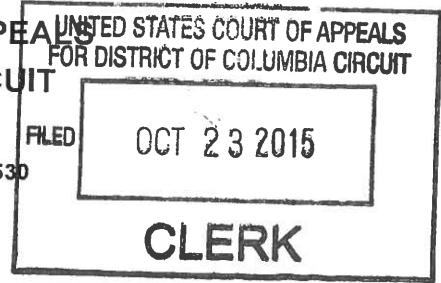


UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT

UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT

333 Constitution Avenue, NW  
Washington, DC 20001-2866  
Phone: 202-216-7000 | Facsimile: 202-219-8530



OCT 23 2015

RECEIVED

Case Caption: National Ass'n of Home Builders  
Petitioner

v.

Case Number: 15-1379

United States EPA, et al.  
Respondent

PETITION FOR REVIEW OF AN AGENCY, BOARD, COMMISSION, OR OFFICER

Notice is hereby given this the 23rd day of October 20 15 that petitioner(s)  
National Ass'n of Home Builders hereby petitions the United States Court of Appeals for the District  
of Columbia Circuit for review of the order of the respondent(s) United States EPA, et al. entered  
the 23rd day of October 20 15.

Attorney for Petitioner(s)/Pro Se Party,

Megan H. Berge

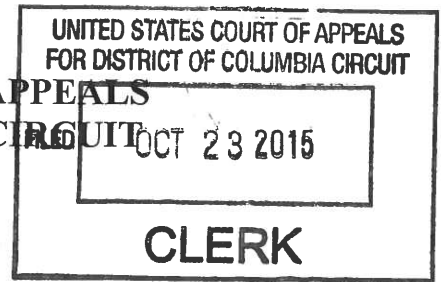
William M. Bumpers

Address: 1299 Pennsylvania Ave., NW

Washington, DC 20004

Telephone: (202) 639-7700

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



\_\_\_\_\_)  
 NATIONAL ASSOCIATION OF )  
 HOME BUILDERS (“NAHB”) )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 UNITED STATES ENVIRONMENTAL )  
 PROTECTION AGENCY, and )  
 GINA MCCARTHY, Administrator, )  
 United States Environmental Protection )  
 Agency )  
 )  
 Respondent. )  
 \_\_\_\_\_)

No. 15-1379

**PETITION FOR REVIEW**

Pursuant to Rule 15 of the Federal Rules of Appellate Procedure, Circuit Rule 15, and Section 307(b) of the Clean Air Act, § 7607(b), the National Association of Home Builders (“NAHB”) hereby petitions this Court to review the final rule of respondents United States Environmental Protection Agency (“EPA”) and Gina McCarthy, EPA Administrator, entitled “*Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units.*” 80 Fed. Reg. 64,661 (Oct. 23, 2015) (“Final Rule”). A copy of the Final Rule is attached to this Petition.

October 23, 2015

Respectfully submitted,



---

Megan H. Berge  
William M. Bumpers  
Baker Botts L.L.P.  
1299 Pennsylvania Ave., NW  
Washington, DC 20004  
(202) 639-7700  
megan.berge@bakerbotts.com

*Counsel for National Association of  
Home Builders*


## CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of October, 2015, I caused a copy of the foregoing Petition for Review to be served by first-class mail, postage prepaid, on each of the following:

The Honorable Gina McCarthy  
Administrator  
U.S. EPA Headquarters  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, NW  
Mail Code 1101A  
Washington, DC 20460

The Honorable Loretta E. Lynch  
Attorney General of the United States  
U.S. Department of Justice  
Room 4400  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Avi Garbow  
General Counsel  
U.S. EPA Headquarters  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, NW  
Mail Code 2310A  
Washington, DC 20460

  
\_\_\_\_\_  
Megan H. Berge

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

|  |   |           |
|--|---|-----------|
| _____                                  | ) |           |
| NATIONAL ASSOCIATION OF                | ) |           |
| HOME BUILDERS (“NAHB”)                 | ) |           |
|  | ) |           |
| Petitioner,                            | ) |           |
|  | ) | No. _____ |
| v.                                     | ) |           |
|  | ) |           |
| UNITED STATES ENVIRONMENTAL            | ) |           |
| PROTECTION AGENCY, and                 | ) |           |
| GINA MCCARTHY, Administrator,          | ) |           |
| United States Environmental Protection | ) |           |
| Agency                                 | ) |           |
|  | ) |           |
| Respondent.                            | ) |           |
| _____                                  | ) |           |

