

No. 24-1129

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

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STATE OF NEBRASKA, STATE OF ALABAMA, STATE OF ALASKA,  
STATE OF ARKANSAS, STATE OF FLORIDA, STATE OF GEORGIA,  
STATE OF IDAHO, STATE OF INDIANA, STATE OF IOWA, STATE OF  
KANSAS, COMMONWEALTH OF KENTUCKY, STATE OF LOUISIANA,  
STATE OF MISSISSIPPI, STATE OF MISSOURI, STATE OF MONTANA,  
STATE OF OKLAHOMA, STATE OF SOUTH CAROLINA, STATE OF  
SOUTH DAKOTA, STATE OF TENNESSEE, STATE OF TEXAS, STATE  
OF UTAH, COMMONWEALTH OF VIRGINIA, STATE OF WEST  
VIRGINIA, AND STATE OF WYOMING,

*Petitioners,*

*v.*

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
AND MICHAEL S. REGAN, IN HIS OFFICIAL CAPACITY AS  
ADMINISTRATOR OF THE UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY,

*Respondents.*

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**PETITION FOR REVIEW**

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Under 42 U.S.C. § 7607(b)(1), Federal Rule of Appellate Procedure 15, and D.C. Circuit Rule 15(a), the States of Nebraska, Alabama, Alaska, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, and Wyoming petition this Court for review of the final agency action taken by Respondents United States Environmental Protection Agency and

Michael S. Regan, in his official capacity as Administrator of the United States Environmental Protection Agency, titled “Greenhouse Gas Emissions Standards for Heavy-Duty Vehicles—Phase 3,” published at 89 Fed. Reg. 29,440 (April 22, 2024). A copy of the agency action is attached to this petition.

Petitioners will show that the final rule exceeds the agency’s statutory authority and otherwise is arbitrary, capricious, an abuse of discretion, and not in accordance with law. Petitioners thus ask that this Court declare unlawful and vacate the agency’s final action.

Dated: May 13, 2024

Respectfully submitted.

MICHAEL T. HILGERS  
Attorney General of Nebraska

s/ Eric J. Hamilton

ERIC J. HAMILTON

*Solicitor General*

ZACHARY B. POHLMAN

*Assistant Solicitor General*

Nebraska Department of Justice

2115 State Capitol

Lincoln, Nebraska 68509

Tel.: (402) 471-2683

Fax: (402) 471-3297

eric.hamilton@nebraska.gov

zachary.pohlman@nebraska.gov

*Counsel for State of Nebraska*

STEVE MARSHALL  
Attorney General of Alabama

s/ Edmund G. LaCour Jr.

EDMUND G. LACOUR JR.  
*Solicitor General*  
Office of the Attorney General  
State of Alabama  
501 Washington Avenue  
P.O. Box 300152  
Montgomery, Alabama 36130-0152  
Tel.: (334) 242-7300  
Fax: (334) 353-8400  
edmund.lacour@alabamaag.gov

*Counsel for State of Alabama*

TIM GRIFFIN  
Attorney General of Arkansas

s/ Nicholas J. Bronni

NICHOLAS J. BRONNI  
*Solicitor General*  
DYLAN L. JACOBS  
*Deputy Solicitor General*  
Office of the Arkansas  
Attorney General  
323 Center Street, Suite 200  
Little Rock, Arkansas 72201  
Tel.: (501) 682-2007  
nicholas.bronni@arkansasag.gov  
dylan.jacobs@arkansasag.gov

*Counsel for State of Arkansas*

TREG R. TAYLOR  
Attorney General of Alaska

s/ Masha Kazakova

MASHA KAZAKOVA  
*Assistant Attorney General*  
Environmental Section  
Alaska Department of Law  
1031 West 4th Avenue, Suite 200  
Anchorage, Alaska 99501-1994  
Tel.: (907) 269-5211  
masha.kazakova@alaska.gov

*Counsel for State of Alaska*

ASHLEY MOODY  
Attorney General of Florida

s/ Henry C. Whitaker

HENRY C. WHITAKER  
*Solicitor General*  
JAMES H. PERCIVAL  
*Chief of Staff*  
Office of the Attorney General  
The Capitol, P1-01  
Tallahassee, Florida 32399-1050  
Tel.: (850) 414-3300  
Fax: (850) 410-2672  
henry.whitaker@myfloridalegal.com  
james.percival@myfloridalegal.com

