

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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	)	
IN THE MATTER OF:	)	
	)	R2024-017
PROPOSED CLEAN CAR AND	)	
TRUCK STANDARDS	)	(Rulemaking – Air)

NOTICE OF FILING

TO:

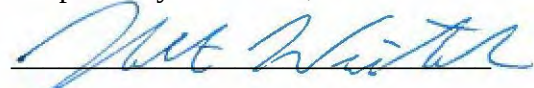
Don Brown Clerk of the Board Illinois Pollution Control Board 60 East Van Buren Street, Suite 630 Chicago, Illinois 60605 don.brown@illinois.gov	Vanessa Horton & Carlie Leoni Hearing Officers Illinois Pollution Control Board 60 East Van Buren Street, Suite 630 Chicago, Illinois 60605 Vanessa.Horton@Illinois.gov Carlie.Leoni@Illinois.Gov
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Please take notice that I have today filed with the Illinois Pollution Control Board the following documents: Rule Proponents' Status Report and Certificate of Service, a copy of which is served upon you.

Date: September 4, 2026

Respectfully submitted,



Robert A. Weinstock

(312) 503-1457

robert.weinstock@law.northwestern.edu

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RULE PROPONENTS' STATUS REPORT

Rule Proponents¹ submit this status report in accordance with the Board's September 18, 2025, Order (the "Stay Order"), in which the Board stayed this rulemaking and directed Rule Proponents to provide status reports every six months. Rule Proponents filed their first status report on March 5, 2026. The Board stayed this rulemaking proceeding "until the resolution of *State of California, et. al v. United States, et. al*, No. 4:25-cv-04966-HSG (N.D. Cal., filed June 12, 2025) or until the Board orders otherwise." Stay Order at 11.

The Board entered this stay to await the resolution of a challenge brought by eleven states—California, Colorado, Delaware, Massachusetts, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, and Washington—to the legality of three "Joint Resolutions of Congress 'disapproving' the ACC II, ACT and Low NOx waivers." Stay Order at 10. That litigation remains ongoing.

The plaintiff States in *California v. United States* filed their complaint on June 12, 2025. Defendants filed a motion to dismiss on November 17, 2025. The U.S. District Court for the Northern District of California heard oral argument on the motion to dismiss on February 19, 2026. On August 21 and 28, 2026, respectively, the plaintiff States and federal defendants filed a

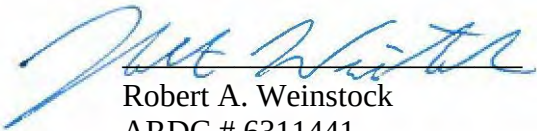
¹ "Rule Proponents" include the Sierra Club, Natural Resources Defense Council, Environmental Defense Fund, Respiratory Health Association, Chicago Environmental Justice Network, and Center for Neighborhood Technology.

joint stipulation to submit the U.S. Supreme Court's June 25, 2026 decision in *Mullin v. Doe*, 609 U.S. ___, 146 S. Ct. 2121 (2026) as supplemental authority and, with the District Court's permission, filed short, separate arguments addressing its implications. The District Court has not yet ruled on the motion to dismiss, which remains pending as of the date of this filing.

Rule Proponents' next status report will be filed on or before March 5, 2027.

Dated: September 4, 2026

Respectfully submitted,



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/s/

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*Counsel for Sierra Club, Natural
Resources Defense Council,
Environmental Defense Fund, and Center
for Neighborhood Technology*

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CERTIFICATE OF SERVICE

I, the undersigned, on affirmation state the following:

That I have served the attached Notice of Filing, Rule Proponents' Status Report, and Certificate of Service, by e-mail upon the following individuals listed at the e-mail addresses indicated:

TO:

Don Brown Clerk of the Board Illinois Pollution Control Board 60 East Van Buren Street, Suite 630 Chicago, Illinois 60605 don.brown@illinois.gov	Vanessa Horton & Carlie Leoni Hearing Officers Illinois Pollution Control Board 60 East Van Buren Street, Suite 630 Chicago, Illinois 60605 Vanessa.Horton@Illinois.gov Carlie.Leoni@Illinois.Gov
Renee Snow General Counsel Illinois Department of Natural Resources One Natural Resources Way Springfield, Illinois 62702-1271 renee.snow@illinois.gov	Caitlin Kelly Assistant Attorney General Office of the Attorney General 69 West Washington Street, Suite 1800 Chicago, Illinois 60602 Caitlin.Kelly@ilag.gov
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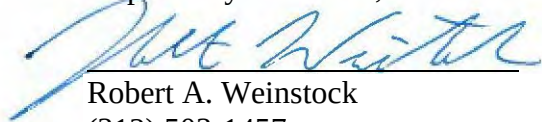
That my e-mail address is robert.weinstock@law.northwestern.edu.

That the number of pages in the e-mail transmission is 6.

That the e-mail transmission took place before 5:00 p.m. on the date of September 4, 2026.

Date: September 4, 2026

Respectfully submitted,



Robert A. Weinstock

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robert.weinstock@law.northwestern.edu