**RULE 26.1 DISCLOSURE STATEMENT OF PETITIONER  
NATIONAL ASSOCIATION OF HOME BUILDERS (“NAHB”)**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner National Association of Home Builders (“NAHB”) makes the following declarations:

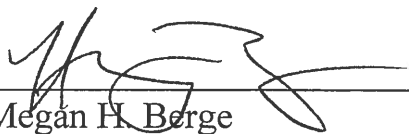
NAHB is a not-for-profit trade association organized under the laws of Nevada. NAHB does not have any parent companies that have a 10 percent (10 %) or greater ownership interest in NAHB. Further, there is no publicly-held company that has a 10 percent (10 %) or greater ownership interest in NAHB. NAHB has issued no shares of stock to the public. NAHB is comprised of approximately 800

state and local home builders associations with whom it is affiliated, but all of those associations are, to the best of NAHB's knowledge, nonprofit corporations that have not issued stock to the public.

NAHB's purpose is to promote the general commercial, professional, and legislative interests of its approximately 140,000 builder and associate members throughout the United States. NAHB's membership includes entities that construct and supply single-family homes, as well as apartment, condominium, multi-family, commercial, and industrial builders, land developers, and remodelers that will be affected by the United States Environmental Protection Agency's final rule entitled "*Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units.*" 80 Fed. Reg. 64,661 (Oct. 23, 2015) ("Final Rule"). A copy of the Final Rule is attached to this Rule 26.1 Disclosure Statement.

October 23, 2015

Respectfully submitted,



---

Megan H. Berge  
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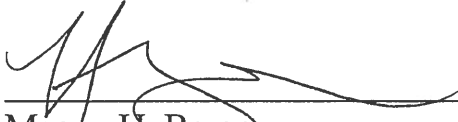
## CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of October, 2015, I caused a copy of the foregoing Rule 26.1 Disclosure Statement to be served by first-class mail, postage prepaid, on each of the following:

The Honorable Gina McCarthy  
Administrator  
U.S. EPA Headquarters  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, NW  
Mail Code 1101A  
Washington, DC 20460

The Honorable Loretta E. Lynch  
Attorney General of the United States  
U.S. Department of Justice  
Room 4400  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Avi Garbow  
General Counsel  
U.S. EPA Headquarters  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, NW  
Mail Code 2310A  
Washington, DC 20460

  
Megan H. Berge

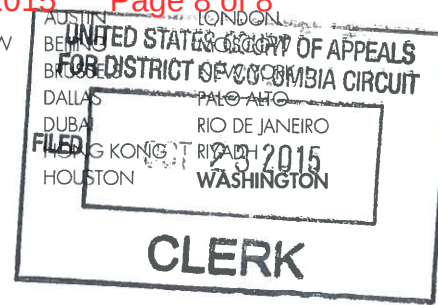
**BAKER BOTTS** LLP  
UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT

OCT 23 2015

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October 23, 2015

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VIA HAND DELIVERY

15-1379

Mark Langer  
Clerk  
United States Court of Appeals for the District of Columbia Circuit  
United States Courthouse  
333 Constitution Avenue, NW  
Washington, DC 20001-2866

Re: Carbon Pollution Emission Guidelines for Existing Stationary Sources:  
Electric Utility Generating Units. 80 Fed. Reg. 64,661 (Oct. 23, 2015)

Dear Mr. Langer:

On behalf of our client, National Association of Home Builders (“NAHB”), I have enclosed for filing an original and four copies of a Petition for Review and a Rule 26.1 Disclosure Statement. I have also enclosed an extra copy of each document to be stamped and returned to our representative.

Thank you for your attention to this matter.

Respectfully,

Megan H. Berge

*Counsel for National Association of Home Builders*

Enclosures