



March 12, 2026

Administrator Lee Zeldin
Environmental Protection Agency,
1200 Pennsylvania Ave NW, Washington, DC 20004
Washington, DC

Submitted via: <https://www.regulations.gov/docket/EPA-HQ-OAR-2025-0192>

Dear Administrator Lee Zeldin,

Re: Comments on the Air Quality State Implementation Plans; Approvals and Promulgations: Interstate Transport Plan Review for the 2015 Ozone NAAQS (Docket ID No. EPA-HQ-OAR-2025-0192)

Thank you for the opportunity for the Clean Air for the Long Haul and members of the Environmental Justice Leadership Forum to submit the following comments in reference to the Environmental Protection Agency’s proposed rule on the “Phase 1” reconsideration of the Good Neighbor Plan.

About the Clean Air for the Long Haul and Environmental Justice Leadership Forum

The Clean Air for the Long Haul (“the Cohort”) is a nationwide coalition of environmental justice groups working collectively to advance environmental justice by seeking emissions reductions in the power and transportation sectors in the United States.¹ The Cohort creates and coordinates campaigns to amplify the voices and positions of overburdened communities in federal

¹ WE ACT for Environmental Justice. (n.d.). *Clean Air for the Long Haul: Dare to Breathe.* <https://weact.org/programs/clean-air-for-the-long-haul/>

rulemakings and actively champions for the adoption and enforcement of clean air and climate justice policies that prioritizes emissions reductions of toxic air pollution and greenhouse gases while protecting the health of Black, Brown, Tribal, Indigenous, and low-wealth communities across the United States.

The Cohort is a subset of the national Environmental Justice Leadership Forum, comprising over 40 organizations in 23 states. These groups are actively working together to ensure that diverse grassroots perspectives shape federal, state, and local programs and policy decisions, while advancing key climate justice and environmental policies that protect and strengthen communities of color and low-income communities across the U.S.²

Health Disparities and Disproportionate Impacts of Ozone Pollution

Interstate transport of ozone pollution from power plants and industrial facilities in upwind states negatively affects local air quality for downwind states. Exposure to smog-causing ozone causes asthma and other chronic respiratory illnesses including COPD, in addition to heart disease, metabolic disorders, brain inflammation, and reproductive and developmental harm for babies, including reduced fertility and preterm births as well as death.³ According to the American Lung Association's 2025 State of the Air Report, over 125 million people (37% of the nation's population) live in areas with unhealthy ozone pollution. Yet, people of color, which make up 41.2% of the U.S. population, represent 51.2% of those living in counties with at least one failing grade for air quality, including ozone.⁴

Due to a legacy of discriminatory policies and practices, our communities - Indigenous, immigrant, low-income, and communities of color - bear a disproportionate share of the pollution and health harms caused by power plants and industrial activities both in their own neighborhoods and from sources far beyond their borders.^{5,6} This proposed rule will only exacerbate existing health disparities and weaken downwind safeguards which will leave already overburdened communities with fewer protections against the cumulative harms we face.

The Benefits of the 2023 Good Neighbor Plan

EPA has had proven success in reducing cross-state ozone pollution. Ozone season nitrogen oxides (NOx) emissions have reduced by over 50% under the suite of cross-state transport

² Environmental Justice Leadership Forum. (n.d.). *Environmental Justice Leadership Forum*. <https://ejforum.org/about-us/>

³ American Lung Association. (2025). *Health impact of air pollution*. <https://www.lung.org/research/sota/health-risks>

⁴ American Lung Association. (2025, April 23). *State of the Air 2025 Report*. <https://www.lung.org/getmedia/5d8035e5-4e86-4205-b408-865550860783/State-of-the-Air-2025.pdf>

⁵ Cushing, L. J., Li, S., Steiger, B. B., & Casey, J. A. (2023). Historical red-lining is associated with fossil fuel power plant siting and present-day inequalities in air pollutant emissions. *Nature Energy*, 8(1), 52–61. <https://doi.org/10.1038/s41560-022-01162-y>

⁶ Donaghy, T. Q., Healy, N., Jiang, C. Y., & Battle, C. P. (2023). Fossil fuel racism in the United States: How phasing out coal, oil, and gas can protect communities. *Energy Research & Social Science*, 100, 103104. <https://doi.org/10.1016/j.erss.2023.103104>

programs since 2015.⁷ The Cohort welcomed the final 2023 Good Neighbor Plan (GNP), which would cut harmful smog-forming emissions and improve air quality and health outcomes for millions of people, especially in areas of low-income and communities of color.⁸ By 2026, the Good Neighbor Plan was projected to cut approximately 70,000 tons of ozone season NOx pollution, reduce asthma symptoms for millions, and prevent thousands of emergency room visits, lost work days, and premature deaths.⁹ These health and environmental benefits were estimated to be worth between \$4.3 and \$15 billion.¹⁰ The GNP has already shown promising results in its first year (2023 ozone season): 10 GNP implementing states reduced ozone precursor NOx emissions by 18%.¹¹ The clear benefits of the 2023 GNP is why we condemned the Supreme Court's 2024 ruling to pause the implementation of the GNP.¹²

