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

AIR ALLIANCE HOUSTON, et al., Petitioners, v. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY and LEE ZELDIN, Administrator, U.S. Environmental Protection Agency, Respondents.	Case No. 25-1143

PETITION FOR REVIEW

Pursuant to Clean Air Act Section 7607(b)(1), 42 U.S.C. § 7607(b)(1); Federal Rule of Appellate Procedure 15(a); and D.C. Circuit Rule 15(a)(1), Air Alliance Houston, Center for Biological Diversity, Citizens for Pennsylvania's Future, Clean Air Council, Dakota Resource Council, Downwinders at Risk, Environmental Defense Fund, Environmental Integrity Project, Environmental Law & Policy Center, Montana Environmental Information Center, Natural Resources Defense Council, Inc., and Sierra Club hereby petition this Court for review of a final action taken by Respondents United States Environmental Protection Agency and Lee Zeldin, Administrator, United States Environmental Protection Agency, promulgating a list of electric generating units to which

Presidential Proclamation 10914, titled "Regulatory Relief for Certain Stationary Sources To Promote American Energy," would apply.

That final action, entitled "Annex I Stationary Sources List," was published by EPA on April 14, 2025, at https://www.epa.gov/system/files/documents/2025-04/regulatory-relief-for-certain-stationary-annex-1.pdf and subsequently published alongside Proclamation 10914 in the Federal Register on April 21, 2025, 90 Fed. Reg. 16779 (Annex I). A copy of EPA's final action is attached to this petition.

DATED: June 12, 2025

Respectfully submitted,

/s/ *Chloe H. Kolman*

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Petitioners,	)	
v.	)	Case No. 25-1143
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY and LEE ZELDIN, Administrator, U.S. Environmental Protection Agency,	)	
Respondents.	)	

RULE 26.1 DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Air Alliance Houston makes the following disclosures:

Non-Governmental Corporate Party to this Action: Air Alliance Houston

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Petitioner Air Alliance Houston is a nonprofit organization that works to improve air quality and public health through research, education, and advocacy. Air Alliance Houston's mission is to reduce the public health impacts of air pollution in Harris County and Houston, Texas, and the surrounding region.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Center for Biological Diversity makes the following disclosures:

Non-Governmental Corporate Party to this Action: Center for Biological Diversity

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Petitioner Center for Biological Diversity ("CBD") is a national 501(c)(3) nonprofit conservation organization. CBD's mission is to ensure the preservation, protection, and restoration of biodiversity, native species, ecosystems, public lands and waters, and public health through science, policy, and environmental law.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Citizens for Pennsylvania's Future makes the following disclosures:

Non-Governmental Corporate Party to this Action: Citizens for Pennsylvania's Future

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Citizens for Pennsylvania's Future is a nonprofit organization that works to aid the transition to a clean energy economy in

Pennsylvania and beyond; to protect our air, water, and land; and to empower citizens to build sustainable communities for future generations.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Clean Air Council makes the following disclosures:

Non-Governmental Corporate Party to this Action: Clean Air Council

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Petitioner Clean Air Council ("CAC") is a nonprofit, membership-based organization dedicated to protecting and defending everyone's right to a healthy environment, including everyone's right to breathe clean air. CAC is headquartered in Philadelphia, Pennsylvania, with offices in Philadelphia and Pittsburgh, Pennsylvania, and Wilmington, Delaware.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Dakota Resource Council makes the following disclosures:

Non-Governmental Corporate Party to this Action: Dakota Resource Council

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Dakota Resource Council ("DRC") is a nonprofit, grassroots community organizing group that works on conservation and

family farm issues across North Dakota and promotes sustainable use of its natural resources.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Downwinders at Risk makes the following disclosures:

Non-Governmental Corporate Party to this Action: Downwinders at Risk

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Downwinders at Risk is a nonprofit corporation organized and existing under the laws of the State of Texas, with its headquarters located in Dallas, Texas. Downwinders at Risk is a diverse grassroots citizens group dedicated to promoting environmental justice through protecting public health from air pollution and promoting good governance in North Texas.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Environmental Defense Fund makes the following disclosures:

Non-Governmental Corporate Party to this Action: Environmental Defense Fund

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Environmental Defense Fund ("EDF") is a 501(c)(3) non-profit environmental organization dedicated to finding practical

solutions to critical environmental problems through the use of law, policy, science, and economics.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Environmental Integrity Project makes the following disclosures:

Non-Governmental Corporate Party to this Action: Environmental Integrity Project

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Environmental Integrity Project ("EIP") is a non-profit, nonpartisan organization based in Washington, D.C. that empowers communities and protects public health and the environment by investigating polluters, holding them accountable under the law, and strengthening public policy on toxic air pollution and other environmental health issues.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Environmental Law & Policy Center makes the following disclosures:

Non-Governmental Corporate Party to this Action: Environmental Law & Policy Center

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Environmental Law & Policy Center ("ELPC") is a Midwest-based not-for-profit public interest organization dedicated to action and advocacy for improving environmental quality — including air quality — and protecting natural resources.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Montana Environmental Information Center makes the following disclosures:

Non-Governmental Corporate Party to this Action: Montana Environmental Information Center

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Petitioner Montana Environmental Information Center ("MEIC") is a membership-based nonprofit dedicated to protecting public health and the natural environment in Montana.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Natural Resources Defense Council, Inc., makes the following disclosures:

Non-Governmental Corporate Party to this Action: Natural Resources Defense Council, Inc.

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Petitioner Natural Resources Defense Council ("NRDC") is a national non-profit environmental membership organization with hundreds of thousands of members nationwide. NRDC's purpose is to safeguard the Earth – its people, its plants and animals, and the natural systems on which all life depends.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Sierra Club makes the following disclosures:

Non-Governmental Corporate Party to this Action: Sierra Club

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Sierra Club is a nonprofit corporation with its headquarters located in Oakland, California. The Sierra Club is a national membership organization whose mission is to explore, enjoy, and protect the planet; to practice and promote the responsible use of the earth's ecosystems and resources; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out those objectives.

DATED: June 12, 2025

Respectfully submitted,

/s/ *Chloe H. Kolman*
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Petition for Review and Rule 26.1 Disclosure Statement have been served by United States first-class mail this 12th day of June, 2025, upon the following:

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Respectfully submitted,

/s/ *Chloe H. Kolman*
Chloe H. Kolman

ATTACHMENT

ANNEX 1

1. Rausch Creek Generation LLC
   i. Affected Facility/Source: Rausch Creek Generation Fluidized Bed Boiler(031)

2. San Miguel Electric Cooperative
   i. Affected Facility/Source: San Miguel Cooperative, Inc. in Christine, TX

3. City Utilities of Springfield
   i. Affected Facility/Source: John Twitty Energy Center

4. Olympus Power LLC
   i. Affected Facility/Source: Northampton Generating Station Generating Unit 1

5. Associated Electric Cooperative
   i. Affected Facility/Source:
      a. New Madrid Power Plant Unit 1 and Unit 2 Coal Fired Cyclone Boilers;
      b. Thomas Hill Energy Center Unit 1 and Unit 2 Coal Fired Cyclone Boilers and Unit 3 Pulverized Coal Fired Tangential Boiler

6. Panther Creek Power
   i. Affected Facility/Sources: Panther Creek Pyropower Unit (031) and Pyropower Unit 2 (032)

7. Scrubgrass Reclamation Company LP
   i. Affected Facility/Source: Scrubgrass Generating Plant/Venango Number 2 CFB Boiler (031), Number 2 CFB Boiler (032)

8. Olympus Power LLC
   i. Affected Facility/Source: Walleye Power, LLC Bay Shore Unit 1

9. Western Farmers Electric Cooperative
   i. Affected Facility/Source: Hugo Generating Station HU-UNIT 1

10. Seward Generation
    a. Affected Facility/Source: Seward Generation Station

11. Ebensburg Power Company (EPC)
    a. Affected Facility/Source: EPC Generating Station

12. Colver Green Energy Generation LLC
    a. Affected Facility/Source: Colver Green Facility

13. Talen Montana, LLC and NorthWestern Energy
    a. Affected Facility/Source: Colstrip Steam Electric Station Units 3 and 4

14. Sunflower Electric Power Corporation
    a. Affected Facility/Source: Holcomb Station

15. East Kentucky Power Cooperative
    a. Affected Facility/Source: Spurlock Station and Cooper Station

16. Schuylkill Energy Resources
    a. Affected Facility/Source: St. Nicholas Cogeneration Project

17. Ri-Corp Development Inc, Gilberton Power Company
    a. Affected Facility/Source: John B. Rich Memorial Power Station CFB Boiler 1 (CU031) and CFB Boiler 2 (CU032)

