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No. 24-1133

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

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WARREN PETERSEN, President of the Arizona State Senate,

BEN TOMA, Speaker of the Arizona House of Representatives, and

ARIZONA TRUCKING ASSOCIATION,

*Petitioners,*

v.

U.S. ENVIRONMENTAL PROTECTION AGENCY, and

MICHAEL S. REGAN, in his official capacity as Administrator of the U.S.  
Environmental Protection Agency,

*Respondents.*

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**PETITION FOR REVIEW**

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President of the Arizona State Senate Warren Petersen, Speaker of the Arizona House of Representatives Ben Toma, and the Arizona Trucking Association petition this Court for review of the final agency action of the U.S. Environmental Protection Agency and Administrator Michael S. Regan, “Greenhouse Gas Emissions Standards for Heavy-Duty Vehicles—Phase 3,” published on April 22, 2024 at 89 Fed. Reg. 29,440. The final rule exceeds EPA’s statutory authority and is arbitrary,

capricious, an abuse of discretion, and otherwise not in accordance with law. Petitioners respectfully request that this Court declare EPA's final action unlawful and vacate it.

This petition is filed in this Court in accordance with 42 U.S.C. § 7607(b)(1), Federal Rule of Appellate Procedure 15(a), and D.C. Circuit Rule 15(a). EPA's action is attached to this petition.

Dated: May 15, 2024

Respectfully submitted,

JAMES OTIS LAW GROUP, LLC

/s/ Justin D. Smith

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*Attorneys for Petitioners*

**CERTIFICATE OF SERVICE**

I certify that I have caused a true and correct copy of this Petition to be served on the following Respondents by U.S. Mail on May 15, 2024:

Michael S. Regan, Administrator  
U.S. Environmental Protection Agency  
Office of the Administrator  
Mail Code 1101A  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

Correspondence Control Unit  
Office of General Counsel  
U.S. Environmental Protection Agency  
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1200 Pennsylvania Avenue NW  
Washington, DC 20460

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

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Assistant Attorney General  
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/s/ Justin D. Smith