

Exhibit 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 11-cv-00001-CJA-MEH
(Consolidated with 11-cv-00743-CMA-MEH)

WILDEARTH GUARDIANS,

Plaintiffs,

v.

LISA JACKSON, in her official capacity as
Administrator, United States Environmental
Protection Agency,

Defendant.

ORDER TO MODIFY CONSENT DECREE

This matter comes before the Court on Defendant's Unopposed Motion to Modify Two Deadlines in Consent Decree (Doc. # 70). The Court has considered the motion and being fully advised, ORDERS that Defendant's Unopposed Motion to Modify Two Deadlines in Consent Decree (Doc. # 70) is GRANTED.


It is FURTHER ORDERED that Paragraphs 6 and 7 of the Consent Decree entered by this Court on September 27, 2011, (Doc. # 67) are modified as follows:

6. By March 29, 2013, EPA shall sign a notice of re-proposed rulemaking in which it proposes approval of a SIP, promulgation of a FIP, partial approval of a SIP and promulgation of a partial FIP, or approval of a SIP or promulgation of a FIP in the alternative, for the State of Wyoming, to meet the regional haze implementation plan requirements that were due by December 17, 2007, under 40 C.F.R. § 51.309(g). In its re-proposal, EPA will propose to determine, for each source subject to BART, the period of time for BART compliance that is as expeditious as practicable, as required by 42 U.S.C. § 7491.

7. EPA shall by September 27, 2013, sign a notice of final rulemaking promulgating a FIP for the State of Wyoming, to meet the regional haze implementation plan requirements that were due by December 17, 2007, under the requirements of 40 C.F.R. § 51.309(g), unless, by September 27, 2013, EPA has signed a notice of final rulemaking unconditionally approving a SIP, or promulgating a partial FIP and partial unconditional approval of a SIP, for the State of Wyoming that meets the regional haze implementation plan requirements that were due by December 17, 2007, under the requirements of 40 C.F.R. § 51.309(g).

DATED this 13th day of December, 2012

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge