

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

WESTMORELAND MINING HOLDINGS LLC,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

Case No. _____

PETITION FOR JUDICIAL REVIEW

Westmoreland Mining Holdings LLC petitions pursuant to 42 U.S.C. § 7607(b)(1), Federal Rule of Appellate Procedure 15, and Circuit Rule 15 for review of the final action taken by the United States Environmental Protection Agency on May 22, 2020, styled “National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units—Reconsideration of Supplemental Finding and Residual Risk and Technology Review.” 85 Fed. Reg. 31,286 (May 22, 2020). Westmoreland Mining Holdings LLC further petitions pursuant to 42 U.S.C. § 7607(b)(1), Federal Rule of Appellate Procedure 15, and Circuit Rule 15 for review of the following final actions taken by the United States Environmental Protection Agency based solely on grounds arising from the foregoing May 22, 2020, final action: “Regulatory Finding on the Emissions of Hazardous Air Pollutants From Electric Utility Steam Generating Units,” 65 Fed. Reg. 79,825 (Dec. 20, 2000);

“National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units,” 77 Fed. Reg. 9,304 (Feb 16, 2012); and “Supplemental Finding that it is Appropriate and Necessary to Regulate Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units,” 81 Fed. Reg. 24,420 (April 25, 2016).

Respectfully submitted,



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May 22, 2020

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CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and Circuit Rule 26.1, Westmoreland Mining Holdings LLC makes the following corporate disclosure:

Westmoreland Mining Holdings LLC has no parent corporation and no publicly held corporation owns 10% or more of its stock. The company has an extensive portfolio of coal mining operations in the United States and Canada.

Respectfully submitted,



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May 22, 2019


CERTIFICATE OF SERVICE

I hereby certify that the foregoing Petition for Judicial Review and Corporate Disclosure Statement will be served this day by United State first-class mail upon the following:

United States Environmental Protection Agency
Correspondence Control Unit
Office of General Counsel (2344A)
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Administrator Andrew R. Wheeler
United States Environmental Protection Agency
Office of the Administrator (1101A)
1200 Pennsylvania Ave., NW
Washington, D. C. 20460

Attorney General William P. Barr
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530



Robert D. Cheren

May 22, 2020