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Attorneys for Petitioners

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

In re:)
)
)
Shell Offshore, Inc.) OCS Appeal Nos. 08-01 thru 08-03
)
)
Permit No. R10OCS-AK-07-01 (Revised))
)
)
_____)

NON-OPPOSITION TO MOTION TO DISMISS AS MOOT

Petitioners Alaska Wilderness League, Center for Biological Diversity, Natural Resources Defense Council, Northern Alaska Environmental Center, Pacific Environment, and Resisting Environmental Destruction On Indigenous Lands, a project of the Indigenous Environmental Network (“REDOIL”) hereby inform the Board that, based on Shell Offshore’s representation to the Board that it is no longer seeking a minor source permit for future Arctic Ocean drilling proposals and will instead seek a major

source PSD permit, they do not oppose Respondent EPA's Motion to Dismiss as Moot this appeal (filed April 27, 2009).

Respectfully submitted,

Peter Van Tuyn
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Katherine S. Glover for

Eric Jorgensen
EARTHJUSTICE

Attorneys for Petitioners Alaska Wilderness League, Center for Biological Diversity, Natural Resources Defense Council, Northern Alaska Environmental Center, Pacific Environment, and Resisting Environmental Destruction On Indigenous Lands, a project of the Indigenous Environmental Network ("REDOIL")

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing NON-OPPOSITION TO MOTION TO DISMISS AS MOOT was sent via first class mail on the 29th of April, 2009 to the following:

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Dated this 29th day of April, 2009


Iris Korhonen-Penn