

RECEIVED
U.S. COURT OF APPEALS
FOR THE D.C. CIRCUIT

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

2011 APR 29 PM 5: 29
FILING DEPOSITORY

AMERICAN FOREST & PAPER
ASSOCIATION, NATIONAL
ASSOCIATION OF MANUFACTURERS,
AMERICAN COKE AND COAL
CHEMICALS INSTITUTE, AMERICAN
IRON AND STEEL INSTITUTE,
AMERICAN MUNICIPAL POWER,
AMERICAN WOOD COUNCIL, BIOMASS
POWER ASSOCIATION, CHAMBER OF
COMMERCE OF THE UNITED STATES
OF AMERICA, CORN REFINERS
ASSOCIATION, NATIONAL OILSEED
PROCESSORS ASSOCIATION, RUBBER
MANUFACTURERS ASSOCIATION,
SOCIETY OF CHEMICAL
MANUFACTURERS AND AFFILIATES,
and TREATED WOOD COUNCIL

Petitioners,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

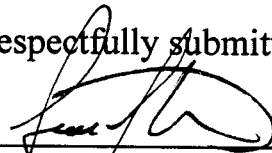
No.

PETITION FOR REVIEW

Pursuant to Rule 15 of the Federal Rules of Appellate Procedure, Circuit
Rule 15, and section 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), the
American Forest & Paper Association (“AF&PA”), National Association of

Manufacturers (“NAM”), American Coke and Coal Chemicals Institute (“ACCCI”), American Iron and Steel Institute (“AISI”), American Municipal Power (“AMP”), American Wood Council (“AWC”), Biomass Power Association (“BPA”), Chamber of Commerce of the United States of America, Corn Refiners Association (“CRA”), National Oilseed Processors Association (“NOPA”), Rubber Manufacturers Association (“RMA”), Society of Chemical Manufacturers and Affiliates (“SOCMA”), and Treated Wood Council (“TWC”) hereby petition this Court to review the final rule of the respondent United States Environmental Protection Agency entitled, “National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters,” published at 76 Fed. Reg. 15608 *et seq.* (March 21, 2011).

Respectfully submitted,



William L. Wehrum

Scott J. Stone

HUNTON & WILLIAMS LLP

1900 K Street, N.W.

Washington, D.C. 20006

(202) 955-1500

Counsel for American Forest & Paper Association, American Coke & Coal Chemicals Institute, American Iron and Steel Institute, American Wood Council, Biomass Power Association, Corn Refiners Association, and National Oilseed Processors Association

Jan Poling /SS

Jan Poling
Vice President, General Counsel &
Corporate Secretary
AMERICAN FOREST & PAPER
ASSOCIATION
1111 19th Street, N.W.
Suite 800
Washington, D.C. 20036
(202)463-2590
Of Counsel for American Forest
& Paper Association

Quentin Riegel /SS

Quentin Riegel
NATIONAL ASSOCIATION OF
MANUFACTURERS
1331 Pennsylvania Avenue, N.W.
6th Floor
Washington, D.C. 20004
(202) 637-3000
Counsel for National Association
of Manufacturers

Douglas A. McWilliams /SS

Douglas A. McWilliams
SQUIRE SANDERS & DEMPSEY (US)
LLP
4900 Key Tower
127 Public Square
Cleveland, Ohio 44114
(216) 479-8332
Counsel for American Municipal Power

Tracey Norberg/SS

Tracey Norberg
Senior Vice President
RUBBER MANUFACTURERS
ASSOCIATION
1400 K St NW # 900
Washington D.C., 20005-2403
(202) 682-1338
Counsel for Rubber Manufacturers
Association

Robin S. Conrad/SS

Robin S. Conrad
NATIONAL CHAMBER LITIGATION
CENTER, INC.
1615 H Street N.W.
Washington, DC 20062
(202) 463-5337
Counsel for the Chamber of
Commerce of the United States of America

James W. Conrad/SS

James W. Conrad
CONRAD LAW & POLICY COUNSEL
1615 L St., N.W., Suite 650
Washington, DC 20036
(202) 822-1970
Counsel for Society of Chemical
Manufacturers and Affiliates

Jane C. Luxton/SS

Jane C. Luxton
PEPPER HAMILTON LLP
Hamilton Square
600 Fourteenth Street, N.W.
Washington, D.C. 20005-2004
(202) 220-1437
Counsel for the Treated Wood Council

Dated: April 29, 2011


CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Petition for Review was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott J. Stone

RECEIVED
 U.S. COURT OF APPEALS
 FOR THE D.C. CIRCUIT
 2011 APR 29 PM 5:31
 FILING DEPOSITORY

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

AMERICAN FOREST & PAPER
 ASSOCIATION, et al.,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL
 PROTECTION AGENCY,

Respondent.

