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

AMERICAN LUNG ASSOCIATION, and AMERICAN PUBLIC HEALTH ASSOCIATION,	) )	
Petitioner,	)	
v.	) ) No. 19	)_
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, and ANDREW R. WHEELER, Administrator, United States Environmental Protection Agency,	) ) ) )	
Respondents.	) ) )	

### PETITION FOR REVIEW

Pursuant to Clean Air Act § 307(b)(1), 42 U.S.C. § 7607(b)(1), Federal Rule of Appellate Procedure 15, and D.C. Circuit Rule 15(a)(1), American Lung Association and American Public Health Association hereby petition this Court for review of the final action taken by Respondents United States Environmental Protection Agency and Andrew R. Wheeler, Administrator, United States Environmental Protection Agency, and entitled "Repeal of the Clean Power Plan; Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility

Generating units; Revisions to Emissions Guidelines Implementing Regulations," published at 84 Fed. Reg. 32,520 (July 8, 2019). A copy of EPA's final rule is attached as Attachment A.

**DATED:** July 8, 2019

- Em Pourster Wals

Ann Brewster Weeks Clean Air Task Force 114 State Street, 6th Floor Boston, MA 02109 617-359-4077 aweeks@catf.us

Attorney for Petitioners
American Lung Association and
American Public Health Association

#### **CERTIFICATE OF SERVICE**

I, Ann Brewster Weeks, hereby certify that the foregoing American Lung Association and American Public Health Association Petition for Review has been served by United States first-class mail, this the 8th day of July 2019, upon the following:

Andrew R. Wheeler, Administrator United States Environmental Protection Agency US EPA Headquarters William Jefferson Clinton Building – North 1200 Pennsylvania Avenue, N.W.

Mail Code: 1101A Washington, D.C. 20460

Office of General Counsel
United States Environmental Protection Agency Headquarters
William Jefferson Clinton Building – North
1200 Pennsylvania Avenue, N.W.

Mail Code: 2344A Washington, D.C. 20460

- Rom Pourster Weeks

Ann Brewster Weeks

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# RULE 26.1 STATEMENT OF PETITIONERS AMERICAN LUNG ASSOCIATION and AMERICAN PUBLIC HEALTH ASSOCIATION

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Petitioners American Lung Association and American Public Health Association make the following disclosures:

1. **American Lung Association:** The American Lung Association is a not-for-profit corporation organized under the laws of the State of Maine and incorporated under Section 501(c)(3) of the Internal Revenue Code. The American Lung Association's mission is to save lives by improving lung health and

preventing lung disease through education, advocacy and research. The American Lung Association works to protect public health from unhealthy air pollution by supporting the Clean Air Act and pressing the U.S. Environmental Protection Agency to ensure that all Americans have air that is safe and healthy to breathe. This includes encouraging more protective limits on ozone and particle pollution, reducing power plant carbon dioxide emissions, and cleaner gasoline and vehicle standards. The American Lung Association has no parent companies, and no publicly held company has a 10% or greater ownership interest in the American Lung Association.

2. American Public Health Association: The American Public Health Association (APHA) is incorporated in Massachusetts and headquartered in Washington, DC. APHA has 54 state and regional Affiliates representing all 50 states, the District of Columbia and Puerto Rico. APHA is recognized as a not-for-profit corporation under section 501(c)(3) of the United States Internal Revenue Code. The American Public Health Association champions the health of all people and all communities. We represent more than 23,000 individual members and strengthen the public health profession. We speak out for public health issues and policies backed by science. We are the only organization that combines a nearly 150-year perspective, a broad-based member community and the ability to influence federal policy to improve the public's health. APHA has long advocated

in support of the Clean Air Act, including as a tool to combat climate change and

for strong public health protections from ozone and other dangerous air pollutants.

The American Public Health Association has no parent companies, and no publicly

held company has a 10% or greater ownership interest in the American Public

Health Association.

- Rom Pourster Weeks

Ann Brewster Weeks

Clean Air Task Force

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Attorney for Petitioners

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American Public Health Association

Dated: July 8, 2019

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