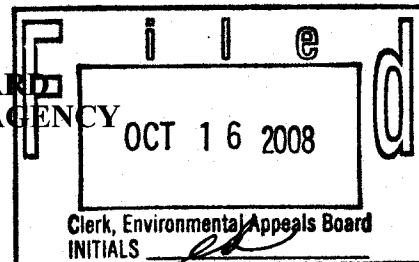


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:

Shell Offshore, Inc.
Kulluk Drilling Unit

OCS Permit No. R10OCS-AK-07-01
(Revised)

OCS Appeal Nos. 08-01, 08-02, & 08-03

ORDER SCHEDULING ORAL ARGUMENT

On June 18, 2008, U.S. EPA Region 10 ("Region") issued an Outer Continental Shelf ("OCS") air regulation minor source permit to Shell Offshore, Inc. ("SOI"), pursuant to Clean Air Act section 328, 42 U.S.C. § 7627, and the applicable regulations governing air emissions from OCS sources at 40 C.F.R. part 55. The permit authorizes SOI to "mobilize, operate, and demobilize" a drilling vessel for placement and anchoring in the Beaufort Sea floor of the North Slope of Alaska, for the purpose of oil exploration. The following three parties have filed petitions for review of the permit: 1) Bill MacClarence, P.E.; 2) The North Slope Borough ("NSB"), Inupiat Community of the Arctic Slope, and the Alaska Eskimo Whaling Commission (collectively "NSB"); and 3) the Alaska Wilderness League, Center for Biological Diversity, Natural Resources Defense Council, Northern Alaska Environmental Center, Pacific Environment, and Resisting Environmental Destruction on Indigenous Land (collectively "AWL"). Both SOI and the Region have filed briefs responding to the petitions. In addition, the Board has granted the American Petroleum Institute's request to submit an *amicus* brief and has admitted the brief to the record before the Board. Petitioners must file any responses to the briefs submitted by SOI and/or the Region no later than October 28, 2008.

After reviewing the appellate briefs filed to date and certain portions of the permitting record, the Board has determined that oral argument will assist it in its deliberations. Accordingly, the parties to this appeal are hereby requested to participate in oral argument beginning at 1:00 P.M. Eastern Standard Time on Thursday, December 4, 2008, in the Administrative Courtroom, U.S.

Environmental Protection Agency, EPA East Building, Room 1152, 1201 Constitution Avenue, N.W., Washington, D.C. The Board has allocated one hundred (100) minutes total for this oral argument divided as follows: (1) twenty minutes for NSB; (2) twenty minutes for AWL; (3) twenty minutes for Mr. Bill MacClarence; (4) twenty minutes for the Region; and (5) twenty minutes for SOI. At the outset of their arguments NSB, AWL, and Mr. MacClarence may reserve up to five minutes of their twenty minute allocation for rebuttal. The parties shall notify the Clerk of the Board in writing by Thursday, November 20, 2008, of the names of counsel who will present argument.

Any party who wishes to participate in this oral argument via the EPA video-conferencing equipment in the Administrative Courtroom must contact the Clerk of the Board, at 202-233-0122, no later than Thursday, November 20, 2008, to make arrangements for use of such equipment.

So ordered.

Dated: *Oct. 16, 2008*

ENVIRONMENTAL APPEALS BOARD

By: *Charles J. Sheehan*
Charles J. Sheehan
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing Order Scheduling Oral Argument in the matter of Shell Offshore, Inc., OCS Appeal Nos. 08-01, 08-02, & 08-03, were sent to the following persons in the manner indicated:

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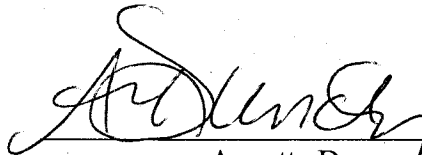
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Dated: OCT 16 2008



Annette Duncan
Secretary