No. _____

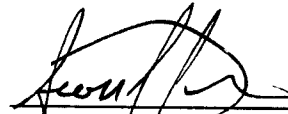
**RULE 26.1 DISCLOSURE STATEMENT OF
 PETITIONER AMERICAN FOREST & PAPER ASSOCIATION**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner American Forest & Paper Association (“AF&PA”) makes the following declarations:

AF&PA is the national trade association of the forest products industry, representing pulp, paper, packaging and wood products manufacturers, and forest landowners. Our companies make products essential for everyday life from renewable and recyclable resources that sustain the environment. The forest products industry accounts for approximately 5 percent of the total U.S. manufacturing GDP. Industry companies produce about \$175 billion in products annually and employ nearly 900,000 men and women, exceeding employment levels in the automotive, chemicals and plastics industries. The industry meets a

payroll of approximately \$50 billion annually and is among the top 10 manufacturing sector employers in 47 states. No parent corporation or publicly held company has a ten percent (10%) or greater ownership interest in AFPA

Respectfully submitted,



William L. Wehrum

Scott J. Stone

HUNTON & WILLIAMS LLP

1900 K Street, N.W.

Washington, D.C. 20006

(202) 955-1500

wwehrum@hunton.com

*Counsel for American Forest & Paper
Association*

Dated: April 29, 2011


CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott J. Stone

RECEIVED
U.S. COURT OF APPEALS
FOR THE D.C. CIRCUIT
2011 APR 29 PM 5:31
FILING DEPOSITORY

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

AMERICAN FOREST & PAPER ASSOCIATION, et al.,)	
)	
Petitioners,)	
)	
v.)	No. _____
)	
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

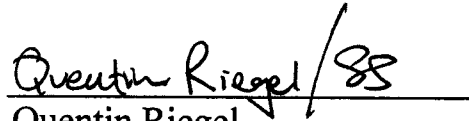
**RULE 26.1 DISCLOSURE STATEMENT OF
PETITIONER THE NATIONAL ASSOCIATION OF MANUFACTURERS**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner The National Association of Manufacturers (“NAM”) makes the following declarations:

The NAM is the nation’s largest industrial trade association, representing small and large manufacturers in every industrial sector and in all 50 states. The NAM’s mission is to enhance the competitiveness of manufacturers by shaping a legislative and regulatory environment conducive to U.S. economic growth and to increase understanding among policymakers, the media and the general public about the vital role of manufacturing to America’s economic future and living

standards. The NAM has no parent company, and no publicly held company has a 10% or greater ownership interest in the NAM.

Respectfully submitted,



Quentin Riegel

NATIONAL ASSOCIATION OF
MANUFACTURERS

1331 Pennsylvania Avenue, N.W.
6th Floor

Washington, D.C. 20004

(202) 637-3000

Counsel for National Association
of Manufacturers

*Counsel for The National Association of
Manufacturers*

Dated: April 29, 2011


CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

RECEIVED
U.S. COURT OF APPEALS
FOR THE D.C. CIRCUIT

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

7:00 APR 29 PM 5:32
FILING DEPOSITORY

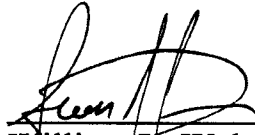
AMERICAN FOREST & PAPER)
ASSOCIATION, et al.,)
)
Petitioners,)
)
v.) No. _____)
)
UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

**RULE 26.1 DISCLOSURE STATEMENT OF
PETITIONER AMERICAN COKE & COAL CHEMICALS INSTITUTE**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner American Coke & Coal Chemicals Institute (“ACCCI”) makes the following declarations:

ACCCI is a non-profit, national trade association incorporated in Illinois and headquartered in the District of Columbia. ACCCI has no parent corporation, and no publicly held company has a ten percent (10%) or greater ownership interest in ACCCI. ACCCI serves as the voice of American producers of metallurgical coke and coal chemicals in the public policy arena and advances the legislative, regulatory and technical interests of its members. ACCCI’s producer members comprise 100% of the U.S. production of metallurgical coke and coal chemicals, which collectively have operation in 12 states.

