

IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

FILED

NOV 22 2016

MICHAEL GANS
CLERK OF COURT

STATE OF ARKANSAS)

Petitioner)

v.)

U.S. ENVIRONMENTAL)
PROTECTION AGENCY and)
GINA MCCARTHY, in her)
Official capacity as Administrator)
of the United States Environmental)
Protection Agency)

Respondents)

Case No. 16-4270

PETITION FOR REVIEW

Pursuant to Section 307 of the Clean Air Act, 42 U.S.C 7607, and Rule 15 of the Federal Rules of Appellate Procedure, the State of Arkansas hereby petitions this Court for review of the final rule promulgated by the United States Environmental Protection Agency and Gina McCarthy, in her official capacity as Administrator thereof, entitled "Promulgation of Air Quality Implementation Plans; State of Arkansas; Regional Haze and Interstate Visibility Transport Federal

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Implementation Plan; Final Rule,” 81 Fed. Reg. 66332 (Sept. 27, 2016).

A copy of the Final Rule is attached as Exhibit A.

Pursuant to 42 U.S.C. 7607(b), jurisdiction and venue for this petition are proper in this Court. This petition for review is timely filed within sixty days of the date of publication in the Federal Register.

Respectfully submitted,

LESLIE RUTLEDGE
Attorney General

NICHOLAS J. BRONNI
Deputy Solicitor General
Lead Counsel

SARAH PAGE TACKER
Deputy Attorney General

JAMIE L. EWING
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November 22, 2016

IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

STATE OF ARKANSAS,)
)
Petitioners,)
) **Civil Action No.** _____
v.)
)
U.S. ENVIRONMENTAL PROTECTION)
AGENCY; REGINA McCARTHY, in her)
Official capacity as Administrator of the)
U.S. Environmental Protection Agency,)
)
Respondents.)

AFFIDAVIT OF SERVICE BY MAIL

STATE OF ARKANSAS)
) ss.
COUNTY OF PULASKI)

Jamie Ewing states under oath as follows:

I swear and affirm upon penalty of perjury that the statements made in this affidavit are true and correct.

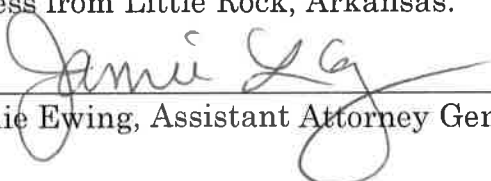
I am of legal age and on the 21st day of November, 2016, I served the following **PETITION FOR REVIEW OF FINAL AGENCY ACTION** upon the following by placing a true and correct copy thereof in an envelope addressed as follows:

Regina McCarthy, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Room 3000 South
Washington, DC 20004

Loretta E. Lynch
U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Avi Garbow, General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Room 4000
Washington, DC 20004

and forwarding the same via Federal Express from Little Rock, Arkansas.



Jamie Ewing, Assistant Attorney General

Subscribed and sworn to before me
This 21st day of November, 2016



Notary Public

