

**ORAL ARGUMENT NOT YET SCHEDULED****IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**


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SIERRA CLUB and  
ENVIRONMENTAL INTEGRITY  
PROJECT,

*Petitioners,*

v.

U.S. ENVIRONMENTAL  
PROTECTION AGENCY and  
MICHAEL REGAN, Administrator,  
U.S. Environmental Protection Agency,

*Respondents.*

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No. 22-1007

**STATUS REPORT**

Pursuant to the Court’s December 6, 2022, Order, Respondents U.S. Environmental Protection Agency and Administrator Michael Regan (“EPA”) file this status report:

1. Petitioners challenge EPA’s final action on its review of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Cyanide Chemicals Manufacturing source category, Docket ID EPA-HQ-OAR-2020-0532 (“Final CCM Rule”). This final action is contained within “National Emission Standards for Hazardous Air Pollutants: Carbon Black Production and Cyanide Chemicals Manufacturing Residual Risk and Technology Reviews, and Carbon

Black Production Area Source Technology Review,” 86 Fed. Reg. 66,096 (Nov. 19, 2021).

2. Petitioners also filed an administrative petition with EPA on January 18, 2022, seeking reconsideration of the Final CCM Rule.

3. On December 2, 2022, EPA granted Petitioners’ administrative petition for reconsideration.

4. EPA’s reconsideration process of the Final CCM Rule is ongoing, and EPA has not yet completed the agency proceedings.

5. The next status report is due on or about June 5, 2023.

Respectfully submitted,

*/s/ Daniel R. Dertke*

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*Counsel for Respondents*

Dated: March 8, 2023

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing STATUS REPORT was served on counsel of record this 8th day of March, 2023, through the Court's electronic case filing (ECF) system.

/s/ Daniel R. Dertke  
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