UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

MAY 0 8 2007

Reply To
Attn Of: AWT-107

Johnny Aiken
Director, North Slope Borough Planning Department
P.O. Box 69
Barrow, Alaska 99723

Re: Request to Extend the Public Comment Period
Air Quality Control Minor Permit Nos. R10OCS-AK-07-01 and R10OCS-AK-07-02

Dear Mr. Aiken:

Thank you for your letter of April 18, 2007 requesting US Environmental Protection Agency (EPA) to extend the public comment period on our preliminary decision to issue two Air Quality Control Minor Permits to Shell Offshore Inc. allowing the company to conduct exploration drilling in the Beaufort Sea.

The public comment period for these permits began on April 5, 2007, and is scheduled to conclude on May 12, 2007. A public hearing is scheduled for today, May 8, 2007, in Nuiqsut, Alaska. In your letter you explained that May is a critical subsistence harvest month for marine mammals, including the bowhead whale, and that due to the subsistence harvest and cultural activities the residents would be unable to effectively participate during a public comment period in May. Accordingly, you requested that public hearings be deferred to the week of June 4, 2007, and that the public comment period be extended until after the June public hearings are complete. As communicated to your staff on May 4, 2007, and explained in more detail below, EPA is denying your request to defer the public hearing or to extend the public comment period.

In making this decision, I recognize that we must carefully balance competing interests. We acknowledge and respect the importance of providing North Slope communities the opportunity to express their concerns regarding potential impacts that these projects may have on their subsistence lifestyle and I am concerned about the difficulty of North Slope residents doing so during the spring hunt. At the same time, however, I also considered that expediting energy related projects is a national priority, and that conditions on the North Slope are such that extending our permitting process would delay exploration activity for an entire year. Additionally, I took into account the amount of information-sharing and other communication that has already occurred with the North Slope Borough regarding these permits. After careful consideration of these and other factors, EPA decided not defer the public hearing or to extend the public comment period. Accordingly, the public comment period will close on May 12, 2007.

We encourage all interested parties to participate in the decision-making process as we proceed through the comment period. In particular, we anticipate that the North Slope Borough will submit thoughtful comments given the healthy exchange of information between EPA staff and your consultant, Susan Harvey. As you are aware, EPA is holding an information session and public hearing later today in Nuiqsut, and we are hoping for a good turnout. All comments must be postmarked by May 12, 2007. EPA is committed to carefully considering all comments as we proceed to a final decision on Shell's applications.

I anticipate there will be additional project proposals on the North Slope in the future. I welcome the opportunity to work with residents throughout the North Slope Borough to craft a public involvement process that more closely reflects the local communities' needs. We look forward to working with you and other North Slope communities.

Sincerely,

Richard Albright, Director
Office of Air, Waste and Toxics

cc: See Attached List of Addressees

List of Addressees

Distribution List:

NSB Mayor Edward S. Itta
Karla Kolash, NSB Mayors Special Assistant
Gordon Brower, NSB Land Management Regulations
Taqulik Hepa, NSB Wildlife Department
Bessie O'Rourke, NSB Law Department
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Native Village of Barrow Inupiate Traditional Government
Native Village of Nuiqsut
Native of Kaktovik
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