

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

In re:)	
)	
Shell Gulf of Mexico, Inc.)	OCS Appeal Nos. 10-01 through 10-04
Permit No. R10OCS/PSD-AK-09-01)	
)	
and)	
)	
Shell Offshore, Inc.)	
Permit No. R10OCS/PSD-AK-2010-01)	
)	
)	

**PETITIONERS' JOINT REQUEST FOR LEAVE TO FILE A REPLY IN SUPPORT OF
THEIR MOTION TO VACATE**

Petitioners Natural Resources Defense Council, *et al.* (NRDC), Alaska Eskimo Whaling Commission and Inupiat Community of the Arctic Slope (AEWC), and Center for Biological Diversity (CBD, and together with NRDC and AEWC, Petitioners) hereby move for leave to file the attached reply in support of their motion to vacate. On May 28, 2010, the Environmental Protection Agency (EPA) filed a motion to hold matters in abeyance. Docket No. 29. On June 1, 2010, Petitioners filed a motion to vacate and remand the permits and response to EPA's motion to hold in abeyance. Docket No. 31. Also on June 1, 2010, Shell Gulf of Mexico Inc. and Shell Offshore Inc. (Shell) filed an opposition to EPA's motion to hold in abeyance. Docket No. 30. On June 4, 2010, the Board issued an order directing EPA to file a reply to Shell's opposition to its motion to hold in abeyance and a response to Petitioners' motion to vacate by June 10, 2010. Docket No. 39. The Board's June 4, 2010, order also stated that "parties may file responses or replies to the pending motions by [June 10, 2010]." *Id.* at 5. EPA filed a reply in support of its motion to hold in abeyance and a response to Petitioners' motion on June 10, 2010. Docket No. 49. Shell also filed a response to Petitioners' motion on that date. Docket No. 50. Because Petitioners only *received* Shell and EPA's oppositions to their motion to vacate on June 10, they were unable to submit a reply brief on June 10. In addition, counsel for Petitioners have been devoting their time to drafting and completing their reply briefs in support of the merits of their petitions that were due June 15, 2010. Accordingly, Petitioners respectfully request that the Board consider the attached reply in support of their motion to vacate.

s/ Erik Grafe

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Date: June 16, 2010.

CERTIFICATE OF SERVICE

I hereby certify that on June 16, 2010, a copy of the foregoing PETITIONERS' JOINT REQUEST FOR LEAVE TO FILE A REPLY IN SUPPORT OF THEIR MOTION TO VACATE and the attached PETITIONERS' JOINT REPLY IN SUPPORT OF THEIR MOTION TO VACATE in the matter of *In re: Shell Gulf of Mexico, Inc., Permit No. R10OCS/PSD-AK-09-01 and Shell Offshore, Inc., Permit No. R10OCS/PSD-AK-2010-01*, OCS Appeal Nos. 10-01 through 10-04, was served by electronic mail on the following persons:

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