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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Case No. 07-CV-03678 JSW

COMMUNITIES FOR A BETTER
ENVIRONMENT, ROCKY MOUNTAIN
CLEAN AIR ACTION, COALITION FOR
A SAFE ENVIRONMENT, and
PHYSICIANS FOR SOCIAL
RESPONSIBILITY-LOS ANGELES,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY and STEPHEN L.
JOHNSON, as Administrator of the United
States Environmental Protection Agency

Defendant

**~~PROPOSED~~ ORDER ESTABLISHING
SCHEDULE TO REVIEW NATIONAL
AMBIENT AIR QUALITY STANDARD
FOR CARBON MONOXIDE**

1 On May 5, 2008, this Court granted the Motion for Summary Judgment by plaintiffs
 2 Communities for a Better Environment, Rocky Mountain Clean Air Action, Coalition for a
 3 Safe Environment, and Physicians for Social Responsibility - Los Angeles (“Plaintiffs”) and
 4 denied the Cross Motion for Summary Judgment by Defendant Environmental Protection
 5 Agency and Stephen L. Johnson (“EPA”). Docket # 37. In granting Plaintiffs’ Motion for
 6 Summary Judgment, this Court held:

7 Although the Court has the authority to do so, the Court is hesitant to set
 8 interim deadlines at this time. . . . However, given how many years have
 9 passed since the EPA’s mandatory deadline has expired, the Court is wary of
 10 merely providing the EPA a long-term deadline without any oversight or
 11 review. Therefore, the Court HEREBY DIRECTS the EPA to submit, by no
 12 later than July 7, 2008, a revised schedule with interim deadlines in
 13 accordance with this Order.

14 Dk. & 37 at 9.

15 On July 7, 2008 EPA filed its Revised Schedule with Interim Deadlines pursuant to
 16 the May 5, 2008 Order (“Revised Schedule”), Docket # 40. In the Revised Schedule, EPA
 17 explained that it intends to comply with the following schedule:

18 Task	Deadline
19 Final integrated science assessment	January 29, 2010
20 Final risk/exposure assessment	May 28, 2010
21 Notice of proposed rulemaking signed	October 28, 2010
22 Notice of final rulemaking signed	May 13, 2011

23 Revised Schedule, p. 2. EPA also stated in its Revised Schedule that it “estimates that the
 24 first draft [of the integrated science assessment] could be completed in or about late February
 25 2009. Id. EPA further stated in its Revised Schedule that it “estimates that the first draft
 26 risk/exposure assessment could be completed in or about late September 2009.” Id. at 3.

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1 NOW THEREFORE, GOOD CAUSE APPEARING, the Court hereby ORDERS EPA to
2 comply with the following schedule, which includes interim deadlines to ensure oversight
3 and review of EPA's progress:

4 Task	Deadline
5 1 st Draft integrated science assessment	March 14, 2009
6 1 st Draft risk/exposure assessment	October 29, 2009
7 Final integrated science assessment	January 29, 2010
8 Final risk/exposure assessment	May 28, 2010
9 Notice of proposed rulemaking signed	October 28, 2010
10 Notice of final rulemaking signed	May 13, 2011

11 EPA shall also forward the notices of proposed and final rulemakings to the Federal
12 Register within 15 business days of signature.

13 **IT IS SO ORDERED.**

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17 Dated: November 14, 2008



 JEFFREY S. WHITE
 UNITED STATES DISTRICT JUDGE