

**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, and 08-03

**SHELL OFFSHORE INC.'S OPPOSITION TO  
BILL MACCLARENCE'S REQUEST TO RESCHEDULE ORAL ARGUMENT**

Duane A. Siler  
Susan M. Mathiascheck  
PATTON BOGGS LLP  
2550 M Street N.W.  
Washington DC 20037  
Telephone: 202-457-6000  
Facsimile: 202-457-6315  
dsiler@pattonboggs.com  
smathiascheck@pattonboggs.com

*Attorneys for Shell Offshore Inc*

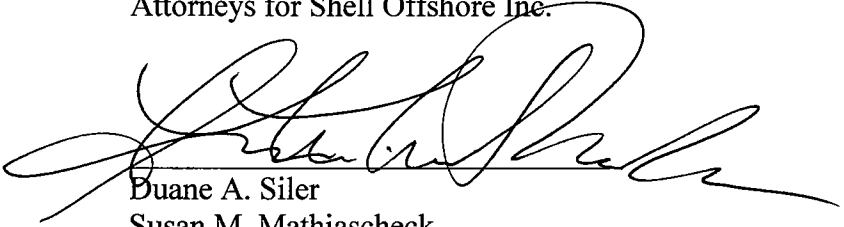
On October 16, 2008, the Environmental Appeals Board scheduled oral argument in the above-captioned cases for December 4, 2008. On October 21, 2008, Petitioner Bill MacClarence requested that the Board reschedule oral argument to a date “between November 25 and December 1, 2008” to accommodate his travel schedule. October 21, 2008 Letter Request to Reschedule Oral Argument.

Mr. MacClarence’s proposed dates fall just prior to, during, and after the Thanksgiving holiday. Counsel for Petitioners North Slope Borough, et al., and the Environmental Protection Agency have represented to Mr. MacClarence and SOI that they have holiday travel plans that conflict with Mr. MacClarence’s proposed dates, and EPA has filed with the Board a letter outlining the Agency’s opposition to moving the oral argument date to a date between November 25 and December 1. In addition, Counsel for Shell Offshore Inc. (“SOI”) also have travel plans during that holiday that would conflict with Mr. MacClarence’s proposed dates. Finally, SOI opposes Mr. MacClarence’s request to reschedule oral argument for a date after December 12<sup>th</sup>. As SOI has previously indicated in its filings, time is of the essence in this matter. Every day that this process is prolonged is a threat to SOI’s ability to conduct 2009 operations because long lead times are required to complete necessary contracting for equipment and services, mobilize vessels to the Beaufort Sea from other operation centers around the world, identify and secure appropriate crew, and provision the fleet. Postponing oral argument could create further delay and threaten SOI’s 2009 drilling operations. SOI therefore respectfully opposes Mr. MacClarence’s requests to reschedule oral argument. Mr. MacClarence’s requests to reschedule oral argument should be denied.

DATED this 24th day of October 2008.

Respectfully submitted,

PATTON BOGGS LLP  
Attorneys for Shell Offshore Inc.

A large, stylized handwritten signature in black ink, likely belonging to Duane A. Siler, is written over a horizontal line.

Duane A. Siler  
Susan M. Mathiascheck  
2550 M Street NW  
Washington DC 20036  
Telephone: 202-457-6000  
Facsimile: 202-457-6315

### CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Opposition to Request to Reschedule Oral Argument was electronically filed with the Environmental Appeals Board and sent via Electronic Mail and First Class Mail on the 24<sup>th</sup> of October, 2008, to the following:

Chris Winter Crag Law Center 917 SW Oak St., Suite 417 Portland, OR 97205 Phone: (503) 525-2725 Facsimile: (503) 296-5454 Email: chris@crag.org	Juliane Matthews Edward Kowalski, Regional Counsel Office of Regional Counsel U.S. EPA, Region 10 1200 Sixth Avenue Seattle, WA 98101 Phone: (206) 553-1083 Facsimile: (206) 553-0163 Email: matthews.juliane@epa.gov
Peter Van Tuyn Besseney & Van Tuyn, L.L.C. 310 K. St. #200 Anchorage, AK 99507 Phone: (907) 278-2000 Facsimile: (907) 278-2004 Email: pvantuyn@earthlink.net	Kristi Smith U.S. EPA, Office of General Counsel 1200 Pennsylvania Ave., N.W. (2310A) Washington, D.C. 20460 Phone: (202) 564-3068 Fax: (202) 564-5603 Email: Smith.Kristi@epamail.epa.gov
Eric Jorgensen EARTHJUSTICE 325 Fourth Street Juneau, AK 99801 Phone: (907) 586-2751 Facsimile: (907) 4635891 Email: ericj@earthjustice.org	Richard Albright, Director Office of Air Quality U.S. EPA, Region 10 1200 Sixth Avenue Seattle, WA 98101
Bill MacClarence, P.E. 10840 Glazanof Drive Anchorage, AK 99507 Phone: (907) 346-1349 Email: billnjan@gci.net	

  
Shaunice R. Thomas