

UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT

NOV 25 2015

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NEWMONT NEVADA ENERGY)
INVESTMENT, LLC, and)
NEWMONT USA LIMITED,)

Petitioner,)

Case No. 15-1432

v.)

U.S. ENVIRONMENTAL PROTECTION)
AGENCY and GINA MCCARTHY,)
Administrator, U.S. EPA,)

Respondents.)

ORIGINAL

PETITION FOR REVIEW

Pursuant to Rule 15(a) of the Federal Rules of Appellate Procedure, Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), and Section 702 of the Administrative Procedure Act, 5 U.S.C. § 702, Newmont Nevada Energy Investment, LLC and Newmont USA Limited hereby petition this Court for review of the final rule of the United States Environmental Protection Agency published in the Federal Register at 80 Fed. Reg. 64,662 (Oct. 23, 2015), entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility

Generating Units,” to be codified at 40 C.F.R. Part 60, Subpart UUUU. A copy of EPA’s final rule is attached to this petition.

This Court has jurisdiction and is proper venue for this action pursuant to 42 U.S.C. § 7607(b)(1).

Respectfully submitted this 25th day of
November, 2015.



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*Counsel for Newmont Nevada Energy
Investment, LLC and Newmont USA
Limited*

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PROTECTION AGENCY)
and GINA MCCARTHY,)
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RULE 26.1. CORPORATE DISCLOSURE STATEMENT

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1 of the Rules of this Court, Newmont Nevada Energy Investment, LLC and Newmont USA Limited declare as follows:

Newmont Nevada Energy Investment, LLC is a wholly-owned subsidiary of Newmont USA Limited and is the owner and operator of the TS Power Plant, a 242 MW coal-fired power plant located in Eureka County, Nevada, which provides power to Newmont USA Limited's mining operations. No other publicly

held corporation owns 10% or more of the stock of Newmont Nevada Energy Investment, LLC.

Newmont USA Limited owns and operates 11 surface gold and copper mines, eight underground mines, and 13 processing facilities in Nevada that are served by the TS Power Plant. Newmont USA Limited is a wholly owned subsidiary of Newmont Mining Corporation and no other publicly held corporation owns 10% or more of its stock.

Respectfully submitted this 25th day
of November, 2015.

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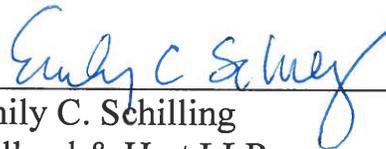
CERTIFICATE OF SERVICE

I hereby certify that I will cause to be served a true copy of the foregoing
Petition for Review and Corporate Disclosure Statement via U.S. certified mail
upon the following:

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

Hon. Loretta E. Lynch
Attorney General of the United States
United States Department of Justice
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Nevada Energy Investment, LLC and
Newmont USA Limited*

Dated: November 25, 2015