

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

|                                 |   |                                |
|---------------------------------|---|--------------------------------|
| _____                           | ) |                                |
| SIERRA CLUB,                    | ) |                                |
|                                 | ) | Civil Action No. 01-1537 (PLF) |
| Plaintiff,                      | ) | (consolidated with             |
|                                 | ) | Civil Action No. 01-1548       |
| v.                              | ) | Civil Action No. 01-1558       |
|                                 | ) | Civil Action No. 01-1569       |
| LISA P. JACKSON, Administrator, | ) | Civil Action No. 01-1578       |
| United States Environmental     | ) | Civil Action No. 01-1582       |
| Protection Agency, <sup>1</sup> | ) | Civil Action No. 01-1597)      |
|                                 | ) |                                |
| Defendant.                      | ) |                                |
| _____                           | ) |                                |

ORDER

For the reasons provided in the Opinion issued this same day, it is hereby

ORDERED that defendant’s motion to amend the Court’s March 31, 2006 Order [Dkt. No. 136] is DENIED in part and GRANTED in part; it is

FURTHER ORDERED that defendant’s request that the Court extend the January 21, 2011 deadlines in paragraphs 1(i) and 3 of the Court’s March 31, 2006 Order, as amended, to April 13, 2012 to allow EPA additional time to re-propose rules for major source boilers, certain area source boilers, and commercial and institutional solid waste incineration units is DENIED; it is

FURTHER ORDERED that defendant’s request that the Court extend the January 21, 2011 deadline in paragraph 1(i) of the Court’s March 31, 2006 Order, as amended, to July 15,

<sup>1</sup> Under Rule 25(d)(1) of the Federal Rules of Civil Procedure, EPA Administrator Lisa P. Jackson has been substituted as the defendant for former Administrator Stephen L. Johnson.

2011 to allow EPA additional time to respond to significant public comments on its proposed rule for sewage sludge incineration units is DENIED; it is

FURTHER ORDERED that defendant's request that the Court extend the January 21, 2011 deadlines in paragraphs 1(i) and 3 of the Court's March 31, 2006 Order, as amended, to June 15, 2011 to allow EPA additional time to respond to significant public comments on its proposed rules for major source boilers, certain area source boilers, and commercial and institutional solid waste incineration units is DENIED; it is

FURTHER ORDERED that the Court extends the January 21, 2011 deadlines in paragraphs 1(i) and 3 of the Court's March 31, 2006 Order, as amended, to February 21, 2011 to allow EPA additional time to complete its obligations under Sections 112(c)(3) and (k)(3)(B), and Section 112(c)(6) of the Clean Air Act; and it is

FURTHER ORDERED that paragraphs 1(i) and 3 of the Court's March 31, 2006 Order are amended as follows:

1. EPA shall promulgate emission standards under Section 112(d) assuring that area sources representing ninety percent of the area source emissions of the 30 urban hazardous air pollutants identified pursuant to Section 112(k)(3) are subject to emissions standards as follows:

\* \* \* \*

- (i) EPA shall promulgate emission standards under Section 112(d) or Section 129 assuring that area sources representing ninety percent of the area source emissions of the 30 urban hazardous air pollutants are subject to emissions standards by February 21, 2011.

\* \* \* \*

3. No later than February 21, 2011, the Agency shall promulgate emission standards assuring that sources accounting for not less than ninety percent of the aggregate emissions of each of the hazardous air pollutants enumerated in Section 112(c)(6) are subject to emission standards under Section 112(d)(2) or (d)(4).

SO ORDERED.

DATE: January 20, 2011

/s/  
\_\_\_\_\_  
PAUL L. FRIEDMAN  
United States District Judge