IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CENTER FOR BIOLOGICAL DIVERSITY
et al.,
Plaintiffs,
v.
MICHAEL S. REGAN, in his official
capacity as the Administrator of the United
States Environmental Protection Agency,
Defendant.

[PROPOSED] CONSENT DECREE

Case No. 3:20-cv-05436-EMC
WHEREAS, on August 6, 2020, the Center for Biological Diversity, the Center for Environmental Health, and the Sierra Club (collectively, “Plaintiffs”) filed the above-captioned matter against then Administrator Andrew R. Wheeler in his official capacity as the Administrator of the United States Environmental Protection Agency (hereafter “EPA”) (Dkt. No. 1);

WHEREAS, on October 29, 2020, Plaintiffs filed a First Amended Complaint (“First Am. Compl.”) (Dkt. No. 25);

WHEREAS, in accordance with Federal Rule of Civil Procedure 25(d), Michael S. Regan, in his official capacity as the Administrator of the EPA, is substituted for Andrew R. Wheeler;

WHEREAS, Plaintiffs allege that EPA has failed to undertake certain non-discretionary duties under the Clean Air Act (“CAA”), 42 U.S.C. §§ 7401-7671q, and that such alleged failure is actionable under CAA section 304(a)(2), 42 U.S.C. § 7604(a)(2);

WHEREAS, on April 28, 1971, pursuant to CAA section 109(a)(1), 42 U.S.C. § 7409(a)(1), the EPA Administrator signed a notice promulgating a rule establishing the primary and secondary National Ambient Air Quality Standards for sulfur dioxide (“1971 SO₂ NAAQS”), Final Rule, 36 Fed. Reg. 8186 (Apr. 30, 1971);

WHEREAS, on June 2, 2010, pursuant to CAA section 109(d)(1), 42 U.S.C. § 7409(d)(1), the EPA Administrator signed a notice promulgating a final rule revising the primary National Ambient Air Quality Standards for sulfur dioxide (“2010 SO₂ NAAQS”), Final Rule, 75 Fed. Reg. 35,520 (June 22, 2010);

WHEREAS, on July 25, 2013, pursuant to CAA section 107(d), 42 U.S.C. § 7407(d), the EPA Administrator signed a notice promulgating a final rule to establish initial air quality...
designations for the 2010 SO2 NAAQS (“Initial 2010 SO2 NAAQS Designations”), Final Rule,
78 Fed. Reg. 47,191 (Aug. 5, 2013);

WHEREAS, the Initial 2010 SO2 NAAQS Designations became effective on October 4,
2013, id. at 47,197;

WHEREAS, on July 25, 2013, pursuant to CAA section 107(d), 42 U.S.C. § 7407(d), the
EPA Administrator signed a notice designating Hayden, Gila County (Part) and Pinal County
(Part), in Arizona as nonattainment for the 2010 SO2 NAAQS, effective October 4, 2013, id. at
47,197–98;

WHEREAS, on July 25, 2013, pursuant to section 107(d), 42 U.S.C. § 7407(d), the EPA
Administrator signed a notice designating Miami, Gila County (Part), in Arizona as
nonattainment for the 2010 SO2 NAAQS, effective October 4, 2013, id. at 47,198;

WHEREAS, on July 25, 2013, pursuant to section 107(d), 42 U.S.C. § 7407(d), the EPA
Administrator signed a notice designating Southwest Indiana, Daviess County (Part) and Pike
County (Part), in Indiana as nonattainment for the 2010 SO2 NAAQS, effective October 4, 2013,
id. at 47,199;

WHEREAS, on July 25, 2013, pursuant to section 107(d), 42 U.S.C. § 7407(d), the EPA
Administrator signed a notice designating Muscatine, Muscatine County (Part), in Iowa as
nonattainment for the 2010 SO2 NAAQS, effective October 4, 2013, id. at 47,199;

WHEREAS, on July 25, 2013, pursuant to section 107(d), 42 U.S.C. § 7407(d), the EPA
Administrator signed a notice designating St. Bernard Parish, St. Bernard Parish, in Louisiana as
nonattainment for the 2010 SO2 NAAQS, effective October 4, 2013, id. at 47,200;
WHEREAS, on July 25, 2013, pursuant to section 107(d), 42 U.S.C. § 7407(d), the EPA Administrator signed a notice designating Detroit, Wayne County (Part), in Michigan as nonattainment for the 2010 SO₂ NAAQS, effective October 4, 2013, id. at 47,201;

