

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

AMERICAN LUNG ASSOCIATION,
ENVIRONMENTAL DEFENSE,
NATURAL RESOURCES DEFENSE COUNCIL,
and SIERRA CLUB

Petitioners,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY and MICHAEL O. LEAVITT,
Administrator, U.S. ENVIRONMENTAL
PROTECTION AGENCY,

Respondents.

No.

04-1210

PETITION FOR REVIEW

Pursuant to Clean Air Act § 307(b)(1), 42 U.S.C. § 7607(b)(1), American Lung Association, Environmental Defense, Natural Resources Defense Council, and Sierra Club hereby petition the Court for review of the final action (including promulgation of regulations) taken by respondents United States Environmental Protection Agency and Michael O. Leavitt, Administrator, United States Environmental Protection Agency, at 69 Fed. Reg. 23951 (April 30, 2004), entitled "Final Rule To Implement the 8-Hour Ozone National Ambient Air Quality Standard—Phase 1." This action prolongs and increases the exposure of petitioners' members to air pollution associated with a variety of adverse health and welfare effects.

DATED: June 29, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David S. Baron". The signature is written in a cursive style with a large initial "D".

David S. Baron
Howard I. Fox
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Attorneys for Petitioners

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**RULE 26.1 STATEMENT OF PETITIONERS
AMERICAN LUNG ASSOCIATION, *ET AL.***

Pursuant to Fed. R. App. P. 26.1 and D.C. Circuit Rule 26.1, petitioners American Lung Association, Environmental Defense, Natural Resources Defense Council, and Sierra Club make the following disclosures:

American Lung Association. American Lung Association has no parent companies, and no publicly held company has a 10% or greater ownership interest in American Lung Association.

American Lung Association, a nonprofit corporation organized and existing under the laws of the State of Maine, is a national organization dedicated to the conquest of lung disease and the promotion of lung health.

Environmental Defense. Environmental Defense has no parent companies, and no publicly held company has a 10% or greater ownership interest in Environmental Defense.

Environmental Defense, a corporation organized and existing under the laws of the State of New York, is a national nonprofit organization that links science, economics, and law to create innovative, equitable, and cost-effective solutions to the most urgent environmental problems.

Natural Resources Defense Council. Natural Resources Defense Council has no parent companies, and no publicly held company has a 10% or greater ownership interest in Natural Resources Defense Council.

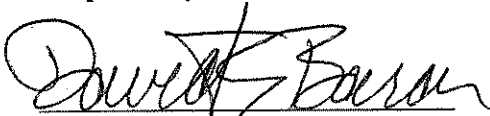
Natural Resources Defense Council, a corporation organized and existing under the laws of the State of New York, is a national nonprofit organization dedicated to improving the quality of the human environment and protecting the nation's endangered natural resources.

Sierra Club. Sierra Club has no parent companies, and no publicly held company has a 10% or greater ownership interest in Sierra Club.

Sierra Club, a corporation organized and existing under the laws of the State of California, is a national nonprofit organization dedicated to the protection and enjoyment of the environment.

DATED: June 29, 2004

Respectfully submitted,



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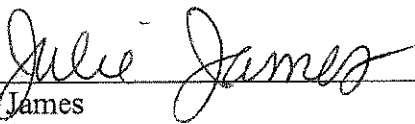
CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2004, copies of the foregoing **Petition for Review and Rule 26.1 Statement of Petitioners American Lung Association, et al.** were served by United States first-class mail on the following:

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