

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

AIR ALLIANCE HOUSTON,)
CALIFORNIA COMMUNITIES)
AGAINST TOXICS, CLEAN AIR)
COUNCIL, DEL AMO ACTION)
COMMITTEE, ENVIRONMENTAL)
INTEGRITY PROJECT,)
ENVIRONMENTAL JUSTICE)
HEALTH ALLIANCE FOR)
CHEMICAL POLICY REFORM,)
SIERRA CLUB, TEXAS)
ENVIRONMENTAL JUSTICE)
ADVOCACY SERVICES, and UTAH)
PHYSICIANS FOR A HEALTHY)
ENVIRONMENT,)

No. 24-1175

Petitioners,

v.

U.S. ENVIRONMENTAL)
PROTECTION AGENCY and)
MICHAEL REGAN, Administrator,)
U.S. Environmental Protection Agency,)

Respondents.

PETITION FOR REVIEW

Pursuant to Clean Air Act § 307(b)(1), 42 U.S.C. § 7607(b)(1), Rule 15 of the Federal Rules of Appellate Procedure, and D.C. Circuit Rule 15, Air Alliance Houston, California Communities Against Toxics, Clean Air Council, Del Amo Action Committee, Environmental Integrity Project, Environmental Justice Health Alliance for Chemical Policy Reform, Sierra Club, Texas Environmental Justice

Advocacy Services, and Utah Physicians for a Healthy Environment (“Petitioners”) hereby petition this Court for review of the final action taken by Respondents U.S. Environmental Protection Agency and Administrator Michael Regan, published at 89 Fed. Reg. 23,840 (April 4, 2024) and titled “National Emission Standards for Hazardous Air Pollutants: Ethylene Production, Miscellaneous Organic Chemical Manufacturing, Organic Liquids Distribution (Non-Gasoline), and Petroleum Refineries Reconsideration” (attached).

DATED: June 3, 2024

Respectfully submitted,

/s/ Adam Kron

Adam Kron

Kathleen Riley

Earthjustice

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Against Toxics, Clean Air Council, Del
Amo Action Committee, Environmental
Integrity Project, Environmental
Justice Health Alliance for Chemical
Policy Reform, Sierra Club, Texas
Environmental Justice Advocacy
Services, and Utah Physicians for a
Healthy Environment*

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RULE 26.1 DISCLOSURE STATEMENT

Pursuant to Federal Rules of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Air Alliance Houston, California Communities Against Toxics, Clean Air Council, Del Amo Action Committee, Environmental Integrity Project, Environmental Justice Health Alliance for Chemical Policy Reform, Sierra Club,

Texas Environmental Justice Advocacy Services, and Utah Physicians for a Healthy Environment make the following disclosures:

AIR ALLIANCE HOUSTON

Non-Governmental Corporate Party to this Action: Air Alliance Houston.

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Air Alliance Houston, a corporation organized and existing under the laws of the State of Texas, is a nonprofit organization working to reduce air pollution in the Houston region to protect public health and environmental integrity through research, education, and advocacy.

CALIFORNIA COMMUNITIES AGAINST TOXICS

Non-Governmental Corporate Party to this Action: California Communities Against Toxics ("CCAT").

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: CCAT is a non-profit association of members. It is an environmental justice network that aims to reduce exposure to pollution, to expand knowledge about the effects of toxic chemicals on human health and the environment, and to protect the most vulnerable people from harm.

CLEAN AIR COUNCIL

Non-Governmental Corporate Party to this Action: Clean Air Council.

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Clean Air Council is a corporation organized and existing under the laws of the Commonwealth of Pennsylvania. Clean Air Council is a not-for-profit organization focused on the protection of public health and the environment.

DEL AMO ACTION COMMITTEE

Non-Governmental Party to this Action: Del Amo Action Committee.

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Del Amo Action Committee is a not-for-profit organization based in Torrance, California whose mission is to develop and support policy changes and promote environmental justice to create a healthy and safe community.

ENVIRONMENTAL INTEGRITY PROJECT

Non-Governmental Corporate Party to this Action: Environmental Integrity Project ("EIP").

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: EIP, a corporation organized and existing under the laws of the District of Columbia, is a national nonprofit organization that advocates for more effective enforcement of environmental laws.

**ENVIRONMENTAL JUSTICE HEALTH ALLIANCE FOR CHEMICAL
POLICY REFORM**

Non-Governmental Corporate Party to this Action: Environmental Justice Health Alliance for Chemical Policy Reform ("EJHA").

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: EJHA is a national network of grassroots Environmental and Economic Justice organizations and advocates in communities that are disproportionately impacted by toxic chemicals from legacy contamination, ongoing exposure to polluting facilities and health-harming chemicals in household products. EJHA supports a just transition towards safer chemicals and a pollution-free economy that leaves no community or worker behind. The EJHA network model features leadership of, by, and for Environmental Justice groups with support from additional allied groups and individual experts. EJHA is rooted in the history of the Environmental and Economic Justice Movement. We are dedicated to chemical safety and supporting

safe, healthy, and toxic-free communities where we live, work, play, pray and go to school.

SIERRA CLUB

Non-Governmental Corporate Party to this Action: Sierra Club.

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Sierra Club, a corporation organized and existing under the laws of the State of California, is a national nonprofit organization dedicated to the protection and enjoyment of the environment.

TEXAS ENVIRONMENTAL JUSTICE ADVOCACY SERVICES

Non-Governmental Party to this Action: Texas Environmental Justice Advocacy Services ("t.e.j.a.s.").

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: T.e.j.a.s. is a non-profit corporation organized and existing under the laws of the state of Texas. T.e.j.a.s. promotes environmental protection through education, policy development, community awareness, and legal action to ensure that everyone, regardless of race or income, is entitled to live in a clean environment.

UTAH PHYSICIANS FOR A HEALTHY ENVIRONMENT

Non-Governmental Party to this Action: Utah Physicians for a Healthy Environment.

Parent Corporations: None.

Publicly Held Company that Owns 10% or More of Party's Stock: None.

Party's General Nature and Purpose: Utah Physicians for a Healthy Environment is a not-for-profit civic organization of health care professionals, including physicians, biologists, toxicologists, engineers, air quality specialists and members of the public concerned about pollution. Utah Physicians for a Healthy Environment is dedicated to protecting the health and well-being of the citizens of Utah by promoting science-based education and interventions that result in progressive, measurable improvements to the environment.

DATED: June 3, 2024

Respectfully submitted,

/s/ Adam Kron

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Amo Action Committee, Environmental Integrity Project, Environmental Justice Health Alliance for Chemical Policy Reform, Sierra Club, Texas Environmental Justice Advocacy Services, and Utah Physicians for a Healthy Environment

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing **Petition for Review** and **Rule 26.1 Disclosure Statement** on Respondents by sending a copy to each of the following addresses on this 3rd day of June, 2024.

Via Certified Mail, Return Receipt Requested:

Michael S. Regan, Administrator
Office of the Administrator (1101A)
Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Correspondence Control Unit
Office of General Counsel (2310A)
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1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

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