WHEREAS, on July 25, 2013, pursuant to section 107(d), 42 U.S.C. § 7407(d), the EPA Administrator signed a notice designating Jackson County, Jackson County (Part), in Missouri as nonattainment for the 2010 SO₂ NAAQS, effective October 4, 2013, id.;

WHEREAS, on July 25, 2013, pursuant to section 107(d), 42 U.S.C. § 7407(d), the EPA Administrator signed a notice designating Sullivan County, Sullivan County (Part), in Tennessee as nonattainment for the 2010 SO₂ NAAQS, effective October 4, 2013, id. at 47,204;

WHEREAS, on July 25, 2013, pursuant to section 107(d), 42 U.S.C. § 7407(d), the EPA Administrator signed a notice designating Rhinelander, Oneida County (Part), in Wisconsin as nonattainment for the 2010 SO₂ NAAQS, effective October 4, 2013, id. at 47,205;

WHEREAS, on June 30, 2016, pursuant to CAA section 107(d), 42 U.S.C. § 7407(d), the EPA Administrator signed a notice promulgating a final rule to establish additional air quality designations for the 2010 SO₂ NAAQS (“Round 2 2010 SO₂ Designations”), Final Rule, 81 Fed. Reg. 45,039 (July 12, 2016);

WHEREAS, the Round 2 2010 SO₂ Designations became effective on September 12, 2016, id. at 45,039;

WHEREAS, on June 30, 2016, pursuant to CAA section 107(d), 42 U.S.C. § 7407(d), the EPA Administrator signed a notice designating Alton Township, Madison County (Part), in Illinois as nonattainment for the 2010 SO₂ NAAQS, effective September 12, 2016, id. at 45,047;

WHEREAS, pursuant to CAA section 192(a), attainment of the relevant standard should be achieved “as expeditiously as practicable but no later than 5 years from the date of the
nonattainment designation,” i.e., October 4, 2018 for the Initial 2010 SO2 NAAQS Designations, and September 12, 2021 for the Round 2 2010 SO2 NAAQS Designations, 42 U.S.C. § 7514a(a);

WHEREAS, pursuant to CAA section 179(c)(1) “[a]s expeditiously as practicable after the applicable attainment date for any nonattainment area, but not later than 6 months after such date, the Administrator shall determine, based on the area’s air quality as of the attainment date, whether the area attained the standard by that date,” i.e., April 4, 2019 for the Initial 2010 SO2 NAAQS Designations, 42 U.S.C. § 7509(c)(1). Upon making such determination, EPA must “publish a notice in the Federal Register containing such determination and identifying each area that the Administrator has determined to have failed to attain,” id. § 7509(c)(2);

WHEREAS, pursuant to CAA section 191(a), 42 U.S.C. § 7514(a), states that contain areas that are designated nonattainment after November 15, 1990 are required to provide State Implementation Plan (“SIP”) submissions to EPA within 18 months of the effective date of designations, i.e. by April 4, 2015 for the Initial 2010 SO2 Designations, and by March 12, 2018 for the Round 2 2010 SO2 Designations;

WHEREAS, pursuant to CAA section 191(a), 42 U.S.C. § 7514(a), Alton Township, Illinois was required to submit a SIP to EPA within 18 months of September 12, 2016, for the Alton Township portion of the Metropolitan St. Louis Interstate Air Quality Control Region nonattainment area for the 2010 SO2 NAAQS;

WHEREAS, on December 3, 2018, Illinois submitted a SIP to EPA for the Alton Township nonattainment area with the following elements: (1) attainment demonstration pursuant to 42 U.S.C. § 7502(c) (“Attainment Demonstration”); (2) contingency measure requirements pursuant to 42 U.S.C. § 7502(c)(9) (“Contingency Measures”); (3) base year emissions inventory requirements pursuant to 42 U.S.C. § 7502(c)(3) (“Emissions Inventory”);
(4) reasonably available control technology and reasonably available control measures pursuant to 42 U.S.C. § 7502(c)(1) ("RACT/RACM"); and (5) reasonable further progress requirements pursuant to 42 U.S.C. § 7502(c)(2) ("RFP"), Status of SIP Required Elements for Illinois Designated Areas, EPA, https://www3.epa.gov/airquality/urbanair/sipstatus/reports/il_elembypoll.html#so2__2010__1730 (last visited February 23, 2021);

