

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

<p>SIERRA CLUB Plaintiff,</p> <p style="text-align: center;">v.</p> <p>STEPHEN L. JOHNSON, Administrator, U.S. Environmental Protection Agency</p> <p style="text-align: center;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No. 1:01CV01537 (consolidated with Case No. 1:01CV01548 Case No. 1:01CV01558 Case No. 1:01CV01569 Case No. 1:01CV01578 Case No. 1:01CV01582 Case No. 1:01CV01597)</p> <p style="text-align: center;">Judge Paul L. Friedman</p>
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**NOTICE OF STIPULATION OF MODIFICATION TO
DEADLINE IN PARTIAL CONSENT DECREE**

Plaintiff Sierra Club filed these consolidated actions in July 2001, against Administrator, U.S. Environmental Protection Agency ("EPA") alleging that EPA had failed to perform certain obligations under the Clean Air Act ("CAA"). The parties resolved a number of Sierra Club's claims through a Consent Decree entered by the Court on May 22, 2003. The Consent Decree, in relevant part, established schedules for EPA to promulgate specific regulations under various provisions of the CAA. Paragraph 4 of the Consent Decree states: "Any provision of this Decree may be modified by [] written stipulation of Sierra Club and EPA with notice to the Court."

The Parties are filing this document to notify the Court that they have entered the attached stipulation to amend the schedule established by Paragraph 2(d)(v) for EPA to promulgate regulations under Clean Air Act § 112(d), 42 U.S.C. § 7412(d), pursuant to Clean Air Act § 112(k), 42 U.S.C. § 7412(k), for existing Stationary Internal Combustion Engines that are area sources or are less than 500 horsepower and located at major sources as follows: (1) signature of a notice of proposed rulemaking on or before February 25, 2009, and (2) signature

of a notice of final rulemaking on or before February 10, 2010.

FOR PLAINTIFF

Date: November 15, 2007

/s/ James Pew
JAMES PEW
Earthjustice Legal Defense Fund
1625 Massachusetts Ave., N.W.
Suite 702
Washington, D.C. 20036-2212
(202) 667-4500

FOR DEFENDANT

Date: November 15, 2007

RONALD J. TENPAS
Acting Assistant Attorney General
Environment and Natural
Resources Division

/s/ Eileen T. McDonough
EILEEN T. MCDONOUGH
Environment and Natural
Resources Division
Environmental Defense Section
U.S. Department of Justice
P.O. Box 23986
Washington, D.C. 20026-3986
(202) 514-3126

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

_____)	Case No. 1:01CV01537
SIERRA CLUB)	(consolidated with
Plaintiff,)	Case No. 1:01CV01548
)	Case No. 1:01CV01558
v.)	Case No. 1:01CV01569
)	Case No. 1:01CV01578
STEPHEN L. JOHNSON, Administrator,)	Case No. 1:01CV01582
U.S. Environmental Protection Agency)	Case No. 1:01CV01597)
)	
Defendant.)	Judge Paul L. Friedman
_____)	

STIPULATION OF MODIFICATION TO
DEADLINE IN PARTIAL CONSENT DECREE

Pursuant to Paragraph 4(a) of the Consent Decree entered on May 22, 2003, the parties stipulate that Paragraph 2(d)(v) shall be modified to provide as follows:

(d) The Administrator shall promulgate regulations under Clean Air Act § 112(d), 42 U.S.C. § 7412(d), pursuant to Clean Air Act § 112(k), 42 U.S.C. § 7412(k), for the following categories and/or subcategories of area sources on or before the following dates:

(v) For Stationary Internal Combustion Engines that are area sources or are less than 500 horsepower and located at major sources, the Administrator shall: (1) promulgate a final rule applicable to new sources on or before December 20, 2007, (2) propose a rule applicable to existing sources on or before February 25, 2009; and (3) promulgate a final rule applicable to existing

sources on or before February 10, 2010.

SO STIPULATED:

FOR PLAINTIFF

Date: November 15, 2007

/s/ James Pew
JAMES PEW
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FOR DEFENDANT

Date: November 15, 2007

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