

No. 24-1129

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

STATE OF NEBRASKA, STATE OF ALABAMA, STATE OF ALASKA,
STATE OF ARKANSAS, STATE OF FLORIDA, STATE OF GEORGIA,
STATE OF IDAHO, STATE OF INDIANA, STATE OF IOWA, STATE OF
KANSAS, COMMONWEALTH OF KENTUCKY, STATE OF LOUISIANA,
STATE OF MISSISSIPPI, STATE OF MISSOURI, STATE OF MONTANA,
STATE OF OKLAHOMA, STATE OF SOUTH CAROLINA, STATE OF
SOUTH DAKOTA, STATE OF TENNESSEE, STATE OF TEXAS, STATE
OF UTAH, COMMONWEALTH OF VIRGINIA, STATE OF WEST
VIRGINIA, AND STATE OF WYOMING,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
AND MICHAEL S. REGAN, IN HIS OFFICIAL CAPACITY AS
ADMINISTRATOR OF THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY,

Respondents.

PETITION FOR REVIEW

Under 42 U.S.C. § 7607(b)(1), Federal Rule of Appellate Procedure 15, and D.C. Circuit Rule 15(a), the States of Nebraska, Alabama, Alaska, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, and Wyoming petition this Court for review of the final agency action taken by Respondents United States Environmental Protection Agency and

Michael S. Regan, in his official capacity as Administrator of the United States Environmental Protection Agency, titled “Greenhouse Gas Emissions Standards for Heavy-Duty Vehicles—Phase 3,” published at 89 Fed. Reg. 29,440 (April 22, 2024). A copy of the agency action is attached to this petition.

Petitioners will show that the final rule exceeds the agency’s statutory authority and otherwise is arbitrary, capricious, an abuse of discretion, and not in accordance with law. Petitioners thus ask that this Court declare unlawful and vacate the agency’s final action.

Dated: May 13, 2024

Respectfully submitted.

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I certify that on May 13, 2024, I served a copy of this Petition for Review by United States first-class mail on the following:

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