Respectfully submitted,



William L. Wehrum

Scott J. Stone

HUNTON & WILLIAMS LLP

1900 K Street, N.W.

Washington, D.C. 20006

(202) 955-1500

wwehrum@hunton.com

*Counsel for American Coke & Coal Chemicals
Institute*

Dated: April 29, 2011

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

RECEIVED
U.S. COURT OF APPEALS
FOR THE D.C. CIRCUIT
2011 APR 29 PM 5:32
FILING DEPOSITORY

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

AMERICAN FOREST & PAPER)
ASSOCIATION, et al.,)
)
Petitioners,)
)
v.) No. _____)
)
UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

**RULE 26.1 DISCLOSURE STATEMENT OF
PETITIONER AMERICAN IRON AND STEEL INSTITUTE**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner American Iron and Steel Institute (“AISI”) makes the following declarations:

AISI is a non-profit, national trade association headquartered in the District of Columbia. AISI has no parent corporation, and no publicly held company has a ten percent (10%) or greater ownership interest in AISI. AISI serves as the voice of the North American steel industry in the public policy arena and advances the case for steel in the marketplace as the preferred material of choice. AISI is comprised of 25 producer member companies, including integrated and electric furnace steelmakers, and 118 associate and affiliate members who are suppliers to or customers of the steel industry. AISI's member companies represent

approximately 80 percent of both U.S. and North American steel capacity.

Respectfully submitted,



William E. Wehrum

Scott J. Stone

HUNTON & WILLIAMS LLP

1900 K Street, N.W.

Washington, D.C. 20006

(202) 955-1500

wwehrum@hunton.com

Counsel for American Iron and Steel Institute

Dated: April 29, 2011

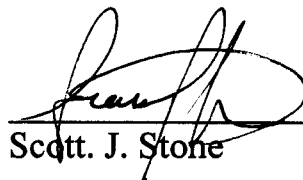
CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

RECEIVED
U.S. COURT OF APPEALS
FOR THE D.C. CIRCUIT
APR 29 PM 5:32
FILING DEPOSITORY

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


AMERICAN FOREST & PAPER)
ASSOCIATION, et al.,)
)
Petitioners,)
)
v.) No. _____)
)
UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

**RULE 26.1 DISCLOSURE STATEMENT OF
PETITIONER AMERICAN MUNICIPAL POWER, INC.**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner American Municipal Power, Inc. (“AMP”) makes the following declarations:

Petitioner AMP is a nonprofit corporation headquartered in Columbus, Ohio that provides services on a cooperative, nonprofit basis for its member communities operating municipal electric systems. AMP has no parent corporation, and no publicly held company has a ten percent (10%) or greater ownership interest in AMP.

Respectfully submitted,

Handwritten signature of Douglas A. McWilliams in black ink, written over a horizontal line.

Douglas A. McWilliams

Squire, Sanders & Dempsey (US) LLP

4900 Key Tower

127 Public Square

Cleveland, OH 44114

(216) 479-8332

*Counsel for American Municipal Power,
Inc.*

Dated: April 29, 2011

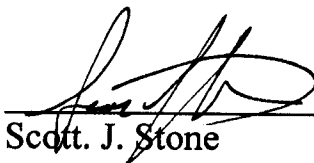
CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

RECEIVED
 U.S. COURT OF APPEALS
 FOR THE D.C. CIRCUIT
 2011 APR 29 PM 5:32
 FILING DEPOSITORY

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

AMERICAN FOREST & PAPER)
 ASSOCIATION, et al.,)
)
)
) Petitioners,)
)
) v.) No. _____)
)
) UNITED STATES ENVIRONMENTAL)
) PROTECTION AGENCY,)
)
) Respondent.)
)

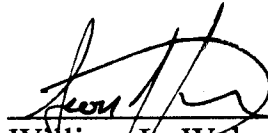
**RULE 26.1 DISCLOSURE STATEMENT OF
 PETITIONER AMERICAN WOOD COUNCIL**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner American Wood Council (“AWC”) makes the following declarations:

AWC is the voice of North American traditional and engineered wood products, representing over 60% of the industry. From a renewable resource that absorbs and sequesters carbon, the wood products industry makes products that are essential to everyday life and employs 360,000 men and women in well-paying jobs. AWC's engineers, technologists, scientists, and building code experts develop state-of-the-art engineering data, technology, and standards on structural wood products for use by design professionals, building officials, and wood products manufacturers to assure the safe and efficient design and use of wood

structural components. AWC also provides technical, legal, and economic information on wood design, green building, and manufacturing environmental regulations advocating for balanced government policies that sustain the wood products industry. No parent corporation and no publicly held company has a ten percent (10%) or greater ownership interest in AWC.

