

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

AMERICAN FUEL & PETROCHEMICAL  
MANUFACTURERS,

Petitioner,

v.

ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

Case No. 22-1034

**PETITIONER AMERICAN FUEL & PETROCHEMICAL  
MANUFACTURERS' NONBINDING STATEMENT OF ISSUES**

Pursuant to this Court's order of March 2, 2022, petitioner American Fuel & Petrochemical Manufacturers ("AFPM") submits this Nonbinding Statement of Issues in the consolidated cases challenging the final action of the United States Environmental Protection Agency ("EPA") entitled Revised 2023 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions Standards, published at 86 Fed. Reg. 74434 (Dec. 30, 2021). The issues presented are (1) whether EPA exceeded its statutory authority under Section 202 of the Clean Air Act by setting greenhouse gas emission standards for light-duty vehicles that effectively mandate electric vehicles, and (2) whether EPA's cost-benefit analysis was arbitrary and capricious because, among other reasons, EPA failed

to conduct a lifecycle analysis to account for the greenhouse gas emission impacts of electric vehicles.

Dated: April 1, 2022

Respectfully submitted,

*/s/ Eric D. McArthur* \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 1, 2022, I will cause the foregoing to be served by electronic means through the Court's CM/ECF system, on all counsel of record.

/s/ Eric D. McArthur

Eric D. McArthur