after ''must exist''; and

(II) by striking ''exceptional event'' each place it appears and inserting ''exceptional event or a prescribed fire''; and

(iii) in clause (iv)—

(I) by striking ''Governor of a State to petition the Administrator'' and inserting ''Administrator to review State determinations'';

(II) by inserting ''or prescribed fires'' after ''exceptional events'';

(III) by striking ''with respect to exceedances'' and inserting the following: ''with respect to—

''(I) exceedances'';

(IV) in subclause (I) (as so designated), by striking the period at the end and inserting ''; or''; and

(V) by adding at the end the following:

''(II) the designation, redesignation, classification, or reclassification of an area, the demonstration by a State of attainment of a national ambient air quality standard, or other

determinations by the Administrator for determining compliance with this Act.''; and

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

''(4) REGIONAL, NATIONAL, OR INTERNATIONAL EXCEPTIONAL EVENTS.—At the request of multiple State or local government agencies or Tribal authorities, the Administrator shall conduct analyses or otherwise collaborate with such agencies or authorities to lead the development of regional, national, or international exceptional event demonstrations when exceptional events impact multijurisdictional areas.''.

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

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