



July 19, 2017

Via Federal Express

Mr. Scott Pruitt
EPA Administrator
United States Environmental Protection Agency
EPA Headquarters
Mail Code 1101A
William Jefferson Clinton Building (North)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

RE: Administrative Petition to Reconsider *California State Nonroad Engine Pollution Control Standards; Off-Road Compression Ignition Engines—In-Use Fleets; Notice of Decision*, 78 FED. REG. 58,090 (SEP. 20, 2013) DOCKET NO. EPA-HQ-OAR-2008-0691; FRL-9901-18-OAR

Dear Administrator Pruitt:

Enclosed please find our Administrative Petition respectfully requesting EPA to rescind its grant of a waiver to the State of California for its nonroad diesel emissions standards, 78 Fed. Reg. 58,090 (Sep. 20, 2013), made pursuant to Section 209(e)(2)(A)(ii) of the Clean Air Act. When granting the waiver, the prior EPA Administrator failed to apply the correct criteria for evaluating California's waiver application.

For your convenience, the Administrative Petition includes an Appendix comprised of the briefs filed in the case of *Dalton Trucking, Inc. v. EPA* (Ninth Circuit No. 13-74019), a legal challenge to the waiver grant that has been put on hold at EPA's request so that the Agency may reconsider the decision of the prior EPA Administrator.

Mr. Scott Pruitt
July 19, 2017
Page 2

Thank you in advance of your careful consideration of the enclosed Administrative Petition.

Respectfully submitted,



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Enclosures

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