

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

SALT RIVER AGRICULTURAL
IMPROVEMENT AND POWER
DISTRICT and TUCSON ELECTRIC
POWER COMPANY,

Petitioners,

v.

No. _____

U.S. ENVIRONMENTAL
PROTECTION AGENCY and LEE
MICHAEL ZELDIN, Administrator,
U.S. ENVIRONMENTAL
PROTECTION AGENCY,

Respondents.

PETITION FOR REVIEW

Pursuant to Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7606(b)(1), the Administrative Procedure Act, 5 U.S.C. § 702, Federal Rule of Appellate Procedure 15(a), and 9th Cir. R. 15-1, Salt River Agricultural Improvement and Power District (“SRP”) and Tucson Electric Power Company (“TEP”) hereby petition this Court for review of the final rule of respondents United States Environmental Protection Agency (“EPA”) and Lee Michael Zeldin, EPA Administrator, entitled “Partial Approval and Disapproval of Air Quality

Implementation Plans; Arizona; Regional Haze State Implementation Plan for the Second Implementation Period and Prong 4 (Visibility) for the 2015 Ozone and 2012 Particulate Matter Standards,” published in the Federal Register at 89 Fed. Reg. 102,744 (Dec. 18, 2024). A copy of EPA’s final rule is attached as Exhibit A. This Court has jurisdiction, and is the proper venue for this action, under 42 U.S.C. § 7607(b)(1) because SRP and TEP are petitioning for review of an implementation plan promulgated under 42 U.S.C. § 7410 that is applicable only to Arizona.

DATED: February 14, 2025

Respectfully submitted,

s/ Aaron M. Flynn

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CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and Circuit Rule 26.1, Petitioners Salt River Project Agricultural Improvement and Power District (“SRP”) and Tucson Electric Power Company (“TEP”) state as follows:

SRP is an Arizona agricultural improvement district established pursuant to Title 48, Chapter 17, of the Arizona Revised Statutes. It is a political subdivision of the State of Arizona.

TEP is a direct, wholly-owned subsidiary of UNS Energy Corporation (“UNS Energy”). TEP and UNS Energy are each incorporated in Arizona and have no publicly traded stocks; TEP does have publicly traded debt. UNS Energy is a direct, wholly-owned subsidiary of FortisUS Inc., which is a direct, wholly-owned subsidiary of FortisUS Holdings, Nova Scotia Limited, which is a direct, wholly-owned subsidiary of Fortis Inc. (the ultimate parent company), a Canadian corporation which is publicly traded on the Toronto Stock Exchange and New York Stock Exchange (symbol: FTS).

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Agricultural Improvement and Power

District and Tucson Electric Power

Company

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing

Petition for Review to be served by U.S. mail to the following:

Hon. Lee Michael Zeldin
Administrator of the U.S. Environmental Protection Agency
Office of the Administrator (1101A)
United States Environmental
Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Hon. Pamela Bondi
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, NW
Washington, D.C. 20460

Office of General Counsel
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