Public Health Air Quality Act of 2025
Section-By-Section

Topline Summary

The *Public Health Air Quality Monitoring Act* seeks to protect clean air and public health by expanding fenceline and ambient air monitoring and access to air quality information for communities affected by air pollution, to require hazardous air pollutant monitoring at the fenceline of facilities whose emissions are linked to local health threats, to ensure the Environmental Protection Agency (EPA) promulgates rules that require hazardous air pollutant data measurement and electronic submission at fencelines and stacks of industrial source categories, to expand and strengthen the national ambient air quality monitoring network, to deploy air quality systems in communities affected by air pollution and for other purposes.

Section 1. Short Title.

This Act may be cited as the ‘‘Public Health Air Quality Act of 2025.’’

Section 2. Definitions.

This section defines the term “Administrator” as the Administrator of the EPA. It defines the term “air quality system” as an air quality sensor or set of sensors installed together with instruments to measure meteorology and store and transmit data. It defines the term “cumulative impact” means the totality of exposures to combinations of chemical and nonchemical stressors, and the effects of those exposures on health, well-being, and quality of life outcomes. It defines the term “cumulative risk” as the combined risks to health or the environment from multiple agents or stressors. It defines the term “emission measurement system” as a set of monitors, testing equipment, tools and processes employed at a facility to measure emissions from direct and fugitive points at a source or facility or at the source’s or facility’s fenceline that employs EPA approved or promulgated test methods for all measured pollutants for which a method is available. Lastly, it defines the term “real-time” meaning the actual or near actual time during which pollutant levels occur at or near the property boundary of a facility or in a nearby community. The remaining terms refer to existing definitions in the U.S. Code or existing EPA definitions and are not new.

Section 3. Health Emergency Air Toxics Monitoring Network.

Monitoring

This section focuses on emergencies and directs the EPA to carry out a program to administer or conduct emissions measurement and quantifications, including the best available form of fenceline monitoring of stationary sources of hazardous air pollutants, including through expansion of the National Air Toxics Trends Station network. This program should be administered no later than 18 months after the enactment of the bill.

The EPA shall maintain this monitoring for a period of no less that 6 years after the monitoring is first carried out. After this 6-year period the EPA shall maintain the program by maintaining

monitors at all or some sources or adding or moving monitors to additional sources. If the EPA determines that 6 years of monitoring is not necessary to protect public health, they may decrease the monitoring period after 3 years.

Furthermore, this section directs the EPA to use their authority to inspect and require emission testing at sources at or inside the facility involved to the extent necessary to identify and address the emissions crossing the fenceline. The EPA must make public and maintain the plans for and the results of all measurements, including fenceline monitoring in highly accessible format, in a centralized database maintained in multiple languages and for a period of at least 10 years. The EPA must then publish, after public notice and comment, a list of stationary sources of hazardous air pollutants that includes at least 45 of the sources listed as high-priority facilities in the report of the Office of Inspector General, as contributing to high cancer risk sources and at least 55 other major sources or area sources that meet the criteria.

If the EPA determines that a source no longer contributes to high health risks or impacts, they shall cease to include that source in the list and include an additional major source to ensure the list includes no less than 100 high-priority sources.

The Administrator must publish in the Federal Registrar any determination to make a substitution and an explanation of the reasons for any such determination demonstrating based on monitoring data that the substitution is likely to ensure that monitoring under this section occurs at the sources causing or contributing the highest potential health risks or other impacts from hazardous air pollution.

Criteria

In order to make this source substitution it must meet certain hazardous health criteria, including a major or area source if the source emits at least 1 of the hazardous pollutants described, is located in or within 3 miles of a census tract with a cancer risk of at least 100 in 1,000,00 or a chronic non-cancer hazard index that is greater than 1 or in a source category with a cancer risk that is at least 100 in 1,000,000 for the individual most exposed to emissions from the source category, a total organ-specific hazard index for chronic non-cancer risk that is greater than 1, of an acute risk hazard quotient that is greater than 1. The location can also be added if determined by the Administrator to be a high priority source or facility for emissions measurement because the emissions of the source or facility are causing or contributing to, or have the potential to cause or contribute to, serious health risks or impacts,
as well as other considerations.

