

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

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SAN CARLOS APACHE TRIBE and)	
SIERRA CLUB,)	
)	
<i>Petitioners,</i>)	
)	
v.)	
)	Case No.24-1241
U.S. ENVIRONMENTAL)	
PROTECTION AGENCY and)	
MICHAEL S. REGAN, Administrator,)	
U.S. Environmental Protection Agency,)	
)	
<i>Respondents.</i>)	
)	
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PETITION FOR REVIEW

Pursuant to Clean Air Act § 307(b)(1), 42 U.S.C. § 7607(b)(1), Rule 15 of the Federal Rules of Appellate Procedure, and D.C. Circuit Rule 15, San Carlos Apache Tribe and Sierra Club (“Petitioners”) hereby petition this Court for review of a final action taken by Respondents U.S. Environmental Protection Agency and Administrator Michael S. Regan, published in the Federal Register at 89 Fed. Reg. 41,648 (May 13, 2024), and titled “National Emission Standards for Hazardous Air Pollutants: Primary Copper Smelting Residual Risk and Technology Review and Primary Copper Smelting Area Source Technology Review” (Attachment).

DATED: July 12, 2024

Respectfully submitted,

/s/ James S. Pew

James S. Pew

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*Counsel for San Carlos Apache Tribe
and Sierra Club*

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_____)

Case No.

RULE 26.1 DISCLOSURE STATEMENT

Pursuant to Federal Rules of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Sierra Club makes the following disclosures:

Sierra Club

Non-Governmental Corporate Party to this Action: Sierra Club.

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Sierra Club, a corporation organized and existing under the laws of the State of California, is a national nonprofit organization dedicated to the protection and enjoyment of the environment.

DATED: July 12, 2024

Respectfully submitted,

/s/ James Pew

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CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing **Petition for Review** and **Rule 26.1 Disclosure Statement** on Respondents by sending a copy to each of the following addresses on this 12th day of July, 2024.

Via Certified Mail, Return Receipt Requested:

Michael S. Regan, Administrator
Office of the Administrator (1101A)
Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Correspondence Control Unit
Office of General Counsel (2310A)
United States Environmental Protection Agency
William Jefferson Clinton Federal Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

/s/ James S. Pew
James S. Pew