

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

CAPE FEAR RIVER WATCH, RURAL  
EMPOWERMENT ASSOCIATION FOR  
COMMUNITY HELP, WATERKEEPERS  
CHESAPEAKE, ANIMAL LEGAL DEFENSE  
FUND, CENTER FOR BIOLOGICAL  
DIVERSITY, COMITE CIVICO DEL VALLE,  
ENVIRONMENT AMERICA, FOOD &  
WATER WATCH, THE HUMANE SOCIETY  
OF THE UNITED STATES, and  
WATERKEEPER ALLIANCE,

*Petitioners,*

v.

U.S. ENVIRONMENTAL PROTECTION  
AGENCY and ANDREW WHEELER, in his  
official capacity as Administrator of the U.S.  
Environmental Protection Agency,

*Respondents.*

No.

**PETITION FOR REVIEW**

Pursuant to Section 509(b)(1) of the Clean Water Act, 33 U.S.C. § 1369(b)(1), Federal Rule of Appellate Procedure 15, and Fourth Circuit Local Rule 15, Cape Fear River Watch, Rural Empowerment Association for Community Help, Waterkeepers Chesapeake, Animal Legal Defense Fund, Center for Biological Diversity, Comite Civico del Valle, Environment America, Food & Water Watch,

the Humane Society of the United States, and Waterkeeper Alliance hereby petition the United States Court of Appeals for the Fourth Circuit for review of the final action of Respondents U.S. Environmental Protection Agency (“EPA” or “Agency”) and EPA Administrator Andrew Wheeler determining that revision of the effluent limitation guidelines, revision of associated effluent limitations, and promulgation of pretreatment standards for the Meat and Poultry Products industrial point source category (40 C.F.R. Part 432) is not appropriate at this time. EPA announced this action in a Federal Register notice published at 84 Fed. Reg. 57,019 (Oct. 24, 2019) and titled “Preliminary Effluent Guidelines Program Plan 14” (Exhibit A). EPA also announced this action in “Preliminary Effluent Guidelines Program Plan 14” (“Preliminary Plan 14”) (Exhibit B), which EPA published on its website on October 24, 2019. EPA’s docket number for Preliminary Plan 14 is EPA-OW-2018-0618.

Respectfully submitted this 18th day of December, 2019.

s/ Sylvia Lam  
Sylvia Lam, Attorney  
Abel Russ, Senior Attorney  
Environmental Integrity Project  
1000 Vermont Avenue NW  
Suite 1100  
Washington, DC 20005  
(202) 888-2701  
slam@environmentalintegrity.org  
aruss@environmentalintegrity.org

s/ Peter Lehner

Peter Lehner, Managing Attorney  
Alexis Andiman, Senior Associate Attorney  
Earthjustice  
48 Wall Street, 19th Floor  
New York, NY 10005  
(212) 845-7376  
aandiman@earthjustice.org  
plehner@earthjustice.org

Carrie Apfel  
Staff Attorney  
Earthjustice  
1625 Massachusetts Avenue NW  
Suite 702  
Washington, DC 20036  
(202) 797-4310  
capfel@earthjustice.org

*Counsel for Petitioners Cape Fear River  
Watch, Rural Empowerment Association for  
Community Help, Waterkeepers  
Chesapeake, Animal Legal Defense Fund,  
Center for Biological Diversity, Comite  
Civico del Valle, Environment America,  
Food & Water Watch, the Humane Society  
of the United States, and Waterkeeper  
Alliance*

## LIST OF RESPONDENTS

As required by Local Rule 15(b), Petitioners Cape Fear River Watch, Rural Empowerment Association for Community Help, Waterkeepers Chesapeake, Animal Legal Defense Fund, Center for Biological Diversity, Comite Civico del Valle, Environment America, Food & Water Watch, the Humane Society of the United States, and Waterkeeper Alliance provide a list of respondents below identifying the Respondents' names and addresses, and the name and addresses of Respondents' counsel, for service.

Andrew Wheeler  
Administrator  
U.S. Environmental Protection Agency  
Mail Code: 1101A  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Matthew Leopold  
General Counsel  
U.S. Environmental Protection Agency  
Mail Code: 2310A  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

William Barr  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530

## CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2019, a true and correct copy of the foregoing Petition for Review was served on Respondents by certified mail, return receipt requested, to each of the following addresses:

Andrew Wheeler  
Administrator  
U.S. Environmental Protection Agency  
Mail Code: 1101A  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Matthew Leopold  
General Counsel  
U.S. Environmental Protection Agency  
Mail Code: 2310A  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

William Barr  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530