The 2026 Phase 1 Proposal fails to address smog pollution and protect communities

Air pollution emitted by industrial activity, transportation, and other economic activity does not recognize state boundaries. Instead, wind patterns that are a result of geographical features, climate, and localized weather patterns carry and concentrate air pollution in various areas. State boundaries were not conceived with these patterns in mind which results in current air pollution issues, such as challenges identified above wherein downwind states bear economic, environmental, and public health burdens from the pollution generated by upwind states. Compounding these issues, downwind states are additionally burdened with limited and costly legal avenues in which to address cross-state polluters. The GNP was a step in meaningfully addressing this issue, but hindrances by the Supreme Court and current EPA have unfortunately ignored the reality of, and issues caused by, cross state pollution.

The proposed Phase 1 rollback of the 2023 Good Neighbor Plan weakens essential downwind protections at a time when many communities already face worsening ozone pollution.¹³ By approving State Implementation Plans from eight upwind states that were previously found insufficient, EPA would remove federal requirements that limit interstate smog-forming emissions, leaving downwind states — and especially environmental justice communities — more exposed to harmful pollution. These communities rely on strong, enforceable cross-state

⁷ U.S. Environmental Protection Agency. (2023, November 30). *Good Neighbor Plan Results* [Data and Tools]. <https://www.epa.gov/Cross-State-Air-Pollution/good-neighbor-plan-results>

⁸ WE ACT for Environmental Justice. (2023, March 20). *EPA “Good Neighbor” Rule Cutting Industrial Downwind Pollution by Power Plants is Critical Step in Clean Air Fight*. <https://weact.org/updates/epa-good-neighbor-rule-cutting-industrial-downwind-pollution-by-power-plants-is-critical-step-in-clean-air-fight/>

⁹ Environmental Protection Agency. (2023, March 15). *EPA’s “Good Neighbor” Plan Cuts Ozone Pollution – Overview Fact Sheet*. https://www.epa.gov/system/files/documents/2023-03/Final%20Good%20Neighbor%20Rule%20Fact%20Sheet_0.pdf

¹⁰ See Citation 9

¹¹ See Citation 7

¹² WE ACT for Environmental Justice. (2024, July 3). *Environmental Justice Orgs Share Immense Disappointment in Supreme Court Decision to Block EPA’s Good Neighbor Pollution Rule*. <https://weact.org/updates/environmental-justice-orgs-share-immense-disappointment-in-supreme-court-decision-to-block-epas-good-neighbor-pollution-rule/>

¹³ See citation 4

pollution controls to meet health-based air standards. Weakening these safeguards undermines the Clean Air Act's core promise that no state's pollution should jeopardize the health of its neighbors, especially those already facing greater health vulnerabilities.

We are equally concerned with the lack of meaningful public participation in this rulemaking. Communities most affected by ozone and co-pollutant burdens need accessible, robust opportunities to shape decisions that directly impact their health. Yet, the compressed comment period and process limits their ability to engage. Furthermore, it is additionally imperative for meaningful participation to include equipping stakeholders with all relevant data and analyses.¹⁴ The EPA's failure to provide an analysis of the emissions, public health, and air quality impacts of the exemptions in this proposal demonstrates further inadequacies in this public participation process. The EPA has a responsibility to hold upwind states accountable and ensure that all communities — particularly those historically overburdened — are protected by strong, science-based standards. Rolling back the Good Neighbor Plan without full public input or adequate protections risks deepening existing inequities and leaves frontline and environmental justice communities without the safeguards they deserve.

Conclusion

In closing, we continue to advocate that environmental justice must be at the forefront of regulations for the power and industrial sectors. The proposed rollback of this rule — alongside other critical regulations like the Mercury and Air Toxics Standards, Endangerment Finding and vehicle emissions standards as well as signals of future rollbacks to the GNP — poses serious harm to environmental justice communities, who already face cumulative pollution burdens from multiple major sources. Moreover, this proposed rollback perpetuates historical and current-day harms to environmental justice communities and propels the climate crisis. To serve the public interest, the EPA must adopt the most stringent standards possible to prevent these harms, not dismantle protections to allow unmitigated pollution. We urge the EPA to uphold strong, enforceable standards that protect public health and advance environmental justice.

Thank you for considering our input. We look forward to continued engagement with the EPA and will keep calling on the Agency to fulfill its mission of protecting the environment and public health.

Respectfully,

The Clean Air for Long Haul and Environmental Justice Leadership Forum members:

Alternatives for Community and Environment
Connecticut Coalition for Environmental and Economic Justice
Duwamish River Community Coalition
Green Door Initiative
GreenLatinos

¹⁴ Latino Climate Justice Framework Coalition. (2024). *Latino Climate Justice Framework 2025-2028*. <https://lcjf.greenlatinos.org/>

New Jersey Environmental Justice Alliance
RiSE for Environmental Justice
South Bronx Unite
Texas Environmental Justice Advocacy Services
WE ACT for Environmental Justice
West Atlanta Watershed Alliance
West End Revitalization Association
Wisconsin Green Muslims