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March 25, 2020

Andrew Wheeler, Administrator
USEPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N.W.
Mail Code:1101A
Washington, DC 20460

Re: Comment Deadline Extension Request for EPA's Supplemental Notice of Proposed Rulemaking (SNPRM) for Strengthening Transparency in Regulatory Science ID No. EPA-HQ- OA-2018-0259

Honorable Administrator Wheeler:

On behalf of the National Tribal Air Association (NTAA), I am writing to respectfully request that the U.S. Environmental Protection Agency (EPA) extend the current 30-day public comment period for EPA's Supplemental Notice of Proposed Rulemaking (SNPRM) for Strengthening Transparency in Regulatory Science by an additional 90 days.

The NTAA is the second largest, national, Tribal, member-based organization with 151 principal member Tribes. The organization's mission is to advance air quality management policy and programs, consistent with the needs, interests, and unique legal status of Indian Tribes.

The current 30-day comment period ending on April 17, 2020 is unusually short for such an important initiative, particularly one that is not under court order. The national emergency due to the COVID-19 pandemic necessitates additional time by NTAA to review and evaluate the potential impacts to Indian Country.

Many Tribes, Tribal, state and local governments, as well as Tribal agencies are shut down or at severely decreased levels of operation, with essential personnel ordered to stay in their homes. Significant sources of Tribal government funds are shut down and Tribes have to focus on protecting their communities with already strained essential services. This proposal involves the review of health-related studies, but many health care professionals in and around Tribal communities are busy responding to the national health crisis and do not have the capacity to respond to comments within 30 days.

The March 20, 2020, article about this issue in The Hill entitled, "[Advocacy groups push back on 'business as usual' at EPA during coronavirus.](#)" cited an EPA spokesperson saying, "*We're open and continuing our regulatory work business as*



usual. As regulations.gov is fully functioning, there is no barrier to the public providing comment during the established periods.”

This national pandemic is an active barrier to the public providing comments at this time and if EPA wishes to hear public comment, then a 60-day extension is required. In addition, this proposal has significant public interest as the original proposal EPA released in 2018 generated over 600,000 public comments. This level of public interest should allow EPA to expand the comment period for members of the public to both meet the needs of this health care crisis and respond to this request for public comment.

The NTAA finds that a 90-day extension would help provide the requisite time to collect feedback from our member Tribes and Tribal community, and capture it into a thorough and responsive set of comments and recommendations concerning this proposal. Such comments and recommendations could lead to a final rule with positive impacts to air quality throughout the nation and Indian Country.

Thank you for consideration of this reasonable request. If you have any questions regarding this request, please contact the NTAA Project Director, Andy Bessler at andy.bessler@nau.edu.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wilfred J. Nabahe", is written over a horizontal blue line.

Wilfred J. Nabahe
Chairman
National Tribal Air Association
Executive Committee

Cc: Anne Idsal, OAR Acting Assistant Administrator
Maria Doa, Science Policy Division Director
Pat Childers, OAR Tribal Air Program Manager