

FEB 16 2010

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

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THE NATIONAL ASSOCIATION
OF MANUFACTURERS,
AMERICAN PETROLEUM
INSTITUTE, BRICK INDUSTRY
ASSOCIATION, CORN REFINERS
ASSOCIATION, NATIONAL
ASSOCIATION OF HOME
BUILDERS, NATIONAL OILSEED
PROCESSORS ASSOCIATION,
NATIONAL PETROCHEMICAL
AND REFINERS ASSOCIATION,
and WESTERN STATES
PETROLEUM ASSOCIATION

Petitioners

v.

U.S. ENVIRONMENTAL
PROTECTION AGENCY and LISA
P. JACKSON, Administrator, U.S.
Environmental Protection Agency,

Respondents

No. 10-1044

PETITION FOR REVIEW

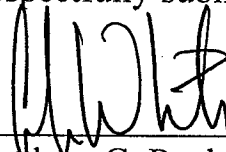
Pursuant to Rule 15 of the Federal Rules of Appellate Procedure and section 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), the National Association of Manufacturers, American Petroleum Institute, Brick Industry Association, Corn Refiners Association, National Association of Home Builders, National Oilseed

Processors Association, National Petrochemical and Refiners Association, and Western States Petroleum Association hereby petition the Court for review of a final action of respondents, the U.S. Environmental Protection Agency and Lisa P. Jackson, Administrator, U.S. Environmental Protection Agency, titled "Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act, Final Rule." 74 *Fed. Reg.* 66,496 (Dec. 15, 2009). The final rule, issued pursuant to section 202(a) of the Clean Air Act, 42 U.S.C. § 7521(a), established the EPA Administrator's position that greenhouse gas emissions from new motor vehicles and new motor vehicle engines cause or contribute to air pollution that is reasonably anticipated to endanger the public health and welfare.

Dated: February 16, 2010

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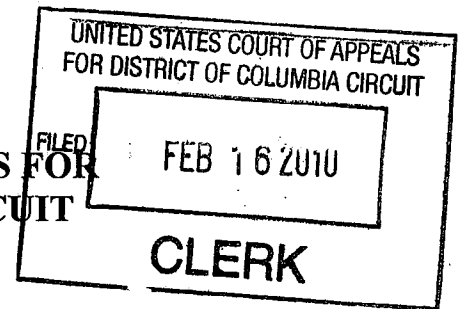
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Association, Corn Refiners Association,
National Association of Home Builders,
National Oilseed Processors
Association, National Petrochemical
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**PETITIONERS THE NATIONAL ASSOCIATION OF
MANUFACTURERS, AMERICAN PETROLEUM INSTITUTE, BRICK
INDUSTRY ASSOCIATION, CORN REFINERS ASSOCIATION,
NATIONAL ASSOCIATION OF HOME BUILDERS, NATIONAL
OILSEED PROCESSORS ASSOCIATION, NATIONAL
PETROCHEMICAL AND REFINERS ASSOCIATION, and WESTERN
STATES PETROLEUM ASSOCIATION**

RULE 26.1 STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Petitioners make the following Disclosures:

The National Association of Manufacturers (“NAM”) states that it is the nation’s largest industrial trade association, representing small and large manufacturers in every industrial sector and in all 50 states. The NAM’s mission is to enhance the competitiveness of manufacturers by shaping a legislative and regulatory environment conducive to U.S. economic growth and to increase understanding among policymakers, the media and the general public about the vital role of manufacturing to America’s economic future and living standards. The NAM has no parent company, and no publicly held company has a 10% or greater ownership interest in the NAM.

The American Petroleum Institute (“API”) states that it is a national trade association that represents all aspects of America’s oil and natural gas industry. API has approximately 400 members, from the largest major oil company to the smallest of independents, from all segments of the industry, including producers, refiners, suppliers, pipeline operators and marine transporters, as well as service and supply companies that support all segments of industry. API has no parent company, and no publicly held company has a 10% or greater ownership interest in API.

The Brick Industry Association (“BIA”) states that it is a national trade association representing small and large brick manufacturers and associated services. Founded in 1934, the BIA is the recognized national authority on clay brick construction, representing approximately 270 manufacturers, distributors, and suppliers that generate approximately \$9 billion annually in revenue and provide employment for more than 200,000 Americans. BIA has no parent company, and no publicly held company has a 10% or greater ownership interest in BIA.

The Corn Refiners Association (“CRA”) states that it is the national trade association representing the corn refining (wet milling) industry of the United States. CRA and its predecessors have served this important segment of American agribusiness since 1913. Corn refiners manufacture starches, sweeteners, corn oil, bioproducts (including ethanol), and animal feed ingredients. CRA has no parent company, and no publicly held company has a 10% or greater ownership interest in CRA.

The National Association of Home Builders (“NAHB”) states that it is a not-for-profit trade association organized for the purposes of promoting the general commercial, professional, and legislative interests of its approximately 175,000 builder and associate members throughout the United States. NAHB’s membership includes entities that construct and supply single family homes, as

well as apartment, condominium, multi-family, commercial and industrial builders, land developers and remodelers. NAHB does not have any parent companies that have a 10% or greater ownership interest in NAHB, and no publicly held company has a 10% or greater ownership interest in NAHB.

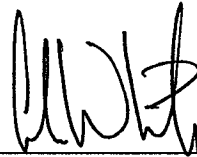
The National Oilseed Processors Association (“NOPA”) states that it is a national trade association that represents 16 companies engaged in the production of vegetable meals and oils from oilseeds, including soybeans. NOPA’s member companies process more than 1.7 billion bushels of oilseeds annually at 66 plants located throughout the country, including 61 plants that process soybeans. NOPA has no parent company, and no publicly held company has a 10% or greater ownership interest in NOPA.

The National Petrochemical and Refiners Association (“NPRA”) states that it is a national trade association whose members comprise more than 450 companies, including virtually all United States refiners and petrochemical manufacturers. NPRA’s members supply consumers with a wide variety of products and services that are used daily in homes and businesses. These products include gasoline, diesel fuel, home-heating oil, jet fuel, asphalt products, and the chemicals that serve as “building blocks” in making plastics, clothing, medicine, and computers. NPRA has no parent company, and no publicly held company has a 10% or greater ownership interest in NPRA.

The Western States Petroleum Association ("WSPA") states that it is headquartered in California and is a non-profit trade association that represents companies that account for the bulk of petroleum exploration, production, refining, transportation, and marketing in the six western states of Arizona, California, Hawaii, Nevada, Oregon, and Washington. WSPA has no parent company, and no publicly held company has a 10% or greater ownership interest in WSPA.

Dated: February 16, 2010

Respectfully submitted,



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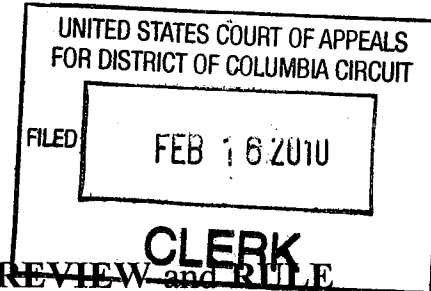
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CERTIFICATE OF SERVICE

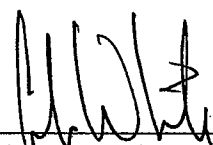


I hereby certify that the foregoing **PETITION FOR REVIEW** and **RULE 26.1 STATEMENT** have been served by United States first-class mail this 16th day of February 2010, upon each of the following:

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