Respectfully submitted,



William L. Wehrum

Scott J. Stone

HUNTON & WILLIAMS LLP

1900 K Street, N.W.

Washington, D.C. 20006

(202) 955-1500

wwehrum@hunton.com

Counsel for American Wood Council

Dated: April 29, 2011

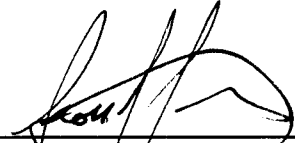
CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

2011 APR 29 PM 5:32

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

_____)	
AMERICAN FOREST & PAPER)	
ASSOCIATION, et al.,)	
)	
Petitioners,)	
)	
v.)	No. _____
)	
UNITED STATES ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	
_____)	

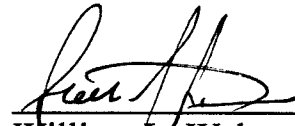
**RULE 26.1 DISCLOSURE STATEMENT OF
PETITIONER BIOMASS POWER ASSOCIATION**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner Biomass Power Association (“BPA”) makes the following declarations:

BPA is a non-profit, national trade association headquartered in Portland, Maine and organized under the laws of the State of Maine. BPA has no parent corporation, and no publicly held company has a ten percent (10%) or greater ownership interest in BPA. BPA serves as the voice of the U.S. biomass industry in the federal public policy arena. BPA is comprised of 23 member companies who either own or operate biomass power plants, and 16 associate and affiliate members who are suppliers to or customers of the industry. BPA’s member companies represent approximately 80 percent of the U.S. biomass to electricity

sector.

Respectfully submitted,



William L. Wehrum

Scott J. Stone

HUNTON & WILLIAMS LLP

1900 K Street, N.W.

Washington, D.C. 20006

(202) 955-1500

wwehrum@hunton.com

Counsel for Biomass Power Association

Dated: April 29, 2011

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

RECEIVED
U.S. COURT OF APPEALS
FOR THE D.C. CIRCUIT

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

APR 29 PM 5:32
FILING DEPOSITORY

AMERICAN FOREST & PAPER)
ASSOCIATION, et al.,)
)
Petitioners,)
)
v.) No. _____)
)
UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)
_____)

**RULE 26.1 DISCLOSURE STATEMENT OF PETITIONER
CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, undersigned Petitioner Chamber of Commerce of the United States of America (the “Chamber”) makes the following declarations:

The Chamber is a non-profit corporation organized and existing under the laws of the District of Columbia. The Chamber is not a publicly held corporation and no corporation or other publicly held entity holds more than 10% of its stock.

The Chamber is the world’s largest federation of business, trade, and professional organizations. The Chamber represents 300,000 direct members and indirectly represents an underlying membership of more than three million businesses and organizations of every size, sector, and region. An important

function of the Chamber is to represent the interests of its members in matters before the courts, Congress, and the Executive Branch. Many of the Chamber's members are subject to the regulations at issue in this matter.

Respectfully submitted,

Robin S. Conrad /SS

Robin S. Conrad
NATIONAL CHAMBER LITIGATION
CENTER, INC.

1615 H Street N.W.

Washington, DC 20062

(202) 463-5337

*Counsel for Chamber of Commerce of the
United States of America*

Dated: April 29, 2011

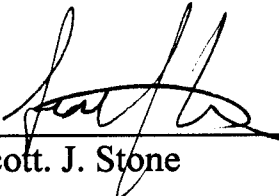
CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

RECEIVED
 U.S. COURT OF APPEALS
 FOR THE D.C. CIRCUIT
 APR 29 PM 5:32
 FILING DEPOSITORY

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

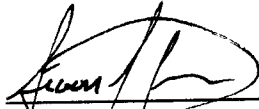
_____)	
AMERICAN FOREST & PAPER)	
ASSOCIATION, et al.,)	
)	
Petitioners,)	
)	
v.)	No. _____
)	
UNITED STATES ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	
_____)	

**RULE 26.1 DISCLOSURE STATEMENT OF
 PETITIONER CORN REFINERS ASSOCIATION**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner Corn Refiners Association (“CRA”) makes the following declarations:

CRA is a non-profit, national trade association headquartered in the District of Columbia. CRA has no parent corporation. CRA serves as the voice of the U.S. corn wet millers industry in the public policy arena. CRA is comprised of 6 member companies with 23 plants located throughout the United States.