Pollutants

This section describes the known list of stationary sources of hazardous air pollutants as ethylene oxide, chloroprene, benzene, 1,3-butadiene, formaldehyde, acetaldehyde, lead compounds, arsenic compounds, antimony compounds, cadmium compounds, cobalt compounds, nickel compounds, manganese compounds, vinyl chloride, ethylene dichloride, naphthalene, ethylbenzene, methyl mercury, epichlorohydrin, xylenes, acrylonitrile, and any other hazardous air pollutant included in the list described in section 112 (b) of the Clean Air Act that the Administrator determines after public notice and comment, emissions that may be contributing to

serious health risks and warrant emissions quantification and measurement, and any pollutant that is a precursor to atmospheric photochemical production of any other pollutant.

Use of Information and Methods

In carrying out this air monitoring program, the Administrator shall use the EPA's latest evaluations and methods of compiling and evaluating information about risks from air toxics in effect on January 1, 2025, that have been peer reviewed by the Science Advisory Board, including chemical assessments developed by the Integrated Risk Information System, or the most recent Air Toxics Screening Assessment or other current evaluation or report by the EPA with similar information about cancer and noncancer risks from hazardous air pollution passed on measured or models emissions done by the EPA. This can be either the Risk-Screening Environmental Indicators model of the Administrator, a prior health risk assessment preformed by the EPA or a new health risk assessment performed by the Administrator that follows the best available science and considers cumulative risks and impacts, increased vulnerability, multiple source exposure, exposure in utero, in childhood, in adolescence, and through the age of 85 and considers the most recent emission tests available or received by the EPA in public comment and any fenceline or ambient monitoring data approved by the EPA.

Methods and Technologies

The Administrator should employ an emissions measurement system to monitor the pollutants described above emitted by the stationary source, including the most current EPA approved emissions test or monitoring methods or for each stationary source, the best available method for continuous measurement of air pollutant concentrations.

Stationary Sources Described

These stationary sources described should be no less than each of the 20 stationary sourced on the list that emits the greatest volume of pollutants, causes the greatest health risk individually or cumulatively based on available data and testing from the EPA. It also includes any other stationary source on the list that is regulated under the Clean Air Act and has had an accidental release or incident that is required to be reported and any other stationary source on the list published for which application of testing methods alone will not be sufficient to monitor and report the pollutions that are emitted by that stationary source.

New Test Methods

No later than 18 months after the date of enactment of this bill the Administrator shall approve or promulgate any new test methods that are necessary to ensure effective fenceline monitoring of all pollutants described in the section.

Monitor Placement and Maintenance

The Administrator shall, after public comment, place and maintain, or ensure placement and regular maintenance of all monitors to ensure effective and reliable emissions measurements. This maintenance should be conducted at least once every 180 days unless the test method used by the monitor requires a more frequent check or is requested by a member of the public.

Public Input

This section details that the Administrator shall, after public notice and comment, create a process for the public to track the maintenance of monitors and request a maintenance check of a monitor.

Report

No later than 6 years after the enactment of the bill the EPA must submit a report to Congress and post publicly on the EPA website, describing the results of the monitoring that must include the results of emissions measurements implemented under the programs, any actions of the EPA taken based on the missions measurement data or program and whether the EPA proposes to continue emissions measurements at any or all of the stationary sourced on the list or to implement emissions measurements of any additional stationary sources.

Determination Regarding Additional Sources

No later than 6 years after the date of enactment of the bill, and no less frequently than every 6 years, the EPA must decide whether to add or remove emissions sources to the list of stationary sources to ensure compliance of such stationary sources with emission standards of the Clean Air Act to prevent and detect additional release, to protect the health of communities most exposed to hazardous emissions or to ensure the 100 highest-priority sources or facilities, based on the best available science and the most current data on health risks and impacts, have emissions measurement systems in place for pollutants required to be monitored. They must then publish a determination in the Federal Resister.

Report

No later than 1 year after the enactment of the bill the EPA must submit a report to Congress and post publicly on the EPA website, describing staffing and how EPA plans to carry out this section.

Authorization of Appropriations

This section authorizes $146 million for fiscal years 2026 and 2027 to carry out the activities detailed in this section.

Section 4. Community Air Toxics Monitoring.

Regulations

This section ensures the accuracy and continuity of air monitoring and data. Not later than 2 years after the enactment of this bill the EPA must promulgate regulations pursuant to the Clean Air Act that require all sources in the source category to implement the best available form of emissions measurement, including continuous emissions monitoring and fenceline monitoring; promulgate regulations to ensure compliance with emissions standards for hazardous air pollutants for facilities in the source category that are required to submit risk management plans; promulgate regulations to establish a corrective action level for the top 3 hazardous air pollutants

and remedial action, and lastly a rule to treat any requirement imposed by the regulations under this section as a requirement under the Clean Air Act.