WHEREAS, pursuant to CAA section 110(k)(1)(B), 42 U.S.C. § 7410(k)(1)(B), within six months after EPA receives a SIP submission, EPA must determine whether a State’s submittal is complete, and if EPA does not determine completeness of the plan or revision within six months, then the submittal is deemed complete by operation of law after six months, id.;

WHEREAS, on June 3, 2019, Alton Township’s SIP was deemed complete by operation of law pursuant to CAA section 110(k)(1)(B), 42 U.S.C. § 7410(k)(1)(B);

WHEREAS, pursuant to CAA section 110(k)(2)-(4), 42 U.S.C. §§ 7410(k)(2)-(4), within 12 months of a determination of completeness by EPA or a submittal deemed by operation of law to be complete, EPA is required to approve in whole or in part, disapprove, or conditionally approve in whole or in part, each plan or revision;

WHEREAS, in Claim 1, Plaintiffs allege that EPA has failed to perform a duty mandated by CAA section 110(k)(1)(B), 42 U.S.C. § 7410(k)(1)(B), to make a finding of failure to submit a nonattainment SIP for various states and nonattainment areas for the 2010 SO2 NAAQS addressing the following element or elements under 42 U.S.C. §§ 7502 or 7514a, from the areas and states listed below, see First Am. Compl. ¶¶ 38-44 & Table 1 (Dkt. No. 25) ("Claim 1"): //

//
Table 1

<table>
<thead>
<tr>
<th>State</th>
<th>Nonattainment Area</th>
<th>Element(s) Addressed in State Implementation Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guam</td>
<td>Piti-Cabras, GU</td>
<td>(1) Attainment Demonstration; (2) Contingency Measures; (3) Emissions Inventory; (4) Nonattainment New Source Review Plan, 42 U.S.C. § 7502(c)(5), (“NNSR”); (5) RACM/RACT; (6) RFP</td>
</tr>
<tr>
<td>Indiana</td>
<td>Huntington, IN</td>
<td>(1) Attainment Demonstration; (2) Contingency Measures; (3) Emissions Inventory; (4) NNSR; (5) RACM/RACT; (6) RFP</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Evangeline Parish (Partial), LA</td>
<td>(1) Attainment Demonstration; (2) Contingency Measures; (3) Emissions Inventory; (4) NNSR; (5) RACM/RACT; (6) RFP</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Guayama-Salinas, PR</td>
<td>(1) Attainment Demonstration; (2) Contingency Measures; (3) Emissions Inventory; (4) NNSR; (5) RACM/RACT; (6) RFP</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>San Juan, PR</td>
<td>(1) Attainment Demonstration; (2) Contingency Measures; (3) Emissions Inventory; (4) NNSR; (5) RACM/RACT; (6) RFP</td>
</tr>
</tbody>
</table>

WHEREAS, on October 8, 2020, EPA Principal Deputy Assistant Administrator for the Office of Air and Radiation signed findings of failure to submit SIPs required for attainment of the 2010 SO₂ NAAQS for the areas listed in Table 1, and the findings were published in the
Federal Register on November 3, 2020, Final Rule, 85 Fed. Reg. 69,504, 69,506-08 (Nov. 3, 2020). Claim 1 is therefore moot as to all areas and elements listed in Table 1.

