



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
GENERAL COUNSEL

October 23, 2008

Ms. Eurika Durr
Clerk of the Board
U.S. Environmental Protection Agency
1341 G Street NW, Suite 600
Washington, DC 20005

Re: *Shell Offshore, Inc.*, OCS Appeal Nos. 08-01, 08-02, and 08-03

Dear Ms. Durr:

EPA Region 10 hereby provides its partial opposition to Petitioner Bill MacClarence's original and amended requests to reschedule oral argument in the above referenced matter (filed in letters dated October 21 and October 22, respectively). Mr. MacClarence asks that the oral argument currently scheduled for December 4, 2008, be rescheduled to a time between November 25 and December 1, 2008, or to a time on or after December 12, 2008. While Mr. MacClarence did not seek the position of counsel for EPA Region 10 prior to filing his original request, as we subsequently explained to Mr. MacClarence, we must oppose his requests in so far as they seek to reschedule oral argument between November 25 and December 1. Counsel for EPA Region 10 have existing travel plans over the Thanksgiving holiday and must devote remaining time to necessary work on a brief in another EAB matter due in early December (*In re Desert Rock Energy Company, LLC*, PSD Appeal Nos. 08-03 through 08-06). However, undersigned counsel do not object to the Board rescheduling oral argument in this matter on or after December 12 (although we also note that we have holiday travel plans beginning on December 19).

Please contact either counsel below if you need more information concerning our availability for oral argument in this matter.

Sincerely,

Handwritten signature of Kristi M. Smith in black ink.

Kristi M. Smith
Office of General Counsel

Handwritten signature of Juliane R. B. Matthews in black ink.

Juliane R. B. Matthews
Office of Regional Counsel

Cc: Chris Winter ; Peter Van Tuyn; Eric Jorgensen; Bill MacClarence, PE; Duane A. Siler, Susan M. Mathiascheck, and Sarah C. Bordelon; Kyle W. Parker; Harry M. Ng and Stacy R. Linden; Thomas S. Llewellyn