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

STATE OF TEXAS and TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, Petitioners,

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY and MICHAEL S. REGAN, in his official capacity as Administrator of the United States Environmental Protection Agency, Respondents.

Case No. 24-1052

Filed: 03/06/2024

## PETITION FOR REVIEW

In accordance with the Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), 5 U.S.C. § 702. Federal Rule of Appellate Procedure 15(a), and D.C. Circuit Rule 15, Petitioners the State of Texas and the Texas Commission on Environmental Quality petition this Court for review of Respondents United States Environmental Protection Agency and Administrator Michael S. Regan's final action entitled **Reconsideration of** the National Ambient Air Quality Standards for Particulate Matter, 89 Fed. Reg. 16,202 (March 6, 2024) ("Final Rule"). Notice of the Final Rule was published in the Federal Register on March 6, 2024, a copy of which is attached to this filing as Attachment 1.

Jurisdiction and venue for this petition are proper in this Court under 42 U.S.C. § 7607(b)(1). This petition for review is timely filed within 60 days of

the date of publication of the Final Rule in the Federal Register. *Id.* 

Respectfully submitted,

KEN PAXTON Attorney General of Texas

BRENT WEBSTER First Assistant Attorney General

JAMES LLOYD Deputy Attorney General for Civil Litigation

Filed: 03/06/2024

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Counsel for Petitioners State of Texas and Texas Commission on Environmental Quality In accordance with Federal Rule of Appellate Procedure 15(c), I certify that I have caused the foregoing documents to be served by United States first-class mail, on March 6, 2024, upon the following:

The Honorable Merrick B. Garland Attorney General of the United States U.S. Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530

Todd Kim Assistant Attorney General U.S. Department of Justice Environment and Natural Resources Division 950 Pennsylvania Avenue, NW Washington, DC 20530

Correspondence Control Unit Office of General Counsel (2311) U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington DC 20460 Michael S. Regan, Administrator U.S. Environmental Protection Agency Office of the Administrator Mail Code 1101A 1200 Pennsylvania Avenue, NW Washington, DC 20460

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/s/ J. Amber Ahmed
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Assistant Attorney General