WHEREAS, in Claim 2, Plaintiffs allege that EPA has failed to perform a duty mandated by CAA section 110(k)(2)-(4), 42 U.S.C. § 7410(k)(2)-(4), to take final action to approve or disapprove, in whole or in part, the 2010 SO2 NAAQS nonattainment SIP submitted by Alton Township, Illinois, see First Am. Compl. ¶¶ 45-51 (Dkt. No. 25) (“Claim 2”);

WHEREAS, in Claim 3, Plaintiffs allege that EPA has failed to perform a duty mandated by CAA section 179(c), 42 U.S.C. § 7509(c), to determine whether the areas and states listed below attained the 2010 SO2 NAAQS by the attainment date and publish the findings in the Federal Register, see First Am. Compl. ¶¶ 52-57 & Table 2 (Dkt. No. 25) (“Claim 3”):

<table>
<thead>
<tr>
<th>STATE</th>
<th>DESIGNATED AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Hayden (parts of Gila County and Pinal County)</td>
</tr>
<tr>
<td>Arizona</td>
<td>Miami (part of Gila County)</td>
</tr>
<tr>
<td>Indiana</td>
<td>Southwest Indiana (parts of Daviess County and Pike County)</td>
</tr>
<tr>
<td>Iowa</td>
<td>Muscatine (part of Muscatine County)</td>
</tr>
<tr>
<td>Louisiana</td>
<td>St. Bernard Parish</td>
</tr>
<tr>
<td>Michigan</td>
<td>Detroit (part of Wayne County)</td>
</tr>
<tr>
<td>Missouri</td>
<td>Jackson County (part)</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Sullivan County (part)</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Rhinelander (part of Oneida County)</td>
</tr>
</tbody>
</table>

WHEREAS, on February 22, 2021, EPA signed a final rule redesignating the Southwest Indiana nonattainment area, which includes a portion of Daviess County and a portion of Pike...
County, to attainment for the 2010 SO\textsubscript{2} NAAQS. Final Rule, 86 Fed. Reg. 12,107-08 (Mar. 2, 2021). Claim 3 as to Southwest Indiana is therefore moot;

WHEREAS, the relief requested in the First Amended Complaint includes, among other things, an order from this Court to establish a date certain by which EPA must fulfill its obligations, see First Am. Compl. at 15-16 (Dkt. No. 25);

WHEREAS, Plaintiffs and EPA have agreed to a settlement of this action without admission of any issue of fact or law, except as expressly provided herein;

WHEREAS, Plaintiffs and EPA, by entering into this Consent Decree (the “Consent Decree”), do not waive or limit any claim, remedy, or defense, on any grounds, related to any final EPA action;

WHEREAS, Plaintiffs and EPA consider this Consent Decree to be an adequate and equitable resolution of Claims 2 and 3 in this matter and therefore wish to effectuate a settlement;

WHEREAS, it is in the interest of the public, Plaintiffs, EPA, and judicial economy to resolve this matter without protracted litigation;

WHEREAS, Plaintiffs and EPA agree that this Court has jurisdiction over the matters resolved in this Consent Decree pursuant to the citizen suit provision in CAA section 304(a)(2), 42 U.S.C. § 7604(a)(2), and that venue is proper in the Northern District of California pursuant to 28 U.S.C. § 1391(e) and Civil L.R. 3-2(c)-(d); and

WHEREAS, the Court, by entering this Consent Decree, finds that the Consent Decree is fair, reasonable, in the public interest, and consistent with the CAA;

NOW THEREFORE, before the taking of testimony, without trial or determination of any issues of fact or law, and upon the consent of Plaintiffs and Defendant EPA, it is hereby ordered, adjudged and decreed that:

1. The appropriate EPA official shall:

   a. sign a notice of final rulemaking pursuant to CAA section 110(k)(2)-(4), 42 U.S.C. § 7410(k)(2)-(4), no later than March 1, 2022 to approve, disapprove, or conditionally approve, in full or in part, the nonattainment SIP that Alton Township, Illinois submitted to EPA
on December 3, 2018 containing the following elements: (1) Attainment Demonstration; (2) Contingency Measures; (3) Emissions Inventory; (4) RACT/RACM; and (5) RFP, for the 2010 SO₂ NAAQS for the elements of CAA sections 172(c) and 192, 42 U.S.C. §§ 7502(c) and 7514a;

b. sign a notice of final rulemaking pursuant to CAA section 179(c), 42 U.S.C. § 7509(c), determining whether the following areas attained the 2010 SO₂ NAAQS by the attainment date, i.e. April 4, 2019, no later than the dates indicated below:

<table>
<thead>
<tr>
<th>STATE</th>
<th>DESIGNATED AREA</th>
<th>DEADLINE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Hayden (parts of Gila County and Pinal County)</td>
<td>January 31, 2022</td>
</tr>
<tr>
<td>Arizona</td>
<td>Miami (part of Gila County)</td>
<td>January 31, 2022</td>
</tr>
<tr>
<td>Iowa</td>
<td>Muscatine (part of Muscatine County)</td>
<td>March 31, 2022</td>
</tr>
<tr>
<td>Louisiana</td>
<td>St. Bernard Parish</td>
<td>March 31, 2022</td>
</tr>
<tr>
<td>Michigan</td>
<td>Detroit (part of Wayne County)</td>
<td>January 31, 2022</td>
</tr>
<tr>
<td>Missouri</td>
<td>Jackson County (part)</td>
<td>March 31, 2022</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Sullivan County (part)</td>
<td>March 31, 2022</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Rhinelander (part of Oneida County)</td>
<td>January 31, 2022</td>
</tr>
</tbody>
</table>

2. If EPA redesignates an area from nonattainment to attainment for any nonattainment area listed above in Paragraph 1.b., then EPA’s obligation to take final action determining whether the nonattainment area attained the standard by the attainment date is automatically terminated and Plaintiffs’ claim as to that designated area is moot.

3. EPA shall, within fifteen (15) business days of signature, send the rulemaking package for each action taken pursuant to Paragraph 1 of this Consent Decree to the Office of the Federal Register for review and publication in the Federal Register.

4. After EPA has completed the actions set forth in Paragraph 1 of this Consent Decree, after notice of each final action required by Paragraph 3 have been published in the Federal Register, and the issue of costs of litigation (including reasonable attorney fees) has been resolved, EPA may move to have this Consent Decree terminated. Plaintiffs shall have fourteen
(14) days in which to respond to such motion, unless the parties stipulate to a longer time for
Plaintiffs to respond.

5. The deadlines established by this Consent Decree may be extended (a) by written
stipulation of Plaintiffs and EPA with notice to the Court, or (b) by the Court upon motion of
EPA for good cause shown pursuant to the Federal Rules of Civil Procedure and upon
consideration of any response by Plaintiffs and any reply by EPA. Any other provision of this
Consent Decree may also be modified by the Court following motion of an undersigned party for
good cause shown pursuant to the Federal Rules of Civil Procedure and upon consideration of
any response by a non-moving party and any reply.

6. If a lapse in EPA appropriations occurs within one hundred and twenty (120) days
prior to a deadline in Paragraph 1 or Paragraph 3 in this Consent Decree, that deadline shall be
extended automatically one day for each day of the lapse in appropriations. Nothing in this
Paragraph shall preclude EPA from seeking an additional extension of time through modification
of this Consent Decree pursuant to Paragraph 5.

7. Plaintiffs and EPA agree that Claim 1 is moot.

8. Plaintiffs and EPA agree that this Consent Decree constitutes a complete settlement of
Claims 2 and 3 as described in Paragraph 1.

9. In the event of a dispute between Plaintiffs and EPA concerning the interpretation or
implementation of any aspect of this Consent Decree, the disputing party shall provide the other
party with a written notice, via electronic mail or other means, outlining the nature of the dispute
and requesting informal negotiations. These parties shall meet and confer in order to attempt to
resolve the dispute. If these parties are unable to resolve the dispute within ten (10) business
days after receipt of the notice, either party may petition the Court to resolve the dispute.

10. No motion or other proceeding seeking to enforce this Consent Decree or for
contempt of Court shall be properly filed unless the procedure set forth in Paragraph 9 has been
followed, and the moving party has provided the other party with written notice received at least
ten (10) business days before the filing of such motion or proceeding.
11. The deadline for filing a motion for costs of litigation (including attorney fees) for activities performed prior to entry of the Consent Decree is hereby extended until ninety (90) days after this Consent Decree is entered by the Court. During this period, the parties shall seek to resolve any claim for costs of litigation (including attorney fees) or a stipulation or motion to extend the deadline to file such a motion. EPA reserves the right to oppose any such request. The Court shall retain jurisdiction to resolve any requests for costs of litigation, including attorney fees.