*Counsel for State of Florida*

CHRISTOPHER M. CARR  
Attorney General of Georgia

s/ Stephen J. Petrany  
STEPHEN J. PETRANY  
*Solicitor General*  
Office of the Attorney General  
40 Capitol Square, SW  
Atlanta, Georgia 30334  
Tel.: (404) 458-3408  
spetrany@law.ga.gov

*Counsel for State of Georgia*

RAÚL R. LABRADOR  
Attorney General of Idaho

s/ Joshua N. Turner  
JOSHUA N. TURNER  
*Chief of Constitutional Litigation  
and Policy*  
ALAN M. HURST  
*Solicitor General*  
Office of the Idaho Attorney General  
P.O. Box 83720  
Boise, Idaho 83720  
Tel.: (208) 334-2400  
josh.turner@ag.idaho.gov  
alan.hurst@ag.idaho.gov

*Counsel for State of Idaho*

THEODORE E. ROKITA  
Attorney General of Indiana

s/ James A. Barta  
JAMES A. BARTA  
*Solicitor General*  
Indiana Attorney General's Office  
IGCS – 5th Floor  
302 W. Washington St.  
Indianapolis, Indiana 46204  
Tel.: (317) 232-0709  
james.barta@atg.in.gov

*Counsel for State of Indiana*

BRENNA BIRD  
Attorney General of Iowa

s/ Eric H. Wessan  
ERIC H. WESSAN  
*Solicitor General*  
1305 E. Walnut Street  
Des Moines, Iowa 50319  
Tel.: (515) 823-9117  
Fax: (515) 281-4209  
eric.wessan@ag.iowa.gov

*Counsel for State of Iowa*

KRIS W. KOBACH  
Attorney General of Kansas

s/ Anthony J. Powell

ANTHONY J. POWELL  
*Solicitor General*  
Office of the Kansas  
Attorney General  
120 SW 10th Avenue, 2nd Floor  
Topeka, Kansas 66612  
Tel.: (785) 368-8539  
Fax: (785) 296-3131  
anthony.powell@ag.ks.gov

*Counsel for State of Kansas*

ELIZABETH B. MURRILL  
Attorney General of Louisiana

s/ J. Benjamin. Aguiñaga

J. BENJAMIN AGUIÑAGA  
*Solicitor General*  
Louisiana Department of Justice  
1885 N. Third Street  
Baton Rouge, Louisiana 70802  
Tel.: (225) 506-3746  
aguinagab@ag.louisiana.gov

*Counsel for State of Louisiana*

RUSSELL COLEMAN  
Attorney General of Kentucky

s/ Matthew F. Kuhn

Matthew F. Kuhn  
*Solicitor General*  
Jacob M. Abrahamson  
*Assistant Solicitor General*  
Office of Kentucky Attorney General  
700 Capital Avenue, Suite 118  
Frankfort, Kentucky 40601  
Tel.: (502) 696-5300  
matt.kuhn@ky.gov  
jacob.abrahamson@ky.gov

*Counsel for Commonwealth  
of Kentucky*

LYNN FITCH  
Attorney General of Mississippi

s/ Justin L. Matheny

JUSTIN L. MATHENY  
*Deputy Solicitor General*  
Office of the Mississippi Attorney  
General  
P.O. Box 220  
Jackson, Mississippi 39205-0220  
Tel.: (601) 359-3825  
justin.matheny@ago.ms.gov

*Counsel for State of Mississippi*

ANDREW BAILEY  
Attorney General of Missouri

s/ Caleb Rutledge

CALEB RUTLEDGE  
*Assistant Attorney General*  
Attorney General's Office of  
Missouri  
Post Office Box 899  
Jefferson City, Missouri 65102  
Tel.: (573) 751-0812  
Fax: (573) 751-0774  
caleb.rutledge@ago.mo.gov

*Counsel for State of Missouri*

GENTNER DRUMMOND  
Attorney General of Oklahoma

s/ Garry M. Gaskins, II

GARRY M. GASKINS, II  
*Solicitor General*  
JENNIFER L. LEWIS  
*Deputy Attorney General*  
Office of the Attorney General  
of Oklahoma  
313 NE Twenty-First St.  
Oklahoma City, Oklahoma 73105  
Tel.: (405) 521-3921  
garry.gaskins@oag.ok.gov  
jennifer.lewis@oag.ok.gov

