

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

SIERRA CLUB, NATURAL RESOURCES )  
DEFENSE COUNCIL, ENVIRONMENTAL )  
DEFENSE FUND, CONSERVATION LAW )  
FOUNDATION, and INTERNATIONAL CENTER )  
FOR TECHNOLOGY ASSESSMENT, )  
 )  
Petitioners, )  
 )  
v. )  
 )  
UNITED STATES ENVIRONMENTAL )  
PROTECTION AGENCY, and STEPHEN L. )  
JOHNSON, ADMINISTRATOR )  
 )  
Respondents. )  
 )  
\_\_\_\_\_ )

No. \_\_\_\_\_

**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 December 19, 2007 decision of the Administrator of the United States Environmental Protection Agency. This final agency action denied the State of California's request for a waiver of federal preemption, pursuant to Section 209(b) of the Clean Air Act, for regulations limiting emissions of greenhouse gases from new motor vehicles and new motor vehicle engines.

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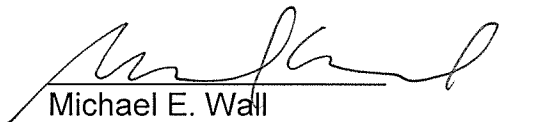
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick Gallagher", is written over a horizontal line. To the right of the signature, the letters "PDR" are written in a smaller, less legible hand.

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A handwritten signature in black ink, appearing to read "Michael E. Wall", is written over a horizontal line.

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*Attorney for International Center for  
Technology Assessment*

Dated: January 2, 2008

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the San Francisco Office of the Natural Resources Defense Council, 111 Sutter Street, 20<sup>th</sup> Floor, San Francisco, CA, 94104; is a person of such age and discretion to be competent to serve papers; is not a party to this lawsuit; and that on January 2, 2008, she served copies of the attached:

- Petition for Review
- Civil Appeals Docketing Statement, with attachments, including a copy of the final agency action that is the subject of the Petition for Review and a Representation Statement
- Corporate Disclosure Statement

by causing said copies to be placed in a prepaid or postpaid envelope addressed to the persons hereinafter named, at the places and addresses stated below, which are the last known addresses, and by either delivering said envelope to Federal Express for overnight delivery or depositing said envelope and contents in the United States Mail at San Francisco, California, or by e-mail, as stated below:

**Via U.S. First Class Mail:**

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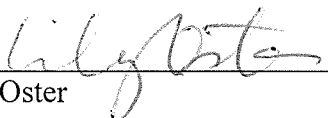
*Respondent*

On this same date, I am dispatching the original plus 9 copies of said materials to be delivered via Docket Rocket to the Clerk's Office at:

Office of the Clerk  
U.S. Court of Appeals, Ninth Circuit  
95 Seventh Street  
San Francisco, CA 94103

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: January 2, 2008

  
\_\_\_\_\_  
Lily Oster