

UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT

IN THE

AUG - 2 2016

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FOR THE DISTRICT OF COLUMBIA CIRCUIT

FILED

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CLERK

**RECEIVED**

STATE OF WEST VIRGINIA;  
STATE OF ALABAMA;  
STATE OF ARIZONA;  
STATE OF KANSAS;  
COMMONWEALTH OF KENTUCKY;  
STATE OF LOUISIANA;  
ATTORNEY GENERAL BILL SCHUETTE,  
For the People of Michigan;  
STATE OF MONTANA;  
STATE OF OHIO;  
STATE OF OKLAHOMA;  
STATE OF SOUTH CAROLINA;  
STATE OF WISCONSIN;  
COMMONWEALTH OF KENTUCKY  
ENERGY AND ENVIRONMENT CABINET;  
and, STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL  
QUALITY;

Petitioners,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY;  
and, REGINA A. MCCARTHY, Administrator,  
United States Environmental Protection Agency;

Respondents.

**PETITION FOR REVIEW**

Case No. 16-1264

The States of West Virginia, Alabama, Arizona, Kansas, Louisiana, Montana, Ohio, Oklahoma, South Carolina, Wisconsin, and the Commonwealth of Kentucky, and Attorney General Bill Schuette for the People of Michigan, the Commonwealth of Kentucky Energy and Environment Cabinet, and the State of North Carolina Department of Environmental Quality hereby petition this Court, pursuant to Rule 15(a) of the Federal Rules of Appellate Procedure, Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), and 5 U.S.C. § 702, for review of the final rule of the U.S. Environmental Protection Agency published in the Federal Register at 81 Fed. Reg. 35,824 (June 3, 2016), titled “Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources.” This Court has jurisdiction, and is a proper venue for this action, under 42 U.S.C. § 7607(b)(1).

Petitioners will show that the final rule is in excess of the agency’s statutory authority and otherwise is arbitrary, capricious, an abuse of discretion and not in accordance with law. Accordingly, Petitioners ask the Court to hold unlawful and set aside the rule, and to order other such relief as may be appropriate. *See* 42 U.S.C. § 7607(d).

Dated: August 2, 2016

Respectfully submitted,

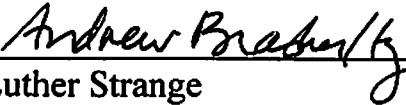


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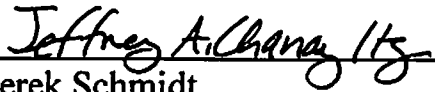
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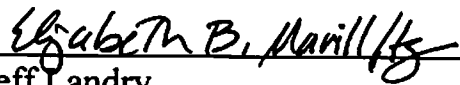
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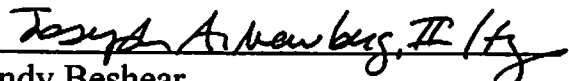
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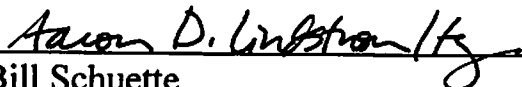
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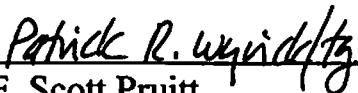
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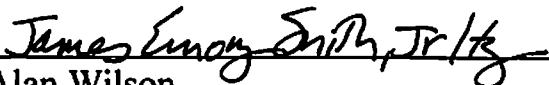
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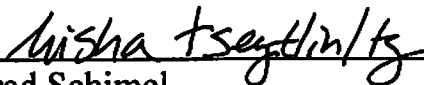
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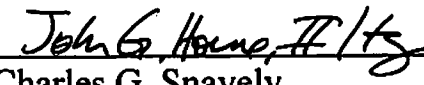
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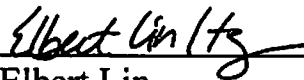
**CERTIFICATE OF SERVICE**

I hereby certify that I will cause to be served a true copy of the Petition for Review via U.S. mail on August 2, 2016, upon the following:

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