

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

SIERRA CLUB,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 1:08-cv-00424-RWR
)	
UNITED STATES ENVIRONMENTAL)	
PROTECTION AGENCY and GINA)	
MCCARTHY, Administrator, United)	
States Environmental Protection Agency,)	
)	
Defendants.)	
_____)	

**STIPULATION OF MODIFICATION TO
DEADLINE IN CONSENT DECREE**

On April 18, 2013, the Court entered a Consent Decree resolving this matter. Paragraphs 1 and 2 of the Consent Decree establish deadlines by which Defendants, the United States Environmental Protection Agency, and Gina McCarthy, Administrator (jointly referred to as “EPA”), must complete specified actions. Paragraph 4 provides that the deadlines in Paragraphs 1 and 2 may be extended by written stipulation executed by counsel for EPA and Sierra Club and filed with the Court.

Pursuant to Paragraph 4, the Parties stipulate that Paragraphs 1 and 2 shall be modified to read as follows:

1. No later than August 28, 2014, EPA shall sign a notice of proposed rulemaking to set national emission standards for hazardous air pollutants ("NESHAP") for brick and structural clay products manufacturing facilities located at major sources and clay ceramics manufacturing facilities located at major sources, pursuant to Clean Air Act § 112(d), 42 U.S.C. § 7412(d).

2. No later than June 30, 2015, EPA shall sign a notice of final rulemaking to set NESHAPs for brick and structural clay products manufacturing facilities located at major sources and clay ceramics manufacturing facilities located at major sources, pursuant to Clean Air Act § 112(d), 42 U.S.C. § 7412(d).

SO STIPULATED:

FOR PLAINTIFF

Date:

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

FOR DEFENDANT

Date:

ROBERT G. DREHER
Acting Assistant Attorney General
Environment and Natural
Resources Division

/s/ EILEEN T. McDONOUGH
Environmental Defense Section
U.S. Department of Justice
P.O. Box 23986
Washington, D.C. 20026-3986
(202) 514-3126

Of Counsel:

Scott Jordan
Air and Radiation Law Office
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460