Source Categories

This section describes the source categories for this subsection as including each category or subcategory of major sources or area sources that contain at least 1 of the stationary sources of hazardous air pollutants, major sources or area sources identified in the most recent National Emissions Inventory of EPA as emitting a pollutant from petroleum, chemical, petrochemical or plastics manufacturing sources, marine vessel loading operations, or other sources that are classified in 1 or more of North American Industry Classification System codes or any other major source of fugitive hazardous air pollutant emissions for which the EPA is subject to a court-ordered or statutory deadline, engaged in a reconsideration processing or subject to a court remand to review and determine whether to revise the emissions standards that apply to that major source or contains any stationary source regulated by the Clean Air Act, and has had an accidental release or incident that is required to be reported and any other source category for which the EPA determines that the community would benefit from fenceline monitoring.

Determination of Best Available Form of Monitoring

The Administrator, in consultation with the Office of Air and Radiation, the Office of Enforcement and Compliance Assurance, the Office of Environmental Justice and External Civil Rights, the Office of Children's Health, and the Office of Research and Development should determine the best available form of emissions measurement and ensure the methods required under the regulations are as stringent as the most current EPA approved emissions test or monitoring methods.

Methods and Technologies

This section details that for all stationary sources in the source categories, the Administrator can *require* application, implementation or employment of optical remote sensing technology to provide real-time measurements of air pollutant concentrations along an open-path or provide an explanation of why application, implementation or employment of 1 or more of the technologies is not necessary for compliance or the protection of public health.

Multiple-Source or Facility Complexes

This section defines the "multiple-source or facility complex" as 1 or more stationary sources co-located at the same site. Then the section instructs the Administrator to take steps to ensure that the best available form of monitoring for a multiple-source or facility complex is followed and may include combined monitoring methods. The Administrator can also consider whether any other multiple-source or facility complex should be required to employ the combined monitoring methods.

Health Priority Approach

This section details that in promulgating the corrective action level for each of the hazardous air pollutants, the Administrator should consider the best available science, take a precautionary approach to ensure that the owner of the source or facility reduces the emissions of the source to prevent harm and take into account the aggregate and cumulative emissions and health risks from the facility including multiple source categories.

Maintenance and Public Reporting

This section requires the Administrator to ensure that the owners of sources perform regular inspections and maintenance of all measured equipment and submit regular reports to the EPA that include the measured emissions data collected by that emissions measurement equipment, describe the status of that measurement equipment, and contain a detailed explanation of the circumstances surrounding a delay in collecting or missing data.

The EPA must also ensure that the emissions measurement system required is continuous and yields reliable data 95 percent of the time without any regulatory exemption or extension and that any problem with the fenceline monitoring equipment required is repaired within 2 days of discovery.

Violations

This section states that the EPA must require the owner of a stationary source subject to regulations to report, at least semi-annually, all exceedances of any corrective action level and all corrective action planned and taken and treat each day of the violation as a separate violation.

Public Reporting

The Administrator must make available on the EPA's website in an accessible format all emissions measurement plans and reports, all emissions measurement data collected by monitoring equipment required in this section and an option to sign up for community-wide or source-specific alerts that alert the user of dangerous emissions concentrations. This information must be subjected to public notice and comment on the format and accessibility and is required to be publicized in each community that contains a source regulated under this bill through local media formats.

Office of Research and Development

The Administrator must ensure that the Office of Air and Radiation coordinates with the Office of Research and Development.

Report

No later than 1 year after the enactment of the bill the EPA must submit a report to Congress and post publicly on the EPA website, describing staffing and how EPA plans to carry out this section.

Authorization of Appropriations

This section authorizes $50 million to carry out this section for fiscal years 2026 and 2027.

Section 5. NAAQs Monitoring Network.

Deployment of NCore Multipollutant Monitoring Stations

This section directs the Administrator to require the deployment of 80 additional NCore multi-pollutant monitoring stations no later than 18 months after this bill is enacted. These stations must be installed and integrated into the air quality monitoring system established pursuant to sections 110 and 319 of the Clean Air Act and must be operated and maintained on a continuing basis. These results must be used for assessment of the compliance of areas with National Ambient Air Quality Standards (NAAQS), integrated science assessments, evaluating disparities of pollution exposures within metropolitan areas and such other purposes that the EPA determines will promoted the protection of public health from air pollution.

