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June 9, 2023

Honorable Administrator Michael S. Regan
U.S. Environmental Protection Agency
EPA Docket Center (EPA/DC)
Docket ID No. EPA-HQ-OAR-2022-0829
1200 Pennsylvania Avenue NW
Washington, DC 20460

RE: Proposed Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles: Docket ID No. EPA-HQ-OAR-2022-0829

Dear Honorable Administrator Regan,

The National Tribal Air Association (NTAA) is pleased to submit these comments on EPA’s proposal, “Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles” as published in the *Federal Register* on May 5, 2023.

The NTAA is a member-based organization with 156 Member Tribes. The organization’s mission is to advance air quality management policies and programs, consistent with the needs, interests, and unique legal status of American Indian Tribes and Alaskan Natives. As such, the NTAA uses its resources to support the efforts of all federally recognized Tribes in protecting and improving the air quality within their respective jurisdictions. Although the organization always seeks to represent consensus perspectives on any given issue, it is important to note that the views expressed by the NTAA may not be agreed upon by all Tribes. Further, it is also important to understand that interactions with the organization do not substitute for Nation-to-Nation consultation, which can only be achieved through direct communications between the federal government and American Indian Tribal Governments and Alaskan Natives.

Climate Change and Greenhouse Gas Mitigation

The acute and continuous impacts of climate change on Native Americans and Alaska Native Villagers are well documented. Unfortunately, new consequences of this global crisis continue to be revealed. For multiple reasons including vulnerability and geographic constraints, Tribal communities are disproportionately suffering from these changes. The U.S. Fourth National Climate Assessment (NCA₄)¹ noted, in part, that “Climate change increasingly threatens indigenous communities’ livelihoods, economies, health, and cultural identities by



disrupting interconnected social, physical, and ecological systems.” A more focused examination of Tribal needs to address the impacts of climate change is presented in 2021 publication *The Status of Tribes and Climate Change (STACC)*².

The NTAA has a long history of information sharing with EPA and advocacy for reducing emissions of greenhouse gases. Multiple reports, policy statements, and comment letters are compiled and accessible on our organization’s website³. NTAA’s *Status of Tribal Air Reports (STAR)* including STAR 2022⁴ document climate change impacts on Tribal lands and people.

As described and documented in the analysis of this proposed rule, when fully implemented, the U.S. will accomplish reductions in greenhouse gas emissions from motor vehicles, the largest source of these pollutants. Although the proposed rule and anticipated reduction in emissions of greenhouse gases (specifically carbon dioxide) are characterized as “ambitious” and “significant”⁵, Alternative 1 to the proposed standards will increase the cost of new vehicles as projected for Alternative 1 requirements. These costs for vehicle purchasers will be mitigated by increased savings in vehicle operating costs.

The ravages of climate change continue to be of utmost concern to the NTAA. Alternative 1 to the proposed rule calls for more aggressive carbon monoxide emissions standards. We recommend its adoption.

Criteria Pollutant Emissions Standards

Many residents in Indian country continue to be exposed to concentrations of ozone and particulate matter that exceed current National Ambient Air Quality Standards. With a few exceptions, the sources of this pollution are outside the jurisdiction and control of Tribal governments. It is imperative that the EPA and applicable state and local authorities take all necessary measures to return Tribal communities to healthy air quality.

The proposed emissions standards for new light-duty and medium-duty vehicles for non-methane organic gases plus nitrogen oxides (NMOG+NO_x) constitute one key step in reducing the impacts from the largest source of these ozone-precursor pollutants. Concurrently, reduced emissions of NMOG+NO_x will reduce ambient air concentrations of particulate matter, and PM_{2.5} more specifically. The NTAA supports the proposed standards for these pollutants across the applicable vehicle categories and looks forward to healthier air quality in our many impacted communities.

Air Toxics

As reflected in the title of the proposed rule, the benefits of reduced emissions from light-duty and medium-duty vehicles will include reduced exposures to multiple tailpipe emissions. In addition to greenhouse gases and smog-forming compounds, an array of pollutants will be addressed that are harmful to human health. These include benzene, a known human carcinogen⁶. Tribes in or near urban environments and those with residents near roadways will benefit from decreased exposure to these multiple toxic air pollutants.



Vehicle Durability

The proposed requirements for battery durability and warranty are exceedingly important. Many Tribal communities are distant from comprehensive vehicle maintenance and repair facilities. Alaskan Native Villages are particularly vulnerable to the high costs of vehicle operations. The NTAA supports these provisions that will improve extended battery life and vehicle reliability.

Electrified Vehicles

As noted in the announcement of the proposed standards, “EPA’s proposal builds upon a proliferation of announcements by automakers that collectively signal a rapidly growing shift...toward zero-emission technologies, including electrification”⁵. This anticipated reliance on hybrid, plug-in hybrid, and fully electric power trains may be disproportionately burdensome and costly in Indian country. Far too many homes on many reservations lack access to an electric grid. Further, vehicle reliance on centralized or individual battery charging sites as anticipated in the proposed regulations presents a huge challenge.

The NTAA is well aware of many initiatives to enhance the deployment of renewable energy technologies to support the nation’s electricity demand. We actively participate in meetings, webinars, forums, etc. as programs emerge under the Bipartisan Infrastructure Law, Inflation Reduction Act, and other climate change – related initiatives. The NTAA continues to formally comment on EPA proposals that emerge which have the potential to impact Indian country. NTAA remains concerned about realistic access to funding and other resources that are essential to advance renewable energy in Tribal communities and are necessary to transition vehicle fleets as anticipated by the proposed light-duty and medium-duty vehicle emissions standards.

Conclusions

The NTAA appreciates this opportunity to comment on the proposed rule regarding “Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles” We agree with the EPA’s stated urgency to improve our air quality and to mitigate climate change⁵. The proposed vehicle emissions standards and related provisions can be important elements in addressing these critical needs. We support the proposed rule including Alternative 1 to the proposed greenhouse gas emissions standards. The anticipated shift to electric vehicle fleets must, however, be coincident with greatly enhanced electric infrastructure in many Tribal communities.

Respectfully,

Syndi Smallwood
Chair
Executive Committee, National Tribal Air Association



¹*USGCRP, 2018: Impacts, Risks, and Adaptation in the United States*

² *The Status of Tribes and Climate Change (STACC)*, Institute for Tribal Environmental Professionals, 2021

³National Tribal Air Association, www.ntaatribalair.org

⁴ *Status of Tribal Air Report*, National Tribal Air Association 2022

⁵ *Biden-Harris Administration Proposes Strongest-Ever Pollution Standards for cars and trucks to Accelerate Transition to a Clean – Transportation Future*, USEPA News Release, April 12, 2023

⁶*Benzene; CASRN 71-43-2*, U.S.EPA, National Center for Environmental Assessment, Integrated Risk Information System (IRIS)

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