

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

SIERRA CLUB,)	Case No. 1:01CV01537
)	and Consolidated Cases
Plaintiff,)	
)	
v.)	Judge Paul L. Friedman
)	
LISA P. JACKSON, Administrator,)	
U.S. Environmental Protection Agency,)	
)	
Defendant.)	

**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 located at area sources or are less than 500 horsepower and located at major sources, the Administrator shall: (1) for existing engines that are compression-ignition engines, promulgate a final rule on or before

February 10, 2010; (2) for existing engines that are spark ignition engines, promulgate a final rule on or before August 10, 2010.

SO STIPULATED:

FOR PLAINTIFF

Date: November 9, 2009

/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: November 9, 2009

JOHN C. CRUDEN
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:

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