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June 14, 2024

Honorable Administrator Michael S. Regan  
U. S. Environmental Protection Agency  
Docket Center, HQ-OAR-2014-0128  
Mail Code 28221T  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

Re: The National Tribal Air Association (NTAA) comments on the Proposed Decision: Review of the Secondary National Ambient Air Quality Standards for Oxides of Sulfur, Oxides of Nitrogen and Particulate Matter, Docket ID EPA-HQ-OAR-2014-0128.

Dear Honorable Administrator Regan,

The National Tribal Air Association (NTAA) is pleased to submit this letter to provide comments on the U. S. Environmental Protection Agency's (EPA) proposed decision on the Secondary National Ambient Air Quality Standards (NAAQS). 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 and Alaskan Natives Tribes. 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.

The NTAA supports the need for on-going review of the secondary standards, since the secondary standards look to protect public welfare, such as ecosystems, vegetation and visibility. The secondary standards can also play an important role

in protecting vulnerable cultural resources for Tribes. For example, emissions of SO<sub>2</sub> transforms to sulfuric acid and can lower the PH of water bodies such as rice lakes and can impact the health of these ecosystems. The lower PH also contributes to mobilization of mercury making it more bioavailable and can make subsistence and cultural fishing practices unavailable to Tribal members. Additionally, excess NO<sub>x</sub> deposition acts as a fertilizer in aquatic ecosystems and causes eutrophication of lakes, streams, algal blooms and oxygen decreases in these systems which can lead to fish die offs and other impacts.

The NTAA also believes the changes in the proposed secondary standard will provide additional support to the Forest County Potawatomi Tribes that have Air Quality Related Values for their Class I redesignation to protect against SO<sub>2</sub> deposition.

The NTAA is supportive of the proposal for:

- *Oxides of Sulfur* – The NTAA supports the EPA to:
  - The current short-term secondary SO<sub>2</sub> standard (3-hour standard set at 500 parts per billion (ppb), not to be exceeded more than once per year) is inadequate.
  - Revise the existing secondary SO<sub>2</sub> standard to an annual standard with a level within the range of 10 - 15 ppb, averaged over 3 years.
  - The NTAA supports any alternatives, including an annual SO<sub>2</sub> standard level as low as 5 ppb, revising the secondary SO<sub>2</sub> standard to be identical to the primary SO<sub>2</sub> standard in all respects, that can be supported by the current science.
  - The NTAA supports retaining the existing 3-hour standard in addition to the proposed new annual secondary standard, because in the past, the three-hour standard was the controlling standard for many areas. Retaining this standard would ensure those areas maintain adequate protections
- *Oxides of Nitrogen* – The NTAA supports the EPA to:
  - Retain the existing NO<sub>2</sub> standard (annual average of 53 ppb).
  - Revise the annual NO<sub>2</sub> standard to a level of 35-40 ppb, averaged over 3 years, as supported by the scientific evidence.
- *Particulate Matter* – The NTAA supports the EPA proposal to:
  - Revise the secondary PM<sub>2.5</sub> annual standard to a level of 12 µg/m<sup>3</sup>, because it adds no additional requirements and could streamline Implementation Plan development and compliance.

In conclusion, the National Tribal Air Association supports this important step forward to protect sensitive aquatic ecosystems and cultural resources that are important to Tribes. If you have any questions or require clarification, please do not hesitate to contact Carolyn Kelly, NTAA Program Manager at [Carolyn.Kelly@nau.edu](mailto:Carolyn.Kelly@nau.edu).



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Respectfully,

Syndi Smallwood

Chair

Executive Committee, National Tribal Air Association

Cc:

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