*Counsel for State of Oklahoma*

AUSTIN KNUDSEN  
Attorney General of Montana

s/ Christian B. Corrigan

CHRISTIAN B. CORRIGAN  
*Solicitor General*  
PETER M. TORSTENSEN, JR.  
*Deputy Solicitor General*  
Montana Department of Justice  
215 N. Sanders  
Helena, Montana 59601  
christian.corrigan@mt.gov  
peter.torstensen@mt.gov

*Counsel for State of Montana*

ALAN WILSON  
Attorney General of South Carolina

s/ Joseph D. Spate

JOSEPH D. SPATE  
*Assistant Deputy Solicitor General*  
1000 Assembly Street  
Columbia, South Carolina 29201  
Tel.: (803) 734-3371  
josephspate@scag.gov

*Counsel for State of South Carolina*

MARTY J. JACKLEY  
Attorney General of South Dakota

s/ Steve Blair

STEVE BLAIR

*Deputy Attorney General*

1302 East Highway 14, Suite 1  
Pierre, South Dakota 57501-8501

Tel.: (605) 773-3215

atgservice@state.sd.us

*Counsel for State of South Dakota*

JONATHAN SKRMETTI  
Attorney General and Reporter  
of Tennessee

s/ J. Matthew Rice

J. MATTHEW RICE

*Solicitor General*

WHITNEY HERMANDORFER

*Director of Strategic Litigation*

Office of the Attorney General and  
Reporter of Tennessee

P.O. Box 20207

Nashville, Tennessee 37202-0207

Tel.: (615) 532-6026

matt.rice@ag.tn.gov

*Counsel for State of Tennessee*

KEN PAXTON  
Attorney General of Texas

SEAN REYES  
Attorney General of Utah

BRENT WEBSTER  
*First Assistant Attorney General*  
JAMES LLOYD  
*Deputy Attorney General for Civil  
Litigation*

s/ Stanford Purser  
STANFORD PURSER  
*Solicitor General*  
Office of the Utah Attorney General  
160 East 300 South, Fifth Floor  
Salt Lake City, Utah 84111  
Tel.: (385) 382-4334  
spurser@agutah.gov

KELLIE E. BILLINGS-RAY  
*Chief, Environmental Protection  
Division*

*Counsel for State of Utah*

s/ Wesley S. Williams

WESLEY S. WILLIAMS  
*Assistant Attorney General*  
Office of the Attorney General of  
Texas  
Environmental Protection Division  
P.O. Box 12548, MC-066  
Austin, Texas 78711-2548  
Tel.: (512) 463-2012  
Fax: (512) 320-0911  
wesley.williams@oag.texas.gov

*Counsel for State of Texas*



JASON MIYARES  
Attorney General of Virginia

s/ Kevin M. Gallagher  
KEVIN M. GALLAGHER  
*Principal Deputy Solicitor General*  
BRENDAN T. CHESTNUT  
*Deputy Solicitor General*  
Virginia Attorney General's Office  
202 North 9th Street  
Richmond, Virginia 23219  
Tel.: (804) 786-2071  
kgallagher@oag.state.va.us  
bchestnut@oag.state.va.us

*Counsel for Commonwealth of  
Virginia*

BRIDGET HILL  
Attorney General of Wyoming

s/ Ryan Schelhaas  
RYAN SCHELHAAS  
*Chief Deputy Attorney General*  
Office of the Wyoming Attorney  
General  
109 State Capitol  
Cheyenne, Wyoming 82002  
Tel.: (307) 777-5786  
ryan.schelhaas@wyo.gov

*Counsel for State of Wyoming*

PATRICK MORRISEY  
Attorney General of West Virginia

LINDSAY S. SEE  
*Solicitor General*  
s/ Michael R. Williams  
MICHAEL R. WILLIAMS  
*Principal Deputy Solicitor General*  
Office of the Attorney General of  
West Virginia  
State Capitol Complex  
Building 1, Room E-26  
Charleston, West Virginia 25301  
Tel.: (304) 558-2021  
lindsay.s.see@wvago.gov  
michael.r.williams@wvago.gov

*Counsel for State of West Virginia*

**CERTIFICATE OF SERVICE**

I certify that on May 13, 2024, I served a copy of this Petition for Review by United States first-class mail on the following:

The Honorable Michael S. Regan  
Administrator  
United States Environmental Protection Agency  
Mail Code 1101A  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20460

Office of General Counsel  
United States Environmental Protection Agency  
Mail Code 2310A  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20460

The Honorable Merrick B. Garland  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

Todd Kim  
Assistant Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

s/ Eric J. Hamilton  
ERIC J. HAMILTON