

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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<b>CALIFORNIA COMMUNITIES</b>		)	
<b>AGAINST TOXICS, <i>et al.</i>,</b>		)	
		)	
Plaintiffs,		)	
		)	
v.		)	Civil Action No. 15-cv-512 (TSC)
		)	
<b>SCOTT PRUITT, Administrator,</b>		)	
<b>United States Environmental Protection</b>		)	
<b>Agency,</b>		)	
		)	
Defendant.		)	
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**ORDER**

For the reasons identified in the accompanying Memorandum Opinion (ECF No. 49), Plaintiffs’ motion for summary judgment is hereby GRANTED and Defendant’s cross-motion for summary judgment is DENIED.

It is further ORDERED that Defendant is in violation of the Clean Air Act due to the unlawful failures (1) to take actions fulfilling its non-discretionary duties under 42 U.S.C. § 7412(d)(6) to review and either to revise or to issue a final determination not to revise the hazardous air emission standards for the below-listed major air toxics source categories; and (2) to take actions fulfilling its nondiscretionary duties under 42 U.S.C. § 7412(f)(2) to promulgate either health or environmental risk-based emission standards or a final determination that such standards are not required to provide an ample margin of safety to protect public health and prevent an adverse environmental effect for the below-listed major air toxics source categories:

1. Solvent Extraction for Vegetable Oil Production, 66 Fed. Reg. 19,006 (Apr. 12, 2001) (40 C.F.R. Part 63 Subpart GGGG);

2. Boat Manufacturing, 66 Fed. Reg. 44,218 (Aug. 22, 2001) (40 C.F.R. Part 63 Subpart VVVV);
3. Surface Coating of Metal Coil, 67 Fed. Reg. 39,794 (June 10, 2002) (40 C.F.R. Part 63 Subpart SSSS);
4. Cellulose Products Manufacturing, 67 Fed. Reg. 40,044 (June 11, 2002) (40 C.F.R. Part 63 Subpart UUUU);
5. Generic MACT II - Ethylene Production, 67 Fed. Reg. 46,258 (July 12, 2002) (40 C.F.R. Part 63 Subpart YY, XX, UU);
6. Paper and Other Web Coating, 67 Fed. Reg. 72,330 (Dec. 4, 2002) (40 C.F.R. Part 63 Subpart JJJJ);
7. Municipal Solid Waste Landfills, 68 Fed. Reg. 2227 (Jan. 16, 2003) (40 C.F.R. Part 63 Subpart AAAA);
8. Hydrochloric Acid Production, 68 Fed. Reg. 19,076 (Apr. 17, 2003) (40 C.F.R. Part 63 Subpart NNNNN);
9. Reinforced Plastic Composites Production, 68 Fed. Reg. 19,375 (Apr. 21, 2003) (40 C.F.R. Part 63 Subpart WWWW);
10. Asphalt Processing and Asphalt Roofing Manufacturing, 68 Fed. Reg. 22,976 (Apr. 29, 2003) (40 C.F.R. Part 63 Subpart LLLLL);
11. Integrated Iron & Steel Manufacturing, 68 Fed. Reg. 27,646 (May 20, 2003) (40 C.F.R. Part 63 Subpart FFFFF);
12. Engine Test Cells/Stands, 68 Fed. Reg. 28,774 (May 27, 2003) (40 C.F.R. Part 63 Subpart PPPPP);
13. Site Remediation, 68 Fed. Reg. 58,172 (Oct. 8, 2003) (40 C.F.R. Part 63

Subpart GGGGG);

14. Miscellaneous Organic Chemical Manufacturing, 68 Fed. Reg. 63,852 (Nov. 10, 2003) (40 C.F.R. Part 63 Subpart FFFF);
15. Surface Coating of Metal Cans, 68 Fed. Reg. 64,432 (Nov. 13, 2003) (40 C.F.R. Part 63 Subpart KKKK);
16. Surface Coating of Miscellaneous Metal Parts and Products, 69 Fed. Reg. 130 (Jan. 2, 2004) (40 C.F.R. Part 63 Subpart MMMM);
17. Organic Liquids Distribution (Non-Gasoline), 69 Fed. Reg. 5038 (Feb. 3, 2004) (40 C.F.R. Part 63 Subpart EEEE);
18. Stationary Combustion Turbines, 69 Fed. Reg. 10,512 (Mar. 5, 2004) (40 C.F.R. Part 63 Subpart YYYY);
19. Surface Coating of Plastic Parts and Products, 69 Fed. Reg. 20,968 (Apr. 19, 2004) (40 C.F.R. Part 63 Subpart PPPP);
20. Surface Coating of Automobiles and Light-Duty Trucks, 69 Fed. Reg. 22,602 (Apr. 26, 2004) (40 C.F.R. Part 63 Subpart IIII).

Consequently, pursuant to the Clean Air Act, 42 U.S.C. § 7604(a), Defendant is hereby ORDERED to perform all acts or duties required by 42 U.S.C. § 7412(d)(6) and § 7412(f)(2) for the above-listed major source categories of hazardous air pollutants within three years of the date of this order.

Date: March 13, 2017

*Tanya S. Chutkan*  
TANYA S. CHUTKAN  
United States District Judge