

TABLE OF CONTENTS

APPENDIX A

Order Denying Stay, <i>State of North Dakota v. EPA</i> , No. 24-1119 (D.C. Circuit, August 6, 2024)	App.1
---------------------------------------------------------------------------------------------------------------	-------

APPENDIX B

42 U.S.C. § 7412	App.3
------------------------	-------

APPENDIX C

<i>National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units Review of the Residual Risk and Technology Review</i> , 89 Fed. Reg. 38508 (May 7, 2024)	App.34
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------

APPENDIX D

Comments of Westmoreland Mining Holdings LLC, EPA-HQ-OAR-2018-0794-5935.....	App.120
---------------------------------------------------------------------------------	---------

APPENDIX E

Comments of Northwestern Energy, EPA-HQ-OAR-2018-0794-5980.....	App.226
--------------------------------------------------------------------	---------

APPENDIX F

Comments of National Mining Association, EPA-HQ-OAR-2009-0234-20531.....	App.251
-----------------------------------------------------------------------------	---------

APPENDIX G

Comments of Talen Montana, EPA-HQ-OAR-2018-0794-5987.....	App.443
--------------------------------------------------------------	---------

APPENDIX H

Declarations:

Exhibit 1 – Declaration of Patrick Barkey	App.484
Exhibit 2 – Declaration of Jeremy Cottrell	App.518

APPENDIX A

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 24-1119**September Term, 2023****EPA-89FR38508****Filed On:** August 6, 2024

State of North Dakota, et al.,

Petitioners

v.

Environmental Protection Agency,

Respondent

San Miguel Electric Cooperative, Inc., et al.,
Intervenors

Consolidated with 24-1154, 24-1179,
24-1184, 24-1190, 24-1194, 24-1201,
24-1217, 24-1223

BEFORE: Henderson, Pan, and Garcia, Circuit Judges**ORDER**

Upon consideration of the motions for stay pending review, the oppositions thereto, the replies, and the Rule 28(j) letter, it is

ORDERED that the motions for stay be denied. Petitioners have not satisfied the stringent requirements for a stay pending court review. See Nken v. Holder, 556 U.S. 418, 434 (2009); D.C. Circuit Handbook of Practice and Internal Procedures 33 (2021). It is

FURTHER ORDERED, on the court's own motion, that the parties submit, within 14 days from the date of this order, proposed formats and schedules for the briefing of these cases. The parties are strongly urged to submit a joint proposal and are reminded that the court looks with extreme disfavor on repetitious submissions and will, where appropriate, require a joint brief of aligned parties with total words not to exceed the standard allotment for a single brief. Whether the parties are aligned or have disparate interests, they must provide detailed justifications for any request to file

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 24-1119

September Term, 2023

separate briefs or to exceed in the aggregate the standard word allotment. Requests to exceed the standard word allotment must specify the word allotment necessary for each issue.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY:

/s/

Selena R. Gancasz

Deputy Clerk