

United States Court of Appeals

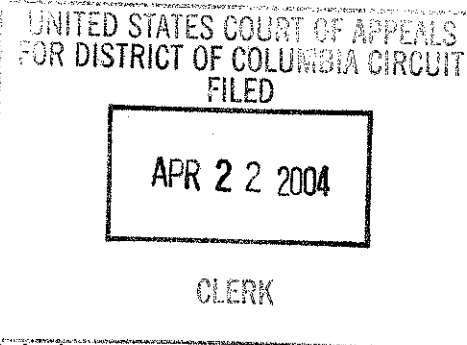
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 03-1220

September Term, 2003

In Re: Environmental Defense,
Petitioner

Filed On:



BEFORE: Edwards, Henderson, and Randolph, Circuit Judges

ORDER

Upon consideration of the joint motion for entry of order, it is

ORDERED that the motion be granted. It is

FURTHER ORDERED that this case be held in abeyance and that:

(1) Except as provided in paragraph 4, no later than September 30, 2004, the Administrator of the United States Environmental Protection Agency shall sign for publication in the Federal Register a notice of proposed rulemaking setting forth its proposed action to comply fully with the Court's remand order in Environmental Defense Fund v. EPA, 898 F.2d 183 (D.C. Cir. 1990) ("EDF v. EPA"), including any proposed regulations necessary to comply with that remand order.

(2) Except as provided in paragraph 4, no later than September 30, 2005, the Administrator of the United States Environmental Protection Agency shall sign for publication in the Federal Register a notice of final rulemaking setting forth its final action to comply fully with the court's remand order in EDF v. EPA, including any final regulations necessary to comply with that remand order.

(3) Except as provided in paragraph 4, no later than 90 days from the date of this order and at 90-day intervals thereafter, the Environmental Protection Agency shall file in this court status reports on the Agency's progress and the status of implementation of this rulemaking.

(4) The deadlines established in paragraphs 1-3 may be extended by a stipulation signed by counsel for Environmental Defense and the United States Environmental Protection Agency.

Per Curiam

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