

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

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THE STATE SOYBEAN  
ASSOCIATIONS OF THE STATES OF  
IOWA, MINNESOTA, and SOUTH  
DAKOTA, and DIAMOND  
ALTERATIVE ENERGY, LLC,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent.

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Case No.: 22-1083

**PETITION FOR REVIEW**

Pursuant to Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), Section 702 of the Administrative Procedure Act, 5 U.S.C. § 702, Rule 15(a) of the Federal Rules of Appellate Procedure, and Rule 15(a) of the D.C. Circuit Rules, the Soybean Associations for the States of Iowa, Minnesota, and South Dakota, and Diamond Alternative Energy, LLC (together, “Petitioners”), hereby petition the United States Court of Appeals for the District of Columbia Circuit for review of the United States Environmental Protection Agency’s final decision entitled “California State Motor Vehicle Pollution Control Standards; Advanced Clean Car Program; Reconsideration of a Previous Withdrawal of a Waiver of Preemption;

Notice of Decision,” published in the Federal Register at 87 Fed. Reg. 14,332 (Mar. 14, 2022). A copy of the final rule is attached as Exhibit A. This Court has jurisdiction and is a proper venue for this action pursuant to 42 U.S.C. § 7607(b)(1).

Petitioners support EPA’s goal of reducing the greenhouse gas emissions of the domestic transportation fleet consistent with Congressional directives in the Energy Independence and Security Act of 2007, which created the current Renewable Fuel Standard program to compel EPA to expand the nation’s renewable fuel sector in support of U.S. environmental, energy, climate, and energy security policy. However, the final decision exceeds EPA’s authority by favoring one technology—through allowing states to favor one technology—electric vehicles, over others, including the comparably-clean renewable fuels produced by Petitioners. For these and other reasons, Petitioners seek this Court’s review of the final rule.

Date: May 13, 2022

Respectfully submitted,

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**CERTIFICATE OF CORPORATE DISCLOSURE**

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, the Soybean Associations for the States of Iowa, Minnesota, and South Dakota, and Diamond Alternative Energy, LLC provide the following corporate disclosure statement:

**Diamond Alternative Energy, LLC**, a Delaware limited liability company, is a wholly owned direct subsidiary of Valero Energy Corporation, a Delaware corporation whose common stock is publicly traded on the New York Stock Exchange under the ticker symbol: VLO.

**The Iowa Soybean Association** is a non-profit trade association within the meaning of D.C. Circuit Rule 26.1(b). Its members are soybean farmers and supporters of the agriculture and soybean industries. It operates for the purpose of promoting the general commercial, legislative, and other common interests of its members. The Iowa Soybean Association does not have a parent company, it has no privately or publicly held ownership interests and no publicly held company has ownership interest in it.

**The Minnesota Soybean Growers Association (“MSGA”)** is a non-profit trade association within the meaning of D.C. Circuit Rule 26.1(b). Its members are soybean farmers, their supporters and members of soybean industries. It operates for the purpose of promoting the general commercial, legislative, and other common interests of its members. MSGA a not-for-profit corporation, that it is not a subsidiary of any corporation, and that does not have any stock which can be owned by a publicly held corporation.

**The South Dakota Soybean Association (“SDSA”)** is a non-profit trade association within the meaning of D.C. Circuit Rule 26.1(b). Its members are soybean farmers, their supporters and members of soybean industries. It operates for the purpose of promoting the general commercial, legislative, and other common interests of its members. SDSA is a not-for-profit corporation, that it is

not a subsidiary of any corporation, and that does not have any stock which can be owned by a publicly held corporation.

Date: May 13, 2022

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**CERTIFICATE OF SERVICE**

Pursuant to Federal Rules of Appellate Procedure 15(c) and 25, D.C. Circuit Rules 15(a) and 25, and 40 C.F.R. § 23.12(a), I hereby certify that on May 13, 2022, I will cause copies of the foregoing Petition for Review and Certificate of Corporate Disclosure to be served via FedEx overnight delivery upon the following:

The Honorable Michael Regan, Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Correspondence Control Unit  
Office of General Counsel (2311)  
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The Honorable Merrick Garland  
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