



## National Environmental Law Center

1402 Third Avenue, Suite 715, Seattle, WA 98101 (206) 568-2853 Fax: (206) 568-2858

September 2, 2014

Clerk of the Court  
United States Court of Appeals for the First Circuit  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

RE: *Environment America and Environment Massachusetts v.*  
*United States Environmental Protection Agency*  
[Agency Docket No. EPA-HQ-OW-2008-0667]

Dear Sir or Madam:

Attached for filing are the original Petition for Review and Corporate Disclosure Statement in the above-entitled matter. Also attached are one copy of the Petition and three copies of the Corporate Disclosure Statement.

As provided by Local Rule, we will pay the filing fee electronically, once the matter has been filed and docketed in this Court.

Should you have any questions regarding this filing, please feel free to contact me at 206-854-5481, or paralegal Sommers Kline at 617-747-4346.

Thank you.

Sincerely,

Charles C. Caldart  
Counsel for Petitioners

**Boston, Seattle**

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

2014 SEP -2 P 12: 21

FILED IN CLERK'S OFFICE  
U.S. COURT OF APPEALS  
FIRST CIRCUIT

\_\_\_\_\_  
ENVIRONMENT AMERICA,  
and ENVIRONMENT  
MASSACHUSETTS,

Petitioners,

v.

UNITED STATES  
ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent  
\_\_\_\_\_

**PETITION FOR REVIEW**

No. \_\_\_\_\_

[Agency Docket No.  
EPA-HQ-OW-2008-0667]

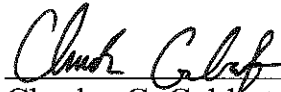
**PETITION FOR REVIEW**

Pursuant to Section 509(b)(1) of the federal Clean Water Act, 33 U.S.C. § 1369(b)(1), and Rule 15 of the Federal Rules of Appellate Procedure, Environment America and Environment Massachusetts hereby petition this Court for review of final action of respondent United States Environmental Protection Agency, entitled *National Pollutant Discharge Elimination System – Final Regulations To Establish Requirements for Cooling Water Intake Structures at Existing Facilities and Amend Requirements at Phase I Facilities; Final Rule*, published at 79 Fed. Reg.

48300 - 48439 (August 15, 2014) ("Final Rule"). For purposes of judicial review, the Final Rule was promulgated on August 29, 2014.

DATE: September 2, 2014

Respectfully Submitted,



Charles C. Caldart (Bar No. 1095229)

National Environmental Law Center

1402 Third Ave., Suite 715

Seattle, WA 98101

(206) 568-2853

[cccnlc@aol.com](mailto:cccnlc@aol.com)

*Attorney for Environment America  
and Environment Massachusetts*

## CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of September 2014, I caused to be served by first-class mail a copy of the foregoing *Petition for Review* on:

Administrator Gina McCarthy  
U.S. Environmental Protection Agency  
William Jefferson Clinton Building  
Mail Code 1101A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Attorney General Eric Holder  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Correspondence Control Unit  
Office of General Counsel Avi Garbow  
U.S. Environmental Protection Agency  
William Jefferson Clinton Building  
Mail Code 2310A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460



Charles C. Caldart

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

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ENVIRONMENT AMERICA,  
and ENVIRONMENT  
MASSACHUSETTS,

Petitioners,

v.

UNITED STATES  
ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent  
\_\_\_\_\_

**CORPORATE DISCLOSURE  
STATEMENT**

No. \_\_\_\_\_


[Agency Docket No.  
EPA-HQ-OW-2008-0667]

**CORPORATE DISCLOSURE STATEMENT**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure,  
Petitioners Environment America and Environment Massachusetts state that they  
are non-profit corporations that have not issued shares of stock to the public and  
have no corporate parent.

DATE: September 2, 2014

Respectfully Submitted,



Charles C. Caldaft (Bar No. 1095229)

National Environmental Law Center

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*Attorney for Environment America  
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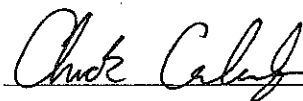
## CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of September 2014, I caused to be served by first-class mail a copy of the foregoing *Corporate Disclosure Statement* on:

Administrator Gina McCarthy  
U.S. Environmental Protection Agency  
William Jefferson Clinton Building  
Mail Code 1101A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Attorney General Eric Holder  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

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