

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

WAEV INC.,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent.

No. 24-1232

**PETITION FOR REVIEW**

Pursuant to Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), Rule 15 of the Federal Rules of Appellate Procedure, and Rule 15 of the Local Rules of this Court, Waev Inc. hereby petitions this Court for review of the final agency action taken by Respondent United States Environmental Protection Agency, entitled “Exclusion and Exemption of Motor Vehicles and Motor Vehicle Engines,” 39 Fed. Reg. 32,609 (Sept. 10, 1974). A copy of that final rule is attached here as Exhibit A.

This Court has jurisdiction over this Petition for Review pursuant to the “grounds arising after” clause of Section 307(b)(1). The ground arising more than 60 days after the challenged action appeared in the *Federal Register* is the Internal Revenue Service action entitled, “Clean Vehicle Credits Under Sections 25E and 30D; Transfer of Credits;

Critical Minerals and Battery Components; Foreign Entities of Concern,”  
89 Fed. Reg. 37,706 (May 6, 2024). A copy of that final rule is also  
attached here as Exhibit B.

Dated: July 3, 2024

Respectfully Submitted,

/s/ Justin A. Savage

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**RULE 26.1 STATEMENT**

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Waev Inc. provides the following corporate disclosure statement:

Waev is a privately held, Delaware corporation in the business of manufacturing, distributing, marketing and supporting electric vehicles including the GEM brand of Low-Speed Vehicles (LSVs), which are motor vehicles under federal law. Waev has no parent corporation, and no publicly held company has 10% or greater ownership interest in Waev.

Dated: July 3, 2024

Respectfully submitted,

/s/ Justin A. Savage

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**CERTIFICATE OF SERVICE**

Pursuant to Federal Rules of Appellate Procedure 3(d), 15(c), and 25, D.C. Circuit Rules 15(a) and 25, and 40 C.F.R. § 23.12(a), I hereby certify that I have caused the foregoing Petition for Review and Rule 26.1 Statement to be served by U.S. Mail, this 3rd day of July, upon each of the following:

Hon. Michael S. Regan, Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., N.W.  
Washington, DC 20460

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

Hon. Merrick B. Garland  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Ave., N.W.  
Washington, DC 20530

Hon. Todd Kim  
Assistant Attorney General  
Environmental and Natural Resources Division  
U.S. Department of Justice  
950 Pennsylvania Ave., N.W.  
Washington, DC 20530

Dated: July 3, 2024

Respectfully submitted,

/s/ Justin A. Savage

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