

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

---

**No. 10-1425**

**September Term 2010**

**EPA-75FR82430**

**Filed On: December 30, 2010**

State of Texas, et al.,  
Petitioners

v.

Environmental Protection Agency,  
Respondent

**BEFORE:** Ginsburg and Rogers, Circuit Judges

**ORDER**

Upon consideration of the emergency motion for stay pending review, it is

**ORDERED** that the Environmental Protection Agency's interim final rule, Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas Prevention of Significant Deterioration Program, 75 Fed. Reg. 82,430 (Dec. 30, 2010), be stayed pending further order of the court. The purpose of this administrative stay is to give the court sufficient opportunity to consider the merits of the emergency motion for a stay and should not be construed in any way as a ruling on the merits of that motion. See D.C. Circuit Handbook of Practice and Internal Procedures 32 (2010). It is

**FURTHER ORDERED** that respondent file a response to the emergency motion by Thursday, January 6, 2011 at 10:00 a.m. Any reply is due by Friday, January 7, 2011, at 4:00 p.m. The parties are directed to hand-deliver the paper copies of their submissions to the court by the time and date due.

**Per Curiam**