

IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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DINE' CITIZENS AGAINST RUINING THE	)	
ENVIRONMENT, AMIGOS BRAVOS,	)	
SAN JUAN CITIZENS ALLIANCE, and	)	
THE CENTER FOR BIOLOGICAL DIVERSITY	)	
	)	
Petitioners	)	
	)	
v.	)	
	)	
UNITED STATES ENVIRONMENTAL	)	No.
PROTECTION AGENCY REGION 9,	)	
UNITED STATE ENVIRONMENTAL	)	
PROTECTION AGENCY	)	
ENVIRONMENTAL APPEALS BOARD,	)	
JANE NISHIDA, Acting Administrator )	)	
United States Environmental Protection Agency,	)	
	)	
Respondents.	)	
	)	
	)	

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**PETITION FOR REVIEW**

Pursuant to Fed. R. App. P. 15, Ninth Cir. Rule 15, Clean Water Act § 509(b)(1)(F), 33 U.S.C. §1369(b)(1)(F), and Administrative Procedure Act, 5 U.S.C. § 706, Dine' Citizens Against Ruining the Environment, Amigos Bravos, San Juan Citizens Alliance, and Center for Biological Diversity hereby petition this Court for review of the United States Environmental Protection Agency's issuance of a Final National Pollutant Discharge Elimination System Permit under 33 U.S.C. § 1342 to the Arizona Public Service Company for the Four Corners Power Plant (Permit No. NN0000019, Exhibit 1 hereto), issued on November 9, 2020 and made effective on December 1, 2020; and, EPA's Order Denying Review, issued by EPA's Environmental

Appeals Board in NPDES Appeal No. 19-06 (Exhibit 2 hereto), issued on September 30, 2020. The challenged actions injure petitioners, and their members, by, *inter alia*, permitting water pollution discharges and negatively affecting waters used by petitioners' members for recreation and other purposes.

DATED: This 22nd day of January 2021.

Respectfully submitted,

s/ John Barth  
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CERTIFICATE OF SERVICE

This will certify that the undersigned caused a copy of the foregoing Petition for Review and Exhibits hereto to be served, Certified Mail Return/Receipt Requested U.S. Mail postage prepaid, on January 22, 2021 to:

Office of the Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Office of the Regional Administrator (vacant)  
Deborah Jordan, Deputy Regional Administrator  
Tom Hagler, Office of the Regional Counsel  
U.S. Environmental Protection Agency  
Region IX  
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U.S. Environmental Protection Agency  
Clerk of the Board, Environmental Appeals Board  
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s/ John Barth