

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: POLITICO Pro Energy Whiteboard
Sent: Thur 8/10/2017 9:10:20 PM
Subject: Court rejects effort to revive Pruitt's methane rule stay

By Alex Guillén

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The full D.C. Circuit Court of Appeals today by a vote of 8-3 rejected attempts to revive EPA Administrator Scott Pruitt's 90-day stay of the methane rule for new oil and gas wells.

A three-judge panel last month said Pruitt's stay was unlawful, and the full court later reinstated the methane rule. Today, it said it will not grant the en banc appeal requests made by industry groups and Republican state officials. The Trump administration itself did not seek an appeal.

The rejection effectively ends any further appeal efforts; seeking Supreme Court review would take more time than would be left on the stay, which would have expired Aug. 31. However, Pruitt is likely to have a longer-term stay in place soon.

Three of the circuit's 11 active judges voted to hear the appeal: Karen LeCraft Henderson, Janice Rogers Brown and Brett Kavanaugh. All three are Republican appointees.

WHAT'S NEXT: The public comment period on Pruitt's proposed stay that would last through 2019 closed on Wednesday. That longer-term stay could be in place in a matter of weeks.

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