

DEC 14 2015

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

THE NORTH AMERICAN COAL
CORPORATION

Petitioner,

No. 15-1451

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY and REGINA
McCARTHY, Administrator, United States
Environmental Protection Agency

Respondents.

ORIGINAL

PETITION FOR REVIEW

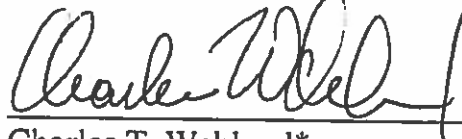
Pursuant to Rule 15(a) of the Federal Rules of Appellate Procedure, Circuit Rule 15, Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), and Section 702 of the Administrative Procedure Act, 5 U.S.C. § 702, Petitioner The North American Coal Corporation (“NACoal”) seeks review of the United States Environmental Protection Agency’s (“EPA”) final rule entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating

Units,” 80 Fed. Reg. 64662 (Oct. 23, 2015) (“Final Rule”). This Petition is timely filed within 60 days of the date of publication of the Final Rule in the Federal Register. *See* 42 U.S.C. § 7607(b)(1). This Court has jurisdiction and is a proper venue for this action. *See id.*

The Final Rule is arbitrary, capricious, and an abuse of EPA’s discretion. The Final Rule exceeds the limitations of EPA’s statutory authority and the United States Constitution. NACoal respectfully requests that this Court set aside the Final Rule, and order such other relief as this Court deems appropriate.

A copy of the Final Rule is attached to this Petition as Exhibit A.

Respectfully submitted,



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