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ADVISORY

Sixth Circuit Issues Order Staying Waters of the United States Rule Nationwide

Prepared for the Katten Environmental Advisory Group

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Today, October 9, 2015, the U.S. Court of Appeals for the Sixth Circuit issued an order temporarily staying nationwide the Final Rule promulgated by the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency, entitled "Clean Water Rule: Definition of 'Waters of the United States'," 80 Fed. Reg. 37,054 (June 29, 2015). The so-called Waters of the United States (WOTUS) rule was challenged by 18 states in various jurisdictions. In issuing the stay, the court stated that....

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