



Alaska Eskimo Whaling Commission

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Via Electronic Mail

Hanh Shaw
NPDES Permits Unit
EPA Region 10
1200 6th Ave., Ste. 900
AWT-107
Seattle, WA 98101
shaw.hanh@epa.gov

Re: Petition for Individual NPDES Permits and Comments Regarding Shell Corporation's Notices of Intent to Operate under the Arctic NPDES General Permit (AKG-28-0000) for Its Operations in the Chukchi Sea.

Dear Mr. Shaw,

Thank you for the opportunity to comment on Shell Gulf of Mexico, Inc. and Shell Offshore Inc.'s (Shell) Notices of Intent to operate under the Arctic NPDES General Permit when exploring for oil and gas in the Chukchi Sea. We appreciate EPA's willingness to consider public comment on this issue. This comment letter is submitted on behalf of the Alaska Eskimo Whaling Commission (AEWC). AEWC represents the eleven bowhead whale subsistence hunting villages of Barrow, Nuiqsut, Kaktovik, Pt. Hope, Wainwright, Kivalina, Wales, Savoonga, Gambell, Little Diomedede, and Pt. Lay.

On behalf of our whaling captains, we are responsible for protecting the bowhead whale and the Inupiat way of life that the Arctic Ocean supports. For this reason, we join the North Slope Borough in petitioning the EPA pursuant to 40 C.F.R. § 122.28(b)(3) to issue individual NPDES permits to Shell for its proposed operations in the Chukchi Sea.

AEWC is concerned about Shell's proposal to discharge large quantities of warm or hot water that is used to cool its equipment into an environment that is already being impacted by global climate change, as well as drilling muds and other pollutants. These discharges are "significant" and warrant regulation pursuant to individual NPDES permits. See 40 C.F.R. §

122.28(b)(3)(G). Moreover, Shell's discharges pose a real threat to bowhead whales and other marine species upon which the whaling captains and their communities depend for subsistence. The volume of the discharges will not be adequately "controlled under the General Permit" and elimination or at least a reduction in these discharges is warranted here. 40 C.F.R. § 122.28(b)(3)(D).

We encourage EPA to consider zero volume discharge technology – as has been employed in other countries during offshore drilling – as a means of regulating Shell's operations under the Clean Water Act. Zero volume discharge technology is a new technology that has been "demonstrated" to control pollutants from offshore oil and gas operations. See 40 C.F.R. § 122.28(b)(3)(B). We encourage EPA to use this new technology for the abatement of Shell's discharges pursuant to an individual NPDES permitting process. *Id.*

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Thank you again for the opportunity to comment. Shell's proposed operations pose real threats to water quality and the Inupiat communities that depend upon the marine environment to sustain their people and their culture. Unfortunately, Shell's plans for the Chukchi Sea are not going to be the only proposals we are confronted with for offshore work in the Alaskan Arctic. Thus, we look forward to working with the EPA to develop a sound system for controlling the discharge of pollutants from such operations that will ensure the preservation of the natural resources upon which we depend. Please feel free to contact my staff or me if you would like to discuss our petition for the issuance of individual NPDES permits.

Sincerely,


Harry Brower
Chairman