Respectfully submitted,



William L. Wehrum

Scott J. Stone

HUNTON & WILLIAMS LLP

1900 K Street, N.W.

Washington, D.C. 20006

(202) 955-1500

wwehrum@hunton.com

Counsel for Corn Refiners Association

Dated: April 29, 2011

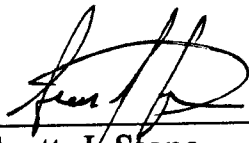
CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

RECEIVED
U.S. COURT OF APPEALS
FOR THE D.C. CIRCUIT
2011 APR 29 PM 5:32
FILING DEPOSITORY

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

AMERICAN FOREST & PAPER ASSOCIATION, et al.,)	
)	
Petitioners,)	
)	
v.)	No. _____
)	
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

**RULE 26.1 DISCLOSURE STATEMENT OF
PETITIONER NATIONAL OILSEED PROCESSORS ASSOCIATION**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner National Oilseed Processors Association (“NOPA”) makes the following declarations:

NOPA is a non-profit, national trade association headquartered in the District of Columbia. NOPA has no parent corporation, and no publicly held company has a ten percent (10%) or greater ownership interest in NOPA. NOPA represents 13 companies engaged in the production of food, feed, and renewable fuels from oilseeds, including soybeans. NOPA’s member companies process more than 1.7 billion bushels of oilseeds annually at 63 plants located in 19 states throughout the country, including 58 plants that process soybeans.

Respectfully submitted,



William L. Wehrum

Scott J. Stone

HUNTON & WILLIAMS LLP

1900 K Street, N.W.

Washington, D.C. 20006

(202) 955-1500

wwehrum@hunton.com

*Counsel for National Oilseed Processors
Association*

Dated: April 29, 2011

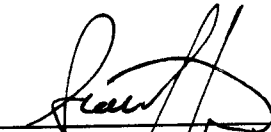
CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

RECEIVED
U.S. COURT OF APPEALS
FOR THE D.C. CIRCUIT

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

2011 APR 29 PM 5:32

FILING DEPOSITORY

AMERICAN FOREST & PAPER)
ASSOCIATION, et al.,)
)
Petitioners,)
)
v.) No. _____
)
UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

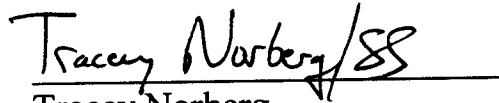
**RULE 26.1 DISCLOSURE STATEMENT OF
PETITIONER RUBBER MANUFACTURERS ASSOCIATION**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner Rubber Manufacturers Association (“RMA”) makes the following declarations:

RMA is a non-profit, national trade association headquartered in the District of Columbia. RMA has no parent corporation, and no publicly held company has a ten percent (10%) or greater ownership interest in RMA. RMA is the national trade association representing tire manufacturing companies that manufacture tires in the United States. RMA member companies include: Bridgestone Americas, Inc.; Continental Tire the Americas, LLC; Cooper Tire & Rubber Company; The Goodyear Tire & Rubber Company; Michelin North America, Inc.; Pirelli North America; Toyo Tire (U.S.A.) Corporation and Yokohama Tire Corporation.

RMA's eight tire manufacturer member companies operate 30 manufacturing plants, employ thousands of Americans and ship over 90 percent of the original equipment ("OE") tires and 80 percent of the replacement tires sold in the United States.

Respectfully submitted,

A handwritten signature in black ink that reads "Tracey Norberg" followed by a stylized flourish or initials.