12. This Court shall retain jurisdiction over this matter to enforce the terms of this Consent Decree and to consider any requests for costs of litigation (including attorney fees).

13. Nothing in the terms of this Consent Decree shall be construed (a) to confer upon this Court jurisdiction to review any issues that are within the exclusive jurisdiction of the United States Court of Appeals under CAA section 307(b)(1), 42 U.S.C. § 7607(b)(1), including final action taken pursuant to section 110(k) of the CAA, section 42 U.S.C. § 7410(k), approving, disapproving, or approving in part and disapproving in part a SIP submittal, or (b) to waive any claims, remedies, or defenses that the parties may have under CAA section 307(b)(1), 42 U.S.C. § 7607(b)(1).

14. Nothing in this Consent Decree shall be construed to limit or modify any discretion accorded EPA by the CAA or by general principles of administrative law in taking the actions which are the subject of this Consent Decree, including the discretion to alter, amend, or revise any final actions promulgated pursuant to this Consent Decree. EPA’s obligation to perform each action specified in this Consent Decree does not constitute a limitation or modification of EPA’s discretion within the meaning of this paragraph.

15. Except as expressly provided herein, nothing in this Consent Decree shall be construed as an admission of any issue of fact or law nor to waive or limit any claim, remedy, or defense, on any grounds, related to any final action EPA takes with respect to the actions addressed in this Consent Decree.
16. Plaintiffs reserve the right to seek additional costs of litigation (including reasonable attorney fees) incurred subsequent to entry of this Consent Decree. EPA reserves the right to oppose any such request for additional costs of litigation (including attorney fees).

17. It is hereby expressly understood and agreed that this Consent Decree was jointly drafted by Plaintiffs and EPA. Accordingly, the parties hereby agree that any and all rules of construction to the effect that ambiguity is construed against the drafting party shall be inapplicable in any dispute concerning the terms, meaning, or interpretation of this Consent Decree.

18. The parties agree and acknowledge that before this Consent Decree can be finalized and entered by the Court, EPA must provide notice of this Consent Decree in the Federal Register and an opportunity for public comment pursuant to CAA section 113(g), 42 U.S.C. § 7413(g). After this Consent Decree has undergone notice and comment, the Administrator and/or the Attorney General, as appropriate, shall promptly consider any written comments in determining whether to withdraw or withhold their consent to the Consent Decree, in accordance with CAA section 113(g). If the Administrator and/or the Attorney General do not elect to withdraw or withhold consent, EPA shall promptly file a motion that requests that the Court enter this Consent Decree.

19. Any notices required or provided for by this Consent Decree shall be in writing, via electronic mail or other means, and sent to the following (or to any new address of counsel as filed and listed in the docket of the above-captioned matter, at a future date):

For Plaintiffs:

Ashley Bruner
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P.O. Box 1178
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Tel.: (928) 666-0731
Email: abruner@biologicaldiversity.org

Robert Ukeiley
Center for Biological Diversity
1536 Wynkoop St., Ste. 421
Denver, CO 80202
20. EPA and Plaintiffs recognize and acknowledge that the obligations imposed upon EPA under this Consent Decree can only be undertaken using appropriated funds legally available for such purpose. No provision of this Consent Decree shall be interpreted as or constitute a commitment or requirement that the United States obligate or pay funds in contravention of the Anti-Deficiency Act, 31 U.S.C. § 1341, or any other applicable provision of law.

21. If for any reason the Court should decline to approve this Consent Decree in the form presented, this agreement is voidable at the sole discretion of either party and the terms of the proposed Consent Decree may not be used as evidence in any litigation between the parties.

22. The undersigned representatives of Plaintiffs and EPA certify that they are fully authorized by the party they represent to consent to the Court’s entry of the terms and conditions of this Decree.

IT IS SO ORDERED on this 25th day of June, 2021.

[Signature]
EDWARD CHEN
UNITED STATES DISTRICT JUDGE
COUNSEL FOR PLAINTIFFS:

/s/ Ashley Bruner (email auth. 6/21/21)
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LUCY E. BROWN (HI Bar No. 10946)
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Email: lucy.e.brown@usdoj.gov

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