



Jurisdiction and venue for this petition are proper in this Court under 42 U.S.C. § 7607(b)(1). This petition for review is timely filed within 60 days of the date of publication of the Final Rule in the Federal Register. *Id.*

Respectfully submitted,

KEN PAXTON  
Attorney General of Texas

BRENT WEBSTER  
First Assistant Attorney General

JAMES LLOYD  
Deputy Attorney General for Civil Litigation

KELLIE E. BILLINGS-RAY  
Chief, Environmental Protection Division

/s/ J. Amber Ahmed  
J. AMBER AHMED  
Assistant Attorney General  
Texas Bar No. 24080756  
amber.ahmed@oag.texas.gov

CLAYTON SMITH  
Assistant Attorney General  
Texas Bar No. 24091234  
*Application to D.C. Circuit pending*  
clayton.smith@oag.texas.gov

Office of the Attorney General of Texas  
Environmental Protection Division  
P.O. Box 12548, MC 066  
Austin, Texas 78711-2548  
Tel: (512) 971-0139  
Fax: (512) 320-0911

*Counsel for Petitioners State of Texas and  
Texas Commission on Environmental  
Quality*

### Certificate of Service

In accordance with Federal Rule of Appellate Procedure 15(c), I certify that I have caused the foregoing documents to be served by United States first-class mail, on March 6, 2024, upon the following:

The Honorable Merrick B. Garland  
Attorney General of the United  
States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Todd Kim  
Assistant Attorney General  
U.S. Department of Justice  
Environment and Natural Resources  
Division  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Correspondence Control Unit  
Office of General Counsel (2311)  
U.S. Environmental Protection  
Agency  
1200 Pennsylvania Avenue, NW  
Washington DC 20460

Michael S. Regan, Administrator  
U.S. Environmental Protection  
Agency  
Office of the Administrator  
Mail Code 1101A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

/s/ J. Amber Ahmed

J. AMBER AHMED

Assistant Attorney General