

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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FOR DISTRICT OF COLUMBIA CIRCUIT
MAR 27 2003
RECEIVED

CITY OF NEW YORK and THE CITY AND
COUNTY OF SAN FRANCISCO,

PETITION FOR REVIEW

Petitioners,

-against-

UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY,

03-1054

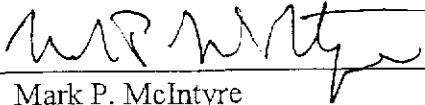
Respondent.

PETITION FOR REVIEW

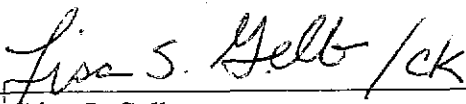
Pursuant to Rule 15 of the Federal Rules of Appellate Procedure and § 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), the City of New York and the City and County of San Francisco hereby petition the Court to review the final rule of the United States Environmental Protection Agency entitled "Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Baseline Emissions Determination, Actual-to-Future-Actual Methodology, Plantwide Applicability Limitations, Clean Units, Pollution Control Projects." The final rule has been published at 67 Fed. Reg. 80185 (December 31, 2002), to be codified at 40 C.F.R. §§ 51.165, 51.166, 52.21 and 52.24.

Dated: New York, New York
February 28, 2003

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
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By: 
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San Francisco, California 94102
(415) 554-4700

By: 
Lisa S. Gelb
Deputy City Attorney

Christopher King
William Plache
Rona H. Sandler
Of Counsel

DECLARATION OF SERVICE

I, Christopher G. King, declare, pursuant to 28 U.S.C. § 1746, under penalty of perjury that on February 28, 2003, I caused to be served the annexed Petition for Review upon the following Attorneys of record by serving by mail the Petition, directed to said Attorneys of record at the addresses set forth below, being the addresses designated by said Attorneys of Record for that purpose:

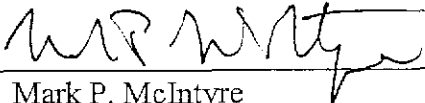
Hon. John Ascroft
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Hon. Christie Whitman, Administrator
United States Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

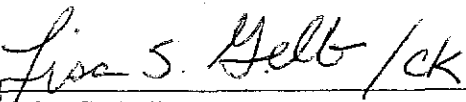
Dated: New York, New York
February 28, 2003


CHRISTOPHER G. KING

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