

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-1140

September Term, 2020

FILED ON: JANUARY 19, 2021

AMERICAN LUNG ASSOCIATION AND AMERICAN PUBLIC HEALTH ASSOCIATION,
PETITIONERS

v.

ENVIRONMENTAL PROTECTION AGENCY AND ANDREW WHEELER, ADMINISTRATOR,
RESPONDENTS

AEP GENERATING COMPANY, ET AL.,
INTERVENORS

Consolidated with 19-1165, 19-1166, 19-1173, 19-1175, 19-1176, 19-1177, 19-1179, 19-1185,
19-1186, 19-1187, 19-1188

On Petitions for Review of a Final Action
of the Environmental Protection Agency

Before: MILLETT, PILLARD, and WALKER, *Circuit Judges*

J U D G M E N T

These causes came on to be heard on the petitions for review of a final order of the Environmental Protection Agency and were argued by counsel. On consideration thereof, it is

ORDERED and **ADJUDGED** that the ACE Rule be vacated and remanded to the Agency; the amendments to the implementing regulations that extend the compliance timeline be vacated; the Coal Petitioners' petitions for review be denied; and the Robinson Petitioners' petition for review be dismissed for lack of standing, in accordance with the opinion of the court filed herein this date.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy
Deputy Clerk

Date: January 19, 2021

Opinion Per Curiam

Opinion concurring in part, concurring in the judgment in part, and dissenting in part filed by Circuit Judge Walker.