

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

UNITED REFINING COMPANY,

Plaintiff,

v.

MICHAEL REGAN,¹

Defendant.

Civil Action No. 20-cv-1956
Hon. Judge Boasberg

CONSENT MOTION TO ENTER CONSENT DECREE

Defendant Michael Regan, Administrator of United States Environmental Protection Agency (referred to as “EPA”) hereby moves this Court to enter the enclosed Consent Decree, attached as Ex. 1 to this motion. The parties’ last status report, which the Court adopted, stated that “[i]f the parties do not move for entry of a consent decree by April 1, 2021, they will submit another joint status report on such date.” ECF No. 8. Accordingly, EPA requests that the Court accept this motion in lieu of the status report due on April 1, 2021.

As the parties reported in their last status report, the Consent Decree was submitted for public comment in the Federal Register, pursuant to section 113(g) of the Clean Air Act, 42 U.S.C. § 7413(g). 86 Fed. Reg. 88 (Jan. 4, 2021). EPA has now completed the process for public notice and comment on the Consent Decree. Ten comments were received, some of which were deemed material. Upon consideration of these comments, the Administrator and the Department of Justice have determined not to withdraw or withhold consent to the Decree, subject to certain modifications that were made upon consent of the parties. Therefore, with the consent of Plaintiff

¹ Pursuant to Fed. R. Civ. P. 25(d), Michael Regan is automatically substituted in place of Jane Nishida.

United Refining Company and in accordance with Paragraph 15 of the Consent Decree, EPA respectfully requests that the Court enter the Consent Decree submitted with this motion.

Dated: March 31, 2021

Respectfully submitted,

/s/ Sarah Izfar
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