Tracey Norberg
Senior Vice Presiden
RUBBER MANUFACTURERS
ASSOCIATION
1400 K St NW # 900
Washington D.C., 20005-2403
(202) 682-1338
Counsel for Rubber Manufacturers Association

Dated: April 29, 2011

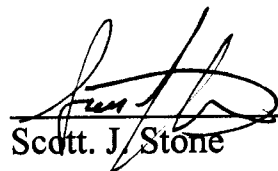
CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

RECEIVED
U.S. COURT OF APPEALS
FOR THE D.C. CIRCUIT

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

APR 29 PM 5:32
FILING DEPOSITORY

AMERICAN FOREST & PAPER)
ASSOCIATION, et al.,)
))
))
Petitioners,)
))
v.) No. _____)
))
UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY,)
))
))
Respondent.)
))

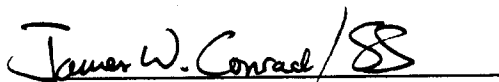
**RULE 26.1 DISCLOSURE STATEMENT OF PETITIONER
SOCIETY OF CHEMICAL MANUFACTURERS AND AFFILIATES**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner Society of Chemical Manufacturers and Affiliates (“SOCMA”) makes the following declarations:

SOCMA is a non-profit, national trade association headquartered in the District of Columbia. SOCMA has no parent corporation, and no publicly held company has a ten percent (10%) or greater ownership interest in SOCMA. SOCMA is the leading trade association representing the batch, custom, and specialty chemical industry. SOCMA’s nearly 250 member companies employ more than 100,000 workers across the country and produce some 50,000 products – valued at \$60 billion annually – that make our standard of living possible. From pharmaceuticals to cosmetics, soaps to plastics and all manner of industrial and

construction products, SOCMA members make materials that save lives, make our food supply safe and abundant, and enable the manufacture of literally thousands of other products. Over 80% of SOCMA's active members are small businesses. SOCMA advocates for U.S. laws and regulations that promote our members' competitiveness and bottom line.

Respectfully submitted,

A handwritten signature in cursive script, reading "James W. Conrad", followed by a large, stylized flourish that resembles the number "8". The signature is written in black ink and is positioned above a horizontal line.

James W. Conrad

CONRAD LAW & POLICY COUNSEL

1615 L St., N.W., Suite 650

Washington, DC 20036

(202) 822-1970

*Counsel for Society of Chemical Manufacturers
and Affiliates*

Dated: April 29, 2011

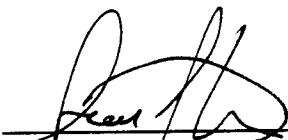
CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

RECEIVED
U.S. COURT OF APPEALS
FOR THE D.C. CIRCUIT
APR 29 PM 5:33
FILING DEPOSITORY

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

AMERICAN FOREST & PAPER
ASSOCIATION, et al.,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

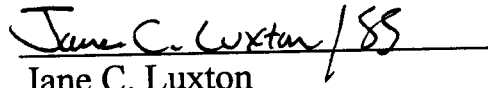
No. _____

**RULE 26.1 DISCLOSURE STATEMENT OF
PETITIONER TREATED WOOD COUNCIL**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner Treated Wood Council ("TWC") makes the following declarations:

TWC is a not-for-profit, national trade association headquartered in the District of Columbia. TWC has no parent corporation, and no publicly held company has a ten percent (10%) or greater ownership interest in TWC. TWC serves as the voice of the US treated wood industry in the public policy arena. TWC is comprised of 470 total member organizations, including wood treaters, preservative manufacturers, wood product producers and associate/association members who are related to the treated wood industry.

Respectfully submitted,

Handwritten signature of Jane C. Luxton in cursive, followed by a horizontal line.

Jane C. Luxton
PEPPER HAMILTON LLP
Hamilton Square
600 Fourteenth Street, N.W.
Washington, D.C. 20005-2004
(202) 220-1437

Dated: April 29, 2011

Counsel for Treated Wood Council

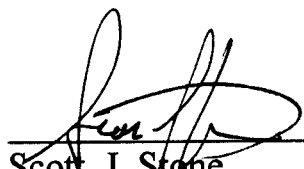
CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April 2011, one copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by first-class mail, postage prepaid, on each of the following:

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 1101A
Washington, D.C. 20460

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Scott Fulton
General Counsel
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Mail Code 2310A
Washington, D.C. 20460



Scott. J. Stone

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[EPA-HQ-OAR-2002-0058; FRL-9272-8]

RIN 2060-AQ25

National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: On September 13, 2004, under authority of section 112 of the Clean Air Act, EPA promulgated national emission standards for hazardous air pollutants for new and existing industrial/commercial/institutional boilers and process heaters. On June 19, 2007, the United States Court of Appeals for the District of Columbia Circuit vacated and remanded the standards.

