

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

STATE OF TEXAS and
THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY and
REGINA A. MCCARTHY, Administrator,
United States Environmental Protection Agency

Respondents.

Case No. _____

PETITION FOR REVIEW

In accordance with 5 U.S.C. § 702, 42 U.S.C. § 7607(b)(1), and Federal Rule of Appellate Procedure 15(a), petitioners the State of Texas and the Texas Commission on Environmental Quality hereby petition this Court for review of respondent United States Environmental Protection Agency's final action entitled "National Ambient Air Quality Standards for Ozone," 80 Fed. Reg. 65292 (October 26, 2015), a copy of which is enclosed with this filing. This Court has jurisdiction and is a proper venue for this action under 42 U.S.C. § 7607(b)(1).

Dated: December 22, 2015

Respectfully Submitted,

KEN PAXTON
Attorney General of Texas

CHARLES E. ROY
First Assistant Attorney General

PRISCILLA M. HUBENAK
Chief, Environmental Protection Division

CRAIG J. PRITZLAFF
Deputy Chief, Environmental Protection Division



MATTHEW B. MILLER
Assistant Attorney General

OFFICE OF THE ATTORNEY GENERAL OF TEXAS
ENVIRONMENTAL PROTECTION DIVISION
P.O. Box 12548, MC-066
Austin, Texas 78711-2548
Tel. (512) 463-2012
Fax (512) 320-0911
matt.miller@texasattorneygeneral.gov

COUNSEL FOR PETITIONERS

CERTIFICATE OF SERVICE

I hereby certify that I will cause to be served a true copy of the Petition for Review via U.S. mail on the 22nd day of December, 2015, upon the following:

Hon. Regina McCarthy
Office of the Administrator (1101A)
United States Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Hon. Loretta E. Lynch
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530-0001

Correspondence Control Unit
Office of General Counsel (2311)
United States Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460



Matthew B. Miller