

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 15-60821

SOUTHWESTERN ELECTRIC POWER COMPANY; UTILITY WATER ACT GROUP; UNION ELECTRIC COMPANY, doing business as Ameren Missouri; WATERKEEPER ALLIANCE, INCORPORATED; ENVIRONMENTAL INTEGRITY PROJECT; SIERRA CLUB; AMERICAN WATER WORKS ASSOCIATION; NATIONAL ASSOCIATION OF WATER COMPANIES; CITY OF SPRINGFIELD, MISSOURI, by and through the Board of Public Utilities; DUKE ENERGY INDIANA, INCORPORATED,

Petitioners

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; SCOTT PRUITT, in his official capacity as Administrator of the United States Environmental Protection Agency,

Respondents

Petitions for Review of an Order of the
Environmental Protection Agency

ORDER :

IT IS ORDERED that the Respondents' opposed motion to sever and hold in abeyance all judicial proceedings as to all issues relating to the portion of the 2015 Rule concerning the new, more stringent BAT

limitations and PSES applicable to (1) bottom ash transport water, (2) FGD wastewater, and (3) gasification wastewater pending Respondents' completion of further agency action is GRANTED.

IT IS FURTHER ORDERED that Respondents' opposed motion for the court to direct that they file status reports at 90-day intervals and promptly upon the completion of further rulemaking is GRANTED.

IT IS FURTHER ORDERED that Respondents' opposed motion for the court to direct the parties to confer and, within 21 days after the court's resolution of this motion, file a joint motion or separate motions setting forth a proposed revised briefing schedule for those issues that have not been severed and held in abeyance by the court is GRANTED.



EDWARD C. PRADO
UNITED STATES CIRCUIT JUDGE