



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

AUG 13 2008

OFFICE OF
GENERAL COUNSEL

VIA HAND DELIVERY
U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board
1341 G Street, N.W., Sixth Floor
Washington, D.C. 20005

Re: EPA's Response to Request to Modify Briefing Schedule
Shell Off Shore Inc. OCS Permit Nos. R10OCS-AK-07-01 (revised)
OCS Appeal Nos. 08-01, 08-02 & 08-03

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ENVIR. APPEALS BOARD

Dear Sir or Madam:

On August 7, 2008 Petitioners Alaska Wilderness League et al. filed a request to modify the briefing schedule set forth in the Board's July 22, 2008 letter to EPA. Pursuant to the schedule in the Board's letter, EPA intends to file the Certified Index to the Administrative Record for permit on August 21, 2008. This letter confirms that the entire Administrative Record for this permit is not included on the Region 10 web page referenced by Petitioners. Therefore, the Certified Index that EPA will file on August 21, 2008, will include a number of documents that are not posted on that Region 10 web page. The entire Administrative Record will be available to the parties and the Board in electronic format concurrent with EPA's filing on August 21, 2008.

Accordingly, in order to allow full and efficient briefing this matter, EPA does not oppose Petitioners' motion to modify the current briefing schedule. However, in order to accommodate the internal agency review necessary for EPA filings in such matters, EPA requests a full 30 days – until October 4, 2008 – to file a response to Petitioners' merits arguments, as presented in their opening Petitions and any revisions thereto. EPA likewise purposes that the deadline for Petitioners' reply briefs be modified accordingly to October 18, 2008.

Sincerely,



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