



October 21, 2025

Honorable Lee M. Zeldin
Administrator
U.S. Environmental Protection Agency
Mail Code 1101A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Withdrawal of the Proposed Rule on the Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Regulations Related to Project Emissions Accounting, Docket ID EPA–HQ–OAR-2022-0381

Dear Administrator Zeldin,

The National Tribal Air Association (NTAA) submits these comments in response to the U.S. Environmental Protection Agency’s (EPA’s) withdrawal of the May 2024 proposed rule on the Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Regulations Related to Project Emissions Accounting, published in the Federal Register at 90 Fed. Reg. 34206 (July 21, 2025).

The NTAA is a member-based organization with 161 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 Alaska Natives.

NTAA opposes EPA’s withdrawal of the May 2024 proposed rule related to Project Emissions Accounting, 89 Fed. Reg. 36,870 (May 3, 2024) (“May 2024 Proposed Rule”). The May 2024

Proposed Rule would have improved accountability, enforceability, and transparency in the new source review project emissions accounting process. It also generally would have strengthened reporting requirements and required more substantiation of projected emissions decreases used to net emissions and avoid triggering major NSR permitting. Stringent and accurate emissions reporting is important to American Indian and Alaskan Natives Tribes because it allows Tribal air programs to better address impacts to their communities from air pollution. The Proposed Rule's additional accountability measures would have served those goals.

NTAA requests that EPA issue a new proposal for the project emissions accounting that adopts many of the measures of the May 2024 Proposed Rule and which highlights the importance of transparency in emissions accounting.

Conclusion

The NTAA appreciates the opportunity to submit this comment and looks forward to further work with EPA on this important issue. If you would like additional information, please contact Miranda O'Neill, NTAA Program Manager, Miranda.ONeill@nau.edu.

Respectfully,

Syndi Smallwood
Chair
National Tribal Air Association

Cc: Aaron Szabo, Assistant Administrator
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