

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 03-1458

September Term, 2004

Filed On: January 13, 2005^[870750]

National Wildlife Federation, et al.,
Petitioners

v.

Environmental Protection Agency and Michael O. Leavitt,
Administrator, United States Environmental Protection
Agency,
Respondents

Cleveland-Cliffs, Inc. and United States Steel Corporation,
Intervenors

BEFORE: Edwards, Rogers, and Garland, Circuit Judges

ORDER

Upon consideration of the motion for a voluntary partial remand and the response thereto; the motion for deadlines for further agency action, the response thereto, and the reply, it is

ORDERED that the motion for a voluntary partial remand be granted and the motion for deadlines be denied. In declining to set deadlines for agency action at this time, the court takes note of respondents' stated intention to "act with all due speed to propose, take comment on, and issue a final rule" setting a standard for mercury emissions from taconite iron ore processing facilities. See Mot. at 4. See also 5/22/03 Revised Partial Consent Decree (memorializing respondent's agreement to promulgate emissions standards for taconite iron ore processing plants by February 27, 2004); 42 U.S.C. § 7412(e)(1)(E) (requiring respondent to establish hazardous air pollutant standards no later than November 15, 2000).

Pursuant to D. C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to issue a certified copy of this order to the agency in lieu of partial formal mandate.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY:

