



June 4, 2014

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Regulatory Community of Practice  
U.S. Army Corps of Engineers  
441 G Street, NW  
Washington, DC 20314

Attention: Docket ID No. EPA-HQ-OW-2011-0880

**Re: Request for Extension of Comment Period on EPA and Corps Proposed Rule Defining Waters of the United States” Under the Clean Water Act, Docket ID No. EPA-HQ-OW-2011-0880**

Dear Ms. Downing and Ms. Jensen:

The Independent Petroleum Association of America (IPAA) respectfully requests an extension of the public comment period, on the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers’ (Corps) proposed rulemaking defining “Waters of the United States” under the Clean Water Act (CWA). 76 Fed. Reg. 22,188 (Apr. 21, 2014). Specifically, IPAA requests EPA and the Corps to extend the comment period to either 90 days beyond the current comment deadline, or 90 days beyond the EPA’s release of the final Connectivity Report, whichever is later.

IPAA is a national trade association that represents the thousands of oil and natural gas producers, as well as the service and supply industries, across the United States, that will be adversely affected by the proposed rulemaking. Independent producers develop 95 percent of American oil and gas wells, produce 68 percent of American oil, and produce 82 percent of American natural gas.

The proposed rulemaking defining “Waters of the United States” solicits comments on a variety of complex issues and involves a potentially significant expansion of federal jurisdiction over aspects of oil and natural gas operations. EPA’s proposed rule purports to rely on the scientific conclusions of EPA’s draft connectivity report, which is currently under review by the Science

Advisory Board (SAB). Even though the SAB has not finalized the Connectivity Report, EPA and the Corps are requesting comments on the highly technical and complex applications of the proposed rulemaking from affected stakeholders. Given the scope and complexity of the proposed rule and its supporting documents, development of thoughtful comments in the provided 90-day comment period provided is clearly unachievable and is an arbitrary limitation that is inconsistent with the requirements of public participation in the policy making process.

In light of the many important issues addressed by the proposed rule and the economic interests at stake, it is imperative that EPA and the Corps allow all interested parties to have sufficient time to provide meaningful and fully developed comments. As such, IPAA requests that the comment period be extended to either 90 days beyond the current comment deadline, or 90 days beyond EPA's release of the final connectivity report, whichever is later.

IPAA appreciates your attention to this matter. Please contact me ([lfuller@ipaa.org](mailto:lfuller@ipaa.org) or 202.857.4722) or Matt Kellogg ([mkellogg@ipaa.org](mailto:mkellogg@ipaa.org) or 202.857.4722) if we can be of assistance.

Sincerely,

A handwritten signature in black ink that reads "Lee O. Fuller". The signature is written in a cursive style with a large, looping initial "L".

Lee O. Fuller  
Vice President of Government Relations  
Independent Petroleum Association of America