



December 19, 2025

U.S. Environmental Protection Agency
Attn: Karina O'Connor
EPA Region 9
75 Hawthorne St.
San Francisco, CA 94105
Via Electronic Submission at Regulations.gov
(Docket #: EPA-R09-OAR-2025-2833)

Re: Comments on EPA's Proposal on "Determination of Attainment by the Attainment Date but for International Emissions for the 2015 Ozone National Ambient Air Quality Standards; Phoenix-Mesa Nonattainment Area, Arizona"

The American Lung Association calls on the United States Environmental Protection Agency (EPA) to withdraw the proposed determination of attainment of the 2015 National Ambient Air Quality Standards for Ozone (NAAQS) for the Phoenix-Mesa area but for international emissions.¹ EPA's proposed determination relies on a novel interpretation of the Clean Air Act coupled with the repeal of prior EPA Guidance on CAA Section 179B Demonstrations, each inviting delays in local pollution control efforts. The proposed action undermines the integrity of the Clean Air Act while leaving the Phoenix-Mesa region, and others that follow this overly broad pathway, at increased risk of pollution.

Arizona has long been documented as having some of the most difficult air pollution challenges in the United States. The American Lung Association's most recent "State of the Air" report notes that the Phoenix-Mesa area ranks as the fourth most ozone-polluted metro area in the United States.² The report highlights that the region has experienced steady increases in unhealthy ozone pollution days in recent years, meaning more days of increased health risk for the hundreds of thousands of people living with asthma in the region. Instead of finding the appropriate nonattainment and associated clean-up requirements, the proposal invites delays in future controls on ozone-forming emissions.

The 2015 Ozone NAAQS was promulgated to protect public health, including vulnerable and sensitive subpopulations, from harmful ozone exposure which can cause respiratory and cardiovascular distress such as worsened asthma symptoms, wheezing, heart attacks and strokes. Increased exposure to ozone increases risk of lung infections, preterm or low birth weight, and even premature death. Children, seniors and people living with existing respiratory and cardiovascular health challenges are among those most vulnerable to the harmful outcomes of ongoing ozone exposure.³ To protect their health and the health of all Phoenix-Mesa residents, more must be done to reduce these harms in the region, not less.

¹ [Federal Register: Determination of Attainment by the Attainment Date but for International Emissions for the 2015 Ozone National Ambient Air Quality Standards; Phoenix-Mesa Nonattainment Area, Arizona](#)

² "State of the Air". American Lung Association, 2025. [Most Polluted Cities | State of the Air | American Lung Association](#)

³ [Ozone | American Lung Association](#)

Advocacy Office: 1331 Pennsylvania Avenue NW, Suite 1425 North | Washington, DC 20004-1710 | 202-785-3355

Section 179B allows exemption from reclassification only if the record conclusively demonstrates that attainment would have occurred but for international emissions, and that available domestic controls were properly implemented and attainment could not be met. However, EPA's recent rollback of its 2020 Guidance on Section 179B Demonstrations – without clear reason or need to do so – removed clear criteria, making it much more likely that air quality management areas across the country could seek to forego local pollution controls. EPA's proposal is a departure from Clean Air Act obligations based on these novel interpretations. The newly-assumed broad discretion of the Administrator is a setback for health, not only for Phoenix-area residents, but also other jurisdictions that seek to take advantage of this broad, relaxed approach. Further, the proposal notes that states are no longer expected to show that they could not attain the NAAQS via required implementation of existing or potential controls. This is another departure from safeguards to ensure appropriate – and limited – application of this demonstration. By including these interpretations, EPA has effectively incorporated a new, nationwide rule into the proposal without proper public notice. Collectively, this is likely to lead to polluting sources taking cover under this proposal and shelving life-saving pollution control opportunities instead of implementing them to protect public health.

Mobile, industrial, power generation and other domestic sources are substantial contributors to the Phoenix-Mesa region's ozone burden. There are clearly additional measures available to further control these sources, as has been demonstrated in surrounding states, including adoption of low-emission vehicle standards, broader and more stringent inspection and maintenance programs for light, medium and heavy-duty vehicles, incentive programs and others. Due to ongoing pollution burdens, EPA must ensure Arizona continues to evaluate and implement options that result in continued health-protective emission reduction requirements as the region grows.

To protect public health and maintain clean air accountability, we urge EPA to withdraw the proposed determination until a transparent, defensible, and peer-reviewed assessment (including modeling and monitoring) clearly demonstrates the proportion of foreign vs. domestic ozone sources. EPA must reinstate and clarify its 2020 Guidance on Section 179B Demonstrations, establishing rigorous standards to prevent unwarranted exemptions based on international transport. EPA must require stronger controls and revised SIP submissions to comply with Clean Air Act deadlines for submissions and implementations. EPA must also ensure robust monitoring, enforcement, and community involvement in any modeling or effort that seeks to evaluate international contributions.

We appreciate the opportunity to comment.