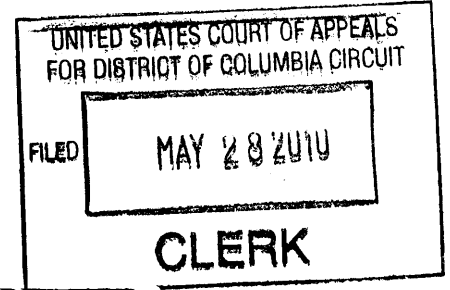


UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT

MAY 28 2010



RECEIVED THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

CENTER FOR BIOLOGICAL DIVERSITY,)

Petitioner,)

v.)

UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY)

Respondent.)

Case No.

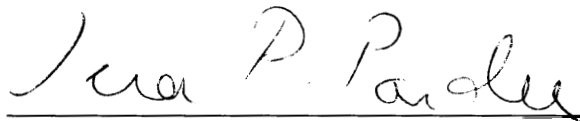
10-1115

ORIGINAL

PETITION FOR REVIEW

Pursuant to Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), the Center for Biological Diversity hereby petitions for review of the final action of respondent, the United States Environmental Protection Agency, published in the *Federal Register* at 75 Fed. Reg. 17004, *et seq.* on April 2, 2010, entitled “Reconsideration of Interpretation of Regulations That Determine Pollutants Covered by Clean Air Act Permitting Programs” and attached hereto.

Respectfully submitted this 27th day of May, 2010,

A handwritten signature in cursive script that reads "Vera P. Pardee". The signature is written in black ink and is positioned above a horizontal line.

Vera P. Pardee
Brendan R. Cummings
CENTER FOR BIOLOGICAL DIVERSITY
351 California Street, Suite 600
San Francisco, CA 94104
(415) 436-9682 x. 317

Attorneys for Petitioner

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

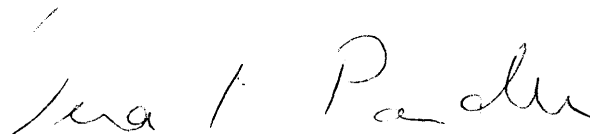
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UNITED STATES ENVIRONMENTAL)	
PROTECTION AGENCY)	
)	
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Respondent.)	
_____)	

RULE 26.1 DISCLOSURE STATEMENT

Pursuant to Fed. R. App. P. 26.1 and Circuit Rule 26.1, petitioner Center for Biological Diversity provides the following corporate disclosure statement:

The above-named petitioner is a not-for-profit organization organized under the laws of the State of New Mexico focused on the preservation, protection, and restoration of biodiversity, native species, ecosystems, public lands and waters, and public health. Petitioner’s core organizational missions include securing protection for species threatened by the impacts of

climate change, ensuring compliance with applicable law in order to reduce greenhouse emissions and other air pollution, and educating and mobilizing the public on climate change and air quality issues. Petitioner has members who are directly and adversely affected by the final action under review. Petitioner does not have any outstanding shares or debt securities in the hands of the public nor any parent, subsidiary, or affiliates that have issued shares or debt securities to the public.



Vera P. Pardee
Brendan R. Cummings
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351 California Street, Suite 600
San Francisco, CA 94104
(415) 436-9682 x. 317

Attorneys for Petitioner

Dated: May 27, 2010

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Petition for Review and accompanying Rule 26.1 Corporate Disclosure Statement today by personal service on:

Office of General Counsel
U.S. Environmental Protection Agency
12000 Pennsylvania Ave, N.W. (23 10A)
Washington, D.C. 20460

Honorable Lisa P. Jackson
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W., Mail Code 1101A
Washington, D.C. 20460

and that I served the same document by certified mail, return receipt requested, to:

Honorable Eric H. Holder, Jr.
Attorney General
U.S. Department of Justice
9th and Pennsylvania Ave, N.W.
Washington, D.C. 20530-0001

Environmental Defense Section
Environmental and Natural Resources Division
U.S. Department of Justice
P.O. **Box** 23986
Washington, D.C. 20026-3986

Dated: May 28, 2010


Bethany Cotton