



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

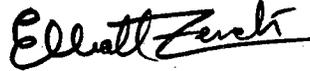
Re: EPA's Response to Request to Modify Briefing Schedule  
Shell Off Shore Inc. OCS Permit Nos. R10OCS-AK-07-01 (revised)  
OCS Appeal Nos. 08-01, 08-02 & 08-03

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,



Elliott B. Zenick  
Kristi M. Smith  
Air and Radiation Law Office  
Office of General Counsel  
Environmental Protection Agency  
1200 Pennsylvania Ave. N.W.  
Washington, DC 20460  
Telephone: (202) 564-7606  
Facsimile: (202) 564-5603

Juliane R. B. Matthews  
Office of Regional Counsel (ORC-158)  
Environmental Protection Agency Region 10  
1200 Sixth Avenue Suite 900  
Seattle WA 98110  
Telephone: (206) 553-1169  
Facsimile: (206) 553-0163

cc: Peter Van Tuyn, Besseney & Van Yuyn, L.L.C.  
Christopher Winters, Craig Law Center  
Michael LeVine, EarthJustice  
Bill MacClarence  
Susan Mathiascheck, Patton Boggs