

**United States Court of Appeals**

FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 21-1028****September Term, 2023****EPA-85FR87256****Filed On:** February 2, 2024

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  
-----American Chemistry Council, et al.,  
Intervenors  
-----

Consolidated with 21-1060, 21-1073

**BEFORE:** Katsas, Rao, and Garcia, Circuit Judges**ORDER**

Upon consideration of the unopposed motion for voluntary remand without vacatur, it is

**ORDERED** that the motion be granted and that this case be remanded to the Environmental Protection Agency for further proceedings.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to issue the mandate forthwith.

**Per Curiam****FOR THE COURT:**  
Mark J. Langer, ClerkBY: /s/  
Selena R. Gancasz  
Deputy Clerk