18. Dominion Energy
    a. Affected Facility/Source: Mount Storm Power Station

19. Basin Electric
    a. Affected Facility/Source:
        a. Leland Olds Station Units 1 and 2;
        b. Laramie River Station Units 1, 2, and 3;
        c. Antelope Valley Station Units 1 and 2;

d. Dry Fork Station Unit 1

20. Tennessee Valley Authority
    a. Affected Facility/Source:
        a. Cumberland Fossil Plant;
        b. Gallatin Fossil Plant;
        c. Shawnee Fossil Plant;
        d. Kingston Fossil Plant

21. American Bituminous Power Partners
    a. Affected Facility/Source: Grant Town Power Plant Boiler #1A and Boiler #1B

22. Minnkota Power Cooperative, Inc.
    a. Affected Facility/Sources: Milton R. Young Station Unit 1 and Unit 2

23. Big Rivers Electric Corporation
    a. Affected Facility/Source: D.B. Wilson Station

24. Monongahela Power Company "MonPower"
    a. Affected Facility/Source: Harrison Power Station and Fort Martin Power Station

25. Choctaw Generation Limited Partnership, LLLP
    a. Affected Facility/Source: Red Hills Generating Facility

26. Rainbow Energy Center
    a. Affected Facility/Source: Coal Creek Station

27. Cleco Power LLC
    a. Affected Facility/Source: Brame Energy Center Unit 2

28. Golden Valley Electric Association
    a. Affected Facility/Source: Healy Power Plant Unit 1 and Unit 2

29. Keystone-Conemaugh Projects, LLC
    a. Affected Facility/Source:

a. Conemaugh Station Unit 1 and Unit 2
b. Keystone Station Unit 1 and Unit 2

30. Hallador Power Company
    a. Affected Facility/Source: Merom Generating Station

31. Arizona Electric Power Cooperative
    a. Affected Facility/Source: Apache Generating Station

32. Dynegy Midwest Generation
    a. Affected Facility/Source: Baldwin Power Plant Unit 1 and Unit 2

33. Miami Fort Power Company
    a. Affected Facility/Source: Miami Fort Power Plant Unit 1 (B015) and Unit 2(B016)

34. Coleto Creek Power
    a. Affected Facility/Source: Coleto Creek Power Station

35. Kincaid Generation
    a. Affected Facility/Source: Kincaid Power Plant Unit 1 and Unit 2

36. Luminant Generation Company
    a. Affected Facility/Source: Martin Lake Steam Electric Station Unit 1, Unit 2, and Unit 3

37. Illinois Power Generating Company
    a. Affected Facility/Source: Newton Power Station Unit 1

38. Oak Grove Management Company
    a. Affected Facility/Source: Oak Grove Steam Electric Station

39. Otter Tail Power Company
    a. Affected Facility/Sources: Big Stone Plant and Coyote Station

40. NRG Energy
    a. Affected Facility/Source:
        a. W.A Parish Generating Station;
        b. Plum Point Generation Station;
        c. Powerton Electric Generating Station;
        d. Limestone Generating Station

41. GSP Merrimack LLC
    a. Affected Facility/Source: Merrimack Station in Bow, New Hampshire

42. Entergy Louisiana
    a. Affected Facility/Source: RS Nelson Plant Unit 6

43. Ameren Missouri
    a. Affected Facility/Source: Labadie Energy Center and Sioux Energy Center

44. Southern Company
    a. Affected Facility/Source:
        a. Barry Steam Electric Generating Facility Unit 5;
        b. Miller Steam Electric Generating Facility Unit 1, Unit 2, Unit 3, and Unit 4;
        c. Bowen Steam Generator Unit 1, Unit 2, Unit 3, and Unit 4;
        d. Scherer Steam Generator Unit 1, Unit 2, and Unit 3;
        e. Plant Daniel Electric Generating Unit 1 and Unit 2

45. Mount Carmel Cogen Inc.
    a. Affected Facility/Source: Mount Carmel Cogen Power Plant

46. Oklahoma Gas and Electric
    a. Affected Facility/Source:
        a. Sooner Unit 1;
        b. Sooner Unit 2;
        c. Muskogee Unit 6;
        d. River Valley Common Stack CS 1

47. Entergy Arkansas LLC
    a. Affected Facility/Source: White Bluff Steam Electric Station Unit 1