

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT  
DEC 22 2003  
RECEIVED

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

DELAWARE NATURE SOCIETY,  
  
Petitioner,  
  
v.  
  
UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY,  
  
Respondent.

Docket No. **03-1453**

**PETITION FOR REVIEW**

Pursuant to § 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), the Delaware Nature Society hereby petitions 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): Equipment Replacement Provision of the Routine Maintenance, Repair and Replacement Exclusion." The final rule has been published at 68 Fed. Reg. 61248 *et seq.* (October 27, 2003). This action prolongs and increases the exposure of petitioner's members to air pollution associated with a variety of adverse health and welfare effects.

Respectfully submitted,

FOR THE PETITIONER, DELAWARE NATURE SOCIETY,

By:



JAMES M. STUHLTRAGER  
JAMES R. MAY  
MID-ATLANTIC ENVIRONMENTAL LAW CENTER  
4601 Concord Pike, P.O. Box 7474  
Wilmington, DE 19803-0474  
(302) 477-2182