Filed: 08/03/2023

AMERICAN IRON AND STEEL INSTITUTE,	)
Petitioner,	) ) Case No. 23-1200
v.	) Case 110. 25-1200
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, and MICHAEL S. REGAN, Administrator, United States Environmental Protection Agency,	) ) ) )
Respondents.	) ) )

## PETITION FOR REVIEW

The American Iron and Steel Institute hereby petitions this court, pursuant to Rule 15 of the Federal Rules of Appellate Procedure, **D.C.** Circuit Rule 15, and Section 307(b)(1) of the Clean Air Act, 42 U.S.C. §7607(b)(1), for review of the final action the United States Environmental Protection Agency ("EPA") published in the Federal Register at 88 Fed. Reg. 36,654 (June 5, 2023) entitled Federal "Good Neighbor Plan" for the 2015 Ozone National Ambient Air **Quality Standards**. A copy of EPA's final rule is attached and identified as Attachment A.

This Court has jurisdiction under 42 U.S.C. §7607(b)(1). Relying on *Texas Municipal Power Agency v. Environmental Protection Agency*, 89 F.3d 858, 867 (**D**.C. Cir. 1996) where this Court found that Clean Air Act §307(b)(1) is a waivable venue provision, the

American Iron and Steel Institute does so yield venue as to this Petition in this Court to promote judicial efficiency and to advance this challenge without unnecessary delay that may arise from disputes regarding regional circuit venue selection.

Respectfully submitted.

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Counsel for Petitioner American Iron and Steel Institute

Dated: August 3, 2023

Filed: 08/03/2023

## UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

AMERICAN IRON AND STEEL		
INSTITUTE,	)	
Petitioner,	)	Case No.
v.	)	Case IVO.
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, and MICHAEL S. REGAN, Administrator, United States Environmental Protection Agency,	) ) )	
Respondents.	) ) )	

## RULE 26.1 DISCLOSURE STATEMENT OF PETITIONER AMERICAN IRON AND STEEL INSTITUTE

Pursuant to Federal Rules of Appellate Procedure and Circuit Rule 26.1 and Circuit Rule 26.1, the AMERICAN IRON AND STEEL INSTITUTE, a petitioner files the following statement:

AMERICAN IRON AND STEEL INSTITUTE is a continuing association of individuals operated for the purpose of promoting the general interests of its membership. The AMERICAN IRON AND STEEL INSTITUTE has no outstanding shares or debt securities in the hand of the public and has no parent company.

No publicly held company has a 10% or greater ownership interest in the AMERICAN IRON AND STEEL INSTITUTE.

Respectfully submitted,

David M Flannery

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Counsel for the American Iron and Steel Institute

Dated: August 3, 2023

Filed: 08/03/2023

## **CERTIFICATE OF SERVICE**

Pursuant to Fed. R. App. P. 15(c), Circuit Rule 15(a), Fed. R. App. P. 25, and 40 CFR 23.12(a), on this date, I hereby certify that I will cause to be served a true copy of the foregoing Petition for Review and Disclosure Statement via U.S. mail on the 3<sup>rd</sup> day of August 2023, return-receipt requested, a copy of the foregoing Petition for Review to the following:

Hon. Michael S. Regan Office of the Administrator (1101A) United States Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington, DC 20460

Hon. Merrick B. Garland Attorney General for the United States United States Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001

Office of General Counsel (2310A) United States Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington, DC 20460

David M. Flannery

Dated: August 3, 2023