Locations

The EPA must ensure that at least 40 of the NCore stations are not limited to metropolitan statistical areas with populations of 50,000 or greater and are sited in census tracts that each meet 1 or more of the following criteria:

- rates of asthma, chronic obstructive pulmonary disease, heart disease or cancer are at least 5 percent higher than the national average for that condition
- percentage of people living below the poverty line is higher than the national average
- has two or more major sources of pollution
- has a higher than national average population with vulnerable individuals that may be at greater risk.

Siting Determinations

In determining sites for NCore stations, the EPA must invite proposals from community members and prioritize stations in higher risk areas. Before making determinations there must be public notice of the proposed locations and an opportunity for public comment at least 30 days after the date of publication of the notice.

The EPA may rely on hybrid methods that combine information from multiple sources to determine locations.

Additional Ambient Monitors

This section requires the EPA Administrator to deploy no fewer than 100 Federal reference method monitors or Federal equivalent method monitors for 1 or more air pollutants for which national ambient air quality standards have been established in areas that are unmonitored or under monitored to detect whether the area is in nonattainment of the NAAQS and to improve over all the publicly available data on air quality for 1 or more of the pollutants.

Report

No later than 2 years after the enactment of this bill the EPA Administrator must complete an assessment that includes public input on the status of all ambient air quality monitors that are part of Federal, State or local networks and used for determining compliance with NAAQS. They must submit this report to Congress and make it available on the public website of the EPA.

Satellite Monitoring

The EPA may consult with NASA regarding data from satellites for use in calculating design values or the air quality statistic the Administrator defines for comparison with air quality standards. The EPA may enter an arrangement with the National Academy of Sciences to submit a report that describes the actions necessary to enable the contribution of satellite monitoring to the calculation of design values and air quality standards for ozone, nitrogen oxides and sulfur oxides.

Satellite Monitoring Regulations

The Administrator, in consultation with NASA and NOAA, shall promulgate regulations that create a plan for using satellite monitoring data in calculating design values for pollutants.

Monitoring Plans

The Administrator may not approve a state monitoring plan unless the State provided public notice, at least 60 days for public comment and an opportunity for public hearing.

Authorization of Appropriations

There is authorized to be appropriated $75 million for fiscal year 2026 to carry out this section. The Administrator may use this funding to deploy or replace NCore multipollutant monitoring stations or to make grants for state or local governments to do so. No less than 5 percent but no more than 10 percent must be used to perform the maintenance and repairs necessary to restore to operation NCore stations that are nonoperational and located in areas that are designated as in nonattainment of NAAQS.

Section 6. Community Air Quality System Monitoring.

Deployment of Air Quality Systems

No later than 2 years after the enactment of this bill, the EPA Administrator must deploy no fewer than 1,000 air quality systems, each at no more than $5,000 dollars each, in clusters of five or more in each of the census tracts selected and should invite proposals from community residents prior to site approval.

The Administrator is required to select systems for deployment that are available on the market, will provide data of sufficient accuracy and are the lowest cost available.

Pollutants

Each air quality systems deployed shall measure ozone, PM2.5, nitrogen oxides or sulfur dioxide. The EPA Administrator must determine which pollutant or air pollutants an air quality system should monitor based on the pollution sources affecting the area. Within 18 months the EPA must use these systems to determine that an air pollutant met the threshold for any air pollutant. If they make this determination, they must ensure that Federal reference method monitors, or Federal equivalent monitors, are installed and in operation within that census tract.

The EPA Administrator can waive this requirement if they find that the measurements from the air quality system were inaccurate or complementary data demonstrates that levels of the relevant pollution could not have plausibly reached the 98 percent standard.

Report

No later than a year after the date of enactment of this Act and not less frequently than every 6 years, the EPA should report on additional areas of decision-making where data from low-cost air quality systems may be relevant and useful.

Authorization of Appropriations

The bill authorizes $6 million to be appropriated to carry other this section for fiscal year 2026.

Section 7. Hazardous Air Pollutant Monitoring.

No later than 2 years after the enactment of this bill, the EPA Administrator, after public notice and comment, update and expand Air Emissions Reporting Requirements to require all major and non-major sources to report additional emissions data, including emissions of hazardous air pollutants, perfluoroalkyl substances, and polyfluoroalkyl substances.

Section 8. Data Requirement.

This section requires EPA, to the extent practicable, to integrate the data collected through the programs established under this Act into the EJScreen mapping tool of the EPA or a relevant, similar mapping and screening tool.

Section 9. Rule of Construction.

Nothing in the Act amends other statutes or alters other duties of the EPA Administrator under other applicable law.