In response to the Court's vacatur and remand, EPA is, in this action, establishing emission standards that will require industrial/commercial/institutional boilers and process heaters located at major sources to meet hazardous air pollutants standards reflecting the application of the maximum achievable control technology. This rule protects air quality and promotes public health by reducing emissions of the hazardous air pollutants listed in section 112(b)(1) of the Clean Air Act.

DATES: This final rule is effective on May 20, 2011. The incorporation by reference of certain publications listed in this rule is approved by the Director of the Federal Register as of May 20, 2011.

ADDRESSES: EPA established a single docket under Docket ID No. EPA-HQ-OAR-2002-0058 for this action. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, e.g., confidential business information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either

electronically through <http://www.regulations.gov> or in hard copy at EPA's Docket Center, Public Reading Room, EPA West Building, Room 3334, 1301 Constitution Avenue, NW., Washington, DC 20004. This Docket Facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1741.

FOR FURTHER INFORMATION CONTACT: Mr. Brian Shrager, Energy Strategies Group, Sector Policies and Programs Division, (D243-01), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; Telephone number: (919) 541-7689; Fax number (919) 541-5450; E-mail address: shrager.brian@epa.gov.

SUPPLEMENTARY INFORMATION: The information presented in this preamble is organized as follows:

- I. General Information
 - A. Does this action apply to me?
 - B. Where can I get a copy of this document?
 - C. Judicial Review
- II. Background Information
 - A. What is the statutory authority for this final rule?
 - B. EPA's Response to the Vacatur
 - C. What is the relationship between this final rule and other combustion rules?
 - D. What are the health effects of pollutants emitted from industrial/commercial/institutional boilers and process heaters?
 - E. What are the costs and benefits of this final rule?
- III. Summary of this Final Rule
 - A. What is the source category regulated by this final rule?
 - B. What is the affected source?
 - C. What are the pollutants regulated by this final rule?
 - D. What emission limits and work practice standards must I meet?
 - E. What are the requirements during periods of startup, shutdown, and malfunction?
 - F. What are the testing and initial compliance requirements?
 - G. What are the continuous compliance requirements?
 - H. What are the notification, recordkeeping and reporting requirements?
 - I. Submission of Emissions Test Results to EPA
- IV. Summary of Significant Changes Since Proposal
 - A. Applicability
 - B. Subcategories
 - C. Emission Limits
 - D. Work Practices
 - E. Energy Assessment Requirements

- F. Requirements During Startup, Shutdown, and Malfunction
- G. Testing and Initial Compliance
- H. Continuous Compliance
- I. Notification, Recordkeeping and Reporting
- J. Technical/Editorial Corrections
- K. Other
- V. Major Source Public Comments and Responses
 - A. MACT Floor Analysis
 - B. Beyond the Floor
 - C. Rationale for Subcategories
 - D. Work Practices
 - E. New Data/Technical Corrections to Old Data
- F. Startup, Shutdown, and Malfunction Requirements
- G. Health Based Compliance Alternatives
- H. Biased Data Collection From Phase II Information Collection Request Testing
- I. Issues Related to Carbon Monoxide Emission Limits
- J. Cost Issues
- K. Non-Hazardous Secondary Materials
- VI. Impacts of This Final Rule
 - A. What are the air impacts?
 - B. What are the water and solid waste impacts?
 - C. What are the energy impacts?
 - D. What are the cost impacts?
 - E. What are the economic impacts?
 - F. What are the benefits of this final rule?
 - G. What are the secondary air impacts?
- VII. Relationship of Final Action to Section 112(c)(6) of the Clean Air Act
- VIII. Statutory and Executive Order Reviews
 - A. Executive Orders 12866 and 13563: Regulatory Planning and Review
 - B. Paperwork Reduction Act
 - C. Regulatory Flexibility Act as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 601 *et seq.*
 - D. Unfunded Mandates Reform Act of 1995
 - E. Executive Order 13132: Federalism
 - F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments
 - G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks
 - H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use
 - I. National Technology Transfer and Advancement Act
 - J. Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
 - K. Congressional Review Act

I. General Information

A. Does this action apply to me?

The regulated categories and entities potentially affected by the final standards include:

Category	NAICS code ¹	Examples of potentially regulated entities
Any industry using a boiler or process heater as defined in the final rule.	211	Extractors of crude petroleum and natural gas.