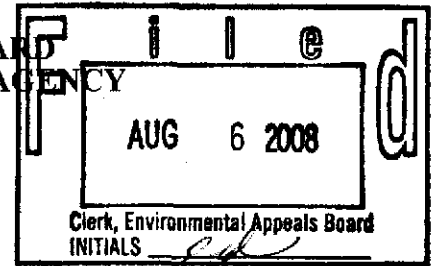


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



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 CONSOLIDATING PETITIONS FOR REVIEW AND  
GRANTING LEAVE TO PARTICIPATE**

Before the Board are three petitions for review filed by:<sup>1</sup> 1) Bill MacClarence, P.E.; 2) The North Slope Bureau ("NSB"), Inupiat Community of the Arctic Slope, and the Alaska Eskimo Whaling Commission (collectively "NSB"); and 3) Resisting Environmental Destruction on Indian Land ("REDOIL"), the Alaska Wilderness League, Center for Biological Diversity, Natural Resources Defense Council, Northern Alaska Environmental Center, and Pacific Environment (collectively "REDOIL").<sup>2</sup> These parties petition for review of a minor-source permit issued by U.S. EPA Region 10 (the "Region") to Shell Offshore, Inc. ("SOI"). Among other things, the permit authorizes air emissions from a single drill ship (the Kulluk Drilling Unit) that will attach to the sea floor off the North Slope of Alaska for the purpose of oil exploration. The issuance of the OCS permit is governed by 40 C.F.R. part 55 and the procedural rules set forth in 40 C.F.R. part 124. *See*

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<sup>1</sup> Documents are "filed" with the Board on the date they are *received*.

<sup>2</sup> Mr. MacClarence's petition is designated as OCS Appeal No. 08-01. *See* Letter from Bill MacClarence, P.E., to Eureka Durr, Clerk of the Environmental Appeals Board (July 17, 2008). NSB's Petition for Review is designated as OCS Appeal No. 08-02. *See* Petition for Review (July 21, 2008). REDOIL's Petition for Review is designated as OCS Appeal No. 08-03. *See* Petition for Review (July 21, 2008).

40 C.F.R. § 55.6(a)(3). For administrative purposes, the Board hereby consolidates the three petitions for review in this matter.

By motion filed with the Board on July 30, 2008, SOI seeks leave to participate in the proceedings and to respond to the above-mentioned petitions for review. SOI's request is granted. SOI's response to the petitions must be filed with the Board no later than August 22, 2008. The Petitioners may file reply briefs to the Region's and SOI's response briefs on or before September 5, 2008. Any such replies shall be limited to issues raised in the Region's or SOI's briefs and shall not introduce new issues or arguments not presented in the Petitioners' respective petitions.

So ordered.<sup>3</sup>

Dated: *August 6, 2008*

ENVIRONMENTAL APPEALS BOARD

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

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<sup>3</sup> SOI has also requested that the Board grant expedited review of this matter "in light of the uniquely time-sensitive nature of Arctic exploration." "Shell Onshore [sic] Inc.'s Request for Leave to Respond and Motion for Expedited Review" at 2 (July 30, 2008). It is the Board's general practice to assign petitions for review concerning issues under the Prevention of Significant Deterioration regulations high priority in its docket (relative to other petitions for review where resolution is not a bar to operation or construction). The Board is following this practice in this matter.

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the forgoing Order Consolidating Petitions for Review and Granting Leave to Participate 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:

First Class Mail: Bill MacClarence, P.E.  
10840 Glazanof Drive  
Anchorage, Alaska 99507

Christopher Winter  
Crag Law Center  
917 SW Oak Street, Suite 417  
Portland, OR 97205

Peter Van Tuyn  
Bessenyey & Van Tuyn, L.L.C.  
310 K. St #200  
Anchorage, AK 99507

Clayton Jernigan  
Eric Jorgensen  
EARTHJUSTICE  
325 Fourth Street  
Juneau, AK 99801

Duane A. Siler  
Susan Mathiascheck  
Patton Boggs LLP  
2550 M Street N.W.  
Washington, D.C. 20036

Kyle W. Parker  
Patton Boggs LLP  
601 West 5th Ave. Suite 700  
Anchorage, Alaska 99501

Pouch Mail: Janis Hastings, Director  
Office of Air Quality  
U.S. EPA, Region 10  
1200 Sixth Avenue  
Seattle, WA 98101

Dated: AUG - 6 2008

  
Annette Duncan  
Secretary