

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-1325

September Term 2010

EPA-74FR56260

Filed On: March 8, 2011

American Chemistry Council,

Petitioner

v.

Environmental Protection Agency,

Respondent

City of New York, et al.,

Intervenors

Consolidated with 09-1326, 09-1328, 09-1329,
09-1331, 09-1332, 09-1333, 09-1334

ORDER

Upon consideration of the joint motion to deconsolidate, dismiss certain petitions, and to continue abeyance, it is

ORDERED that the motion to dismiss Nos. 09-1325, 09-1326, 09-1328, 09-1329, 09-1331, and 09-1334 be granted, and these petitions are hereby dismissed. It is

FURTHER ORDERED that Nos. 09-1332 and 09-1333 be consolidated with each other, and remain held in abeyance pending further order of the court. Respondent is directed to submit status reports at 120-day intervals commencing 120 days from the date of this order.

The parties are directed to file motions to govern further proceedings within 30 days of the conclusion of settlement proceedings as to either or both of the remaining petitions.

The Clerk is directed to issue forthwith to respondent a certified copy of this order in lieu of formal mandate in Nos. 09-1325, 09-1326, 09-1328, 09-1329, 09-1331, and 09-1334.

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Lynda M. Flippin
Deputy Clerk