

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 21-1028****September Term, 2021****EPA-85FR87256****Filed On: September 21, 2021** [1914909]

State of New York, et al.,

Petitioners

v.

Environmental Protection Agency and  
Michael S. Regan, in his official capacity as  
Administrator of the United States  
Environmental Protection Agency,

Respondents

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American Chemistry Council, et al.,  
Intervenors  
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Consolidated with 21-1060, 21-1073

**ORDER**

Upon consideration of the motions for leave to intervene filed by: State of Mississippi, State of Missouri, State of Louisiana, State of Arkansas, State of Montana, State of Texas, American Forest & Paper Association, Chamber of Commerce of the United States of America, American Chemistry Council, American Petroleum Institute, American Wood Council, it is

**ORDERED** that the motions be granted.

Circuit Rules 28(d) and 32(e)(2) govern the filing of briefs by intervenors. A schedule for the filing of briefs will be established by future order. That order will automatically provide briefing only for intervenors on the side of respondents. Any intervenor(s) intending to participate in support of petitioners must so notify the court, in writing, within 14 days of the date of this order. Such notification must include a statement of the issues to be raised by the intervenor(s). This notification will allow tailoring of the briefing schedule to provide time for a brief as intervenor on the side of petitioners. Failure to submit notification could result in an intervenor being denied leave to file a brief.

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Intervenors supporting the same party are reminded that they **must** file a joint brief or certify to the court why a separate brief is necessary. Intervenors' attention is particularly directed to D.C. Circuit Handbook of Practice and Internal Procedures 39 (2021), which describes "unacceptable" grounds for filing separate briefs. Failure to comply with this order may result in the imposition of sanctions. See D.C. Cir. Rule 39.

**FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/

Laura M. Chipley  
Deputy Clerk