

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT  
OCT 28 2003  
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UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

COMMONWEALTH OF MASSACHUSETTS;  
STATES OF CONNECTICUT, ILLINOIS,  
MAINE, NEW JERSEY, NEW MEXICO,  
NEW YORK, OREGON, RHODE ISLAND,  
VERMONT, AND WASHINGTON;  
AMERICAN SAMOA GOVERNMENT; AND  
DISTRICT OF COLUMBIA,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent.

Docket No. 03- 03-1361

**PETITION FOR REVIEW**

Pursuant to Section 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), the Administrative Procedure Act, 5 U.S.C. §§ 701-06, and Rule 15(a) of the Federal Rules of Appellate Procedure, the petitioners listed above hereby petition the Court to review a final action of the United States Environmental Protection Agency ("EPA"). That final agency action, which was issued on August 28, 2003, and subsequently published at 68 Fed. Reg. 52922 (Sept. 8, 2003), denied a petition for rulemaking that had sought the regulation of emissions of greenhouse gases (including carbon dioxide, methane, nitrous oxide, and hydrofluorocarbons) from new motor

UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT

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No 03-1362

FOR THE DISTRICT OF COLUMBIA CIRCUIT

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ATTORNEY GENERAL

STATE OF CALIFORNIA

by and through GRAY DAVIS, GOVERNOR OF THE STATE OF CALIFORNIA,  
the CALIFORNIA AIR RESOURCES BOARD,  
and BILL LOCKYER, ATTORNEY GENERAL OF THE STATE OF CALIFORNIA,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

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Petition for Review of Decision  
of the United States Environmental Protection Agency

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**PETITION FOR REVIEW**

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Attorneys for Petitioner State of California

UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT

OCT 28 2003

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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INTERNATIONAL CENTER FOR TECHNOLOGY )  
ASSESSMENT, BLUEWATER NETWORK, )  
CENTER FOR BIOLOGICAL DIVERSITY, )  
CENTER FOR FOOD SAFETY, CONSERVATION )  
LAW FOUNDATION, ENVIRONMENTAL )  
ADVOCATES, ENVIRONMENTAL DEFENSE, )  
FRIENDS OF THE EARTH, GREENPEACE, )  
NATIONAL ENVIRONMENTAL TRUST, )  
NATURAL RESOURCES DEFENSE COUNCIL, )  
SIERRA CLUB, UNION OF CONCERNED )  
SCIENTISTS and US PUBLIC INTEREST )  
RESEARCH GROUP, )

No. 03- 03-1363

Petitioners,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent.

**PETITION FOR REVIEW**

Pursuant to Section 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), the Administrative Procedure Act, 5 U.S.C. §§ 701-706, and Rule 15(a) of the Federal Rules of Appellate Procedure, petitioners listed above hereby petition the Court to review a final action of the United States Environmental Protection Agency. This final agency action was issued on August 28, 2003, and subsequently published at 68 Fed. Reg. 52922 (September 8, 2003), and denied a petition for rulemaking that sought regulation of greenhouse gases from new motor vehicles and new motor vehicle engines pursuant to Section 202 of the Clean Air Act, 42 U.S.C. § 7521

Respectfully submitted,

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UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

CITY OF NEW YORK and MAYOR AND CITY  
COUNCIL OF BALTIMORE CITY,

Petitioners,

PETITION FOR REVIEW

Docket No. 03-03-1364

-against-

UNITED STATES ENVIRONMENTAL PROTECTION  
AGENCY,

Respondent.

PETITION FOR REVIEW

Pursuant to Section 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), the Administrative Procedure Act, 5 U.S.C. §§ 701-06, and Rule 15(a) of the Federal Rules of Appellate Procedure, the petitioners listed above hereby petition the Court to review a final action of the United States Environmental Protection Agency ("EPA"). That final agency action, which was issued on August 28, 2003, and subsequently published at 68 Fed. Reg. 52922 (Sept. 8, 2003), denied a petition for rulemaking that had sought the regulation of emissions of greenhouse gases (including carbon dioxide, methane, nitrous oxide, and hydrofluorocarbons) from new motor vehicles and engines pursuant to Section 202 of the Clean Air Act, 42 U.S.C. § 7521

Dated: New York, New York  
October 21, 2003

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 03-1361**

**September Term, 2003**

Commonwealth of Massachusetts, et al.,  
Petitioners

v.

Environmental Protection Agency,  
Respondent

Filed On:

UNITED STATES COURT OF APPEALS FOR DISTRICT OF COLUMBIA CIRCUIT FILED  OCT 29 2003  CLERK
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**No. 03-1362**

State of California, et al.,  
Petitioners

v.

Environmental Protection Agency,  
Respondent

**No. 03-1363**

International Center for Technology Assessment, et al.,  
Petitioners

v.

Environmental Protection Agency,  
Respondent

**No. 03-1364**

Mayor of Baltimore City, et al.,  
Petitioners

v.

Environmental Protection Agency,  
Respondent

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 03-1361**

**September Term, 2003**

**ORDER**

It is **ORDERED**, on the court's own motion, that the above-captioned cases be consolidated.

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: *Lisa M. English*  
Lisa M. English  
Deputy Clerk