

**CIBO ANNUAL MEETING**  
**ENERGY & ENVIRONMENTAL POLICY**  
**OUTLOOK**

**Lisa Jaeger**  
**October 18, 2017**

- **WHERE WE ARE**
- **WHERE WE'LL BE IN 2018**
- **WHERE WE MAY BE GOING**

**BRACEWELL**

# WHERE WE ARE

EGU ELG  
*SW Power v. EPA* (5th Cir) – Abeyance, Severed Issues  
*CWA v. EPA* (DDC) – Briefing Complete

Waters of the US  
*NAM v. DOD*  
Oral Argument Oct. 11, 2017  
SCT Decision Pending

CWA 316(b)  
*CWIS v. EPA* (2nd Cir)  
Oral Arg Sept. 14, 2017

Def. Solid Waste  
*API v. EPA*  
Decision July 7, 2017  
Rehearing Pets. Due Oct. 20, 2017

Coal Ash Rule  
*USWAG v. EPA*  
Oral Arg Oct. 17, 2017

CSAPR Update  
*WI v. EPA*  
Briefing to Feb. 2018

CAA RMPs  
*Air Alliance Hou v. EPA* - Briefing to Jan. 31, 2018  
*ACC v. EPA* – In Abeyance

CPP/NSPS Cases DC Cir  
*WV v. EPA* – In Abeyance  
*ND v. EPA* – In Abeyance

BMACT Recon II  
*Sierra Club v. EPA*  
Oral Arg Sept. 15, 2017

SSM SIP Call & Aff. Def. Malfunctions  
*Fla. Elec. Power Coordinating Grp. v. EPA* – In Abeyance  
*Sierra Club v. EPA* – In Admin Recon

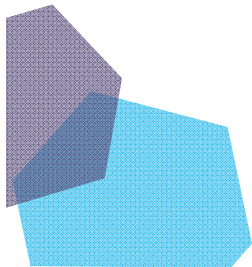
112(c)(6)  
*Sierra Club and CCAT v. EPA*  
Decision July 18, 2017

BMACT/Area/CISWI Remanded Issues  
TBD

# WHERE WE'LL BE IN 2018

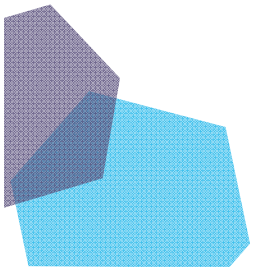
ALL DATES BEST GUESS

	Q4 2017	Q1 2018	Q2 2018	Q3 2018	Q4 2018	Q1 2019	Q2 2019
<b>BMACT Recon</b>		DC Cir Recon Decision					
<b>BMACT Remand</b>			Prop remand rule		Final remand rule		
<b>SSM SIP Call</b>	EPA Action re SSM in SIPs				DC Cir decision		
<b>CAA RTRs</b>	Boiler RTR?						
<b>CPP</b>		Final rule repeal	Prop new rule			Final new rule	
<b>CSAPR</b>				DC Cir decision			
<b>CAA RMP</b>			DC Cir dec stay Prop revised rule				
<b>WOTUS</b>		SCT dec which court Proposed Rule			Final Rule		
<b>CWA 316(b)</b>		2nd Cir Decision					
<b>EGU ELG</b>	DDC decision on stay	Prop recon rule		Final recon rule			
<b>Coal Ash</b>	Prop Supp Rule	DC Cir decision		Final Supp Rule			

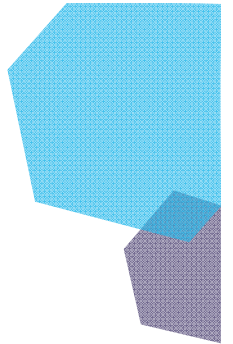


## WHERE WE MAY BE GOING

- **NEPA /Permitting Discipline**
  - CEQ Notice of NEPA Streamlining Actions
  - DOI Streamlining Order
- **U.S. Courts**
  - Supreme Court & DC Circuit
  - Appellate & District Courts
- **Administration Transition Flexibility**
- **WOTUS**
- **Coal Ash**
  - WIIN Act Court Inquiry
  - Petitions For Reconsideration
  - Oral Argument Now Nov. 20



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