

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
Wheeling**

**MURRAY ENERGY CORPORATION,  
MURRAY AMERICAN ENERGY, INC.,  
THE AMERICAN COAL COMPANY,  
AMERICAN ENERGY CORPORATION,  
THE HARRISON COUNTY COAL COMPANY,  
KENAMERICAN RESOURCES, INC., THE  
MARION COUNTY COAL COMPANY, THE  
MARSHALL COUNTY COAL COMPANY,  
THE MONONGALIA COUNTY COAL  
COMPANY, OHIOAMERICAN ENERGY  
INC., THE OHIO COUNTY COAL COMPANY,  
and UTAHAMERICAN ENERGY, INC.,**

Plaintiffs,

v.

**Civil Action No. 5:14-CV-39**  
Judge Bailey

**E. SCOTT PRUITT**, Administrator,  
United States Environmental Protection  
Agency, in his official capacity,

Defendant.

**ORDER GRANTING IN PART AND DENYING IN PART  
THE EXPEDITED JOINT MOTION TO EXTEND  
DEADLINES IN THE JANUARY 11 FINAL ORDER**

Pending before this Court is the Expedited Joint Motion to Extend Deadlines in the January 11 Final Order [Doc. 326]. In that Motion, the parties seek essentially a ninety day extension of the three deadlines set in this Court's Final Order [Doc. 314]. The basis for the extension is that Administrator Pruitt has just recently been confirmed as Administrator of the Environmental Protection Agency. While this Court agrees that the EPA needs additional time to provide the comprehensive filing detailing the actions the agency is taking

to comply with Section 321(a) and this Court's orders, this Court fails to see how the change in administration would effect the § 321(a) evaluation of the coal industry and other entities affected by the rules and regulations affecting the coal mining and power generating industries or the submission of evidence demonstrating that EPA has adopted measures to continuously evaluate loss and shifts in employment which may result from EPA's administration and enforcement of the Clean Air Act.

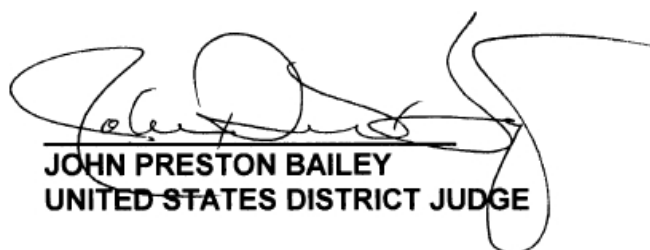
Accordingly, this Court will extend the deadline to provide the comprehensive filing detailing the actions the agency is taking to comply with Section 321(a) and this Court's orders until May 13, 2017. The remainder of the requests for extension are denied.

Accordingly, the Expedited Joint Motion to Extend Deadlines in the January 11 Final Order [Doc. 326] is **GRANTED IN PART AND DENIED IN PART**.

**SO ORDERED.**

The Clerk is directed to transmit copies of this Order to any counsel of record.

**DATED:** February 23, 2017.



**JOHN PRESTON BAILEY**  
**UNITED STATES DISTRICT JUDGE**