

**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

RAINBOW ENERGY CENTER, LLC,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, and JAMES
PAYNE, Acting Administrator, United
States Environmental Protection Agency,

Respondents.

FILED

**JANUARY 31, 2025
U.S. Court of Appeals
Eighth Circuit – St. Paul, MN**

PETITION FOR REVIEW

No. **25-1202**

RECEIVED

**JANUARY 31, 2025
U.S. Court of Appeals
Eighth Circuit – St. Paul, MN**

Pursuant to 42 U.S.C. § 7607(b)(1), 5 U.S.C. §§ 701–06, and Federal Rule of Appellate Procedure 15, Rainbow Energy Center, LLC petitions for review of the United States Environmental Protection Agency’s and Acting Administrator James Payne’s rulemaking entitled *Air Plan Partial Approval and Partial Disapproval; North Dakota; Regional Haze State Implementation Plan for the Second Implementation Period*, 89 Fed. Reg. 95,126 (Dec. 2, 2024). Petitioner has attached a copy of that final rule.

DATED: January 31, 2025

/s/ Allison Mallick

Allison Watkins Mallick

Baker Botts L.L.P.

101 California St.

Suite 3200

San Francisco, CA 94111

(415) 291-6269

*Attorney for Rainbow Energy Center,
LLC*

**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

RAINBOW ENERGY CENTER, LLC,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, and JAMES
PAYNE, Acting Administrator, United
States Environmental Protection Agency,

Respondents.

PETITION FOR REVIEW

No. _____

CORPORATE DISCLOSURE STATEMENT

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure, and Eighth Circuit Rule 26.1A, Rainbow Energy Center, LLC (“Rainbow”) submits the following required Disclosure Statement:

Rainbow, a North Dakota limited liability company, is a wholesale power generation company headquartered in Bismarck, North Dakota. Rainbow is a wholly owned subsidiary of REMC Assets, LP, a North Dakota limited partnership. REMC Group, LLC, a North Dakota limited liability company, holds the 1% general partner controlling interest in REMC Assets, LP. No publicly held corporation has a 10% or greater ownership interest in REMC Assets, LP or in REMC Group, LLC.

DATED: January 31, 2025

/s/ Allison Mallick

Allison Watkins Mallick

Baker Botts L.L.P.

101 California St.

Suite 3200

San Francisco, CA 94111

(415) 291-6269

*Attorney for Rainbow Energy Center,
LLC*

CERTIFICATE OF SERVICE

I certify that on January 31, 2025, I caused a true and correct copy of the foregoing Petition for Review and Corporate Disclosure Statement to be served by Certified Mail, return receipt requested, addressed to the following:

Hon. James Payne
Office of the Administrator (1101A)
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Hon. Merrick Garland
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Correspondence Control Unit
Office of General Counsel (2310A)
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

/s/ Allison Mallick
Allison Watkins Mallick
Baker Botts L.L.P.
101 California St.
Suite 3200
San Francisco, CA 94111
(415) 291-6269

*Attorney for Rainbow Energy Center,
LLC*