

CIBO E/E MEETING LITIGATION UPDATE

- CSAPR**
- NAAQS**
- NSPS**
- GHG CASES**

LISA M. JAEGER
BRACEWELL & GIULIANI
MARCH 13-14, 2012

CSAPR

Briefing Complete

Oral Argument April 13, 2012

- Before Rogers, Griffith and Kavanaugh

Decision Fall 2012?



NAAQS

S02

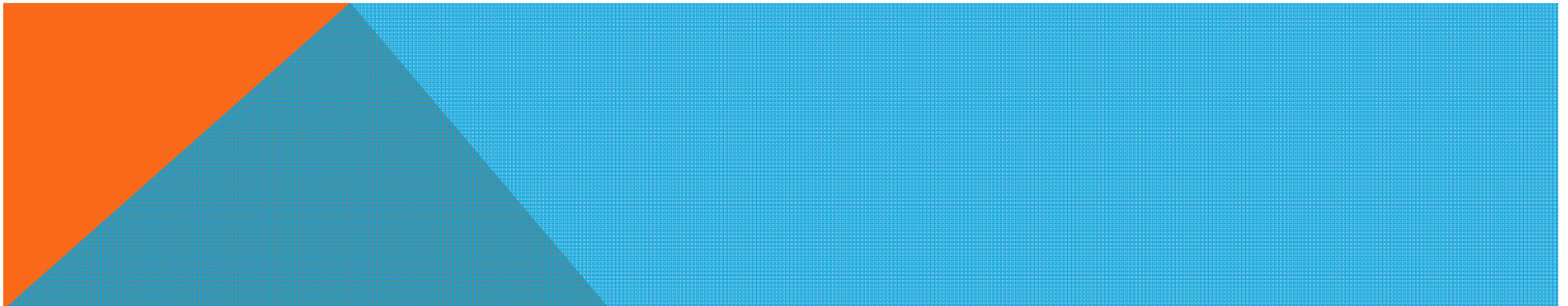
- Briefing complete
- Oral Argument May 3, 2012
 - Before Sentelle, Kavanaugh and Ginsburg
- Decision Fall 2012?

Ozone

- Briefing scheduled through Summer
- Oral Argument Fall 2012?
- Decision Winter 2013?

Ozone Reconsideration

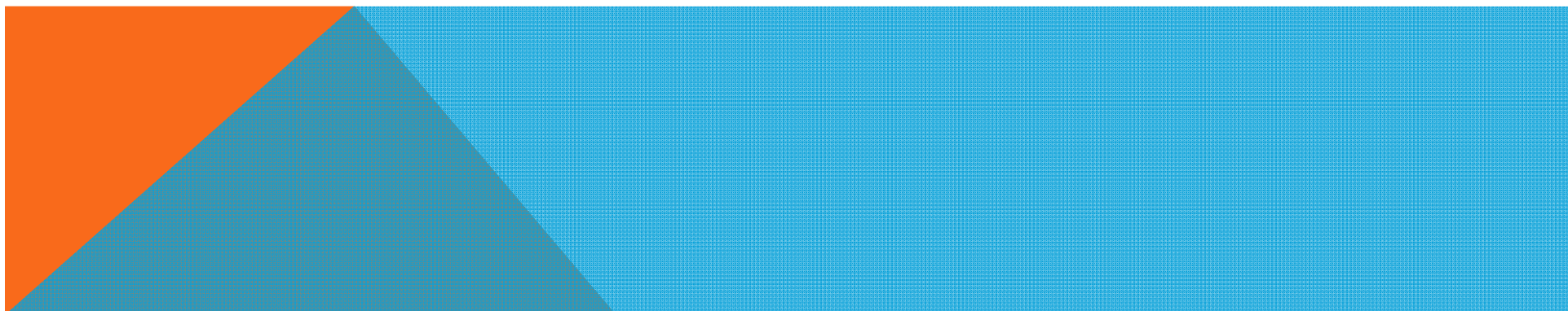
- Petition for Review dismissed



NAAQS CONT.

PM (2009 PM 2.5 Rule Remand)

- EPA: Proposal June 2012, Final June 2013
- DC Circuit denied Petition for Mandamus



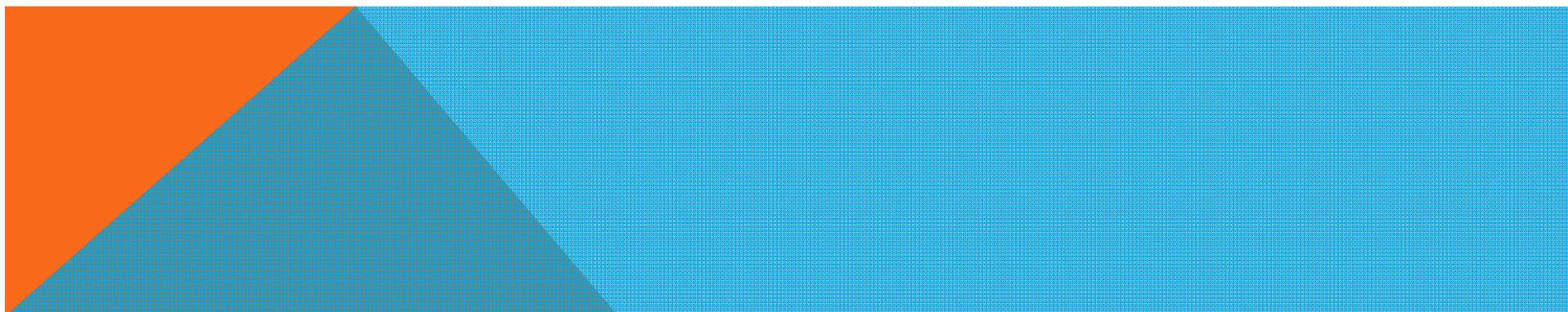
NSPS CASES

GHG: EPA/Environmental Petitioners Settled, set deadlines for proposed and final rules

- Power Plants Da
 - Original settlement deadlines delayed
 - Proposed Rule sent to OMB Nov. 7, 2011
 - Original Settlement, final due May 26, 2012

- Refineries Db
 - Original settlement deadlines delayed
 - Proposal date unknown
 - Original Settlement, final due November 10, 2012

Main NSPS : in abeyance



GHG CASES

Four EPA Rules Challenged:

- Endangerment Finding
- Light Duty Vehicle Rule (LDV)
- Tailoring Rule
- Historic PSD Rules Grounds Arising After

Oral Argument Feb. 28-29, 2012

- Before Sentelle, Tatel and Rogers
- Decision Summer 2012?



OUTLOOK

POSSIBLE DATES FOR FINAL LITIGATION OUTCOMES

GHG	Summer 2012
S02	Fall 2012
CSAPR	Fall 2013
Ozone	Winter 2013

