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MAY 03 2024

U.S. Court of Appeals
Eighth Circuit- St. Paul, MN

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U.S. Court of Appeals
Eighth Circuit- St. Paul, MN

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

CLEVELAND-CLIFFS INC.)

Petitioner,)

v.)

UNITED STATES)
ENVIRONMENTAL)
PROTECTION AGENCY, and)
MICHAEL S. REGAN,)
Administrator, United States)
Environmental Protection Agency)

Respondents.)

No. 24-1951

PETITION FOR REVIEW

Pursuant to Rule 15 of the Federal Rules of Appellate Procedure and section 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), Petitioner Cleveland-Cliffs Inc. hereby petitions this Court to review the final rule promulgated by the United States Environmental Protection Agency entitled “National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing,” 89 Fed. Reg. 16,408 (March 6, 2024) (“Final Rule”).

This petition is timely filed within 60 days from the date notice of promulgation of the Final Rule was published in the Federal Register. 42 U.S.C. § 7607(b)(1).

A copy of the Final Rule is attached hereto as Attachment A.

This Court has jurisdiction and is the proper venue for this action because the Final Rule is “locally or regionally applicable.” 42 U.S.C. § 7607(b)(1). All taconite iron ore processing facilities affected by the Final Rule are in the iron mining region of the United States with six in Northeastern Minnesota and one in the Upper Peninsula of Michigan.

Dated: May 3, 2024

/s/Douglas A. McWilliams

Douglas A. McWilliams

Allen A. Kacenjar

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*Counsel for Petitioner Cleveland-Cliffs
Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 3, 2024, the foregoing PETITION FOR REVIEW was served by a third-party commercial carrier, return receipt requested, on each of the following:

Michael Regan
EPA Administrator
Office of the Administrator (1101A)
United States Environmental Protection Agency
William Jefferson Clinton Federal Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

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

Correspondence Control Unit
Office of General Counsel (2311)
United States Environmental Protection Agency
William Jefferson Clinton Federal Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Debra Shore
Regional Administrator
United States Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, IL 60604

/s/Douglas A. McWilliams

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United States Court of Appeals***For The Eighth Circuit***Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, Room 24.329**St. Louis, Missouri 63102****Stephanie N. O'Banion**
*Acting Clerk of Court***VOICE (314) 244-2400**
FAX (314) 244-2780
www.ca8.uscourts.gov

May 03, 2024

Douglas A. McWilliams
SQUIRE & PATTON
1000 Key Tower
127 Public Square
Cleveland, OH 44114

RE: 24-1951 Cleveland-Cliffs Inc. v. EPA, et al

Dear Counsel:

We have received a petition for review of an order of the United States Environmental Protection Agency in the above case, together with payment in the amount of \$600 for the docket fee. Receipt for docketing fee, if paid by check, will be sent through the mail.

Counsel in the case must supply the clerk with an Appearance Form. Counsel may download or fill out an [Appearance Form](#) on the "Forms" page on our web site at www.ca8.uscourts.gov.

The petition has been filed and docketed. A copy of the petition is hereby served upon the respondent in accordance with Federal Rule of Appellate Procedure, 15(c).

This case has been consolidated with case number 24-1946 *U.S. Steel v. EPA, et al.*, to the extent possible, for briefing and submission to the court.

Your attention is invited to the consolidated briefing schedule pertaining to administrative agency cases, a copy of which will be sent under separate Notice of Docket Activity. The clerk's office provides a number of practice aids and materials to assist you in preparing the record and briefs. You can download the materials from our website, the address of which is shown above. Counsel for both sides should familiarize themselves with the material and immediately confer regarding the briefing schedule and contents of the appendix.

On June 1, 2007, the Eighth Circuit implemented the appellate version of CM/ECF. Electronic filing is now mandatory for attorneys and voluntary for pro se litigants proceeding without an attorney. Information about electronic filing can be found at the court's web site www.ca8.uscourts.gov. In order to become an authorized Eighth Circuit filer, you must register with the PACER Service Center at <https://www.pacer.gov/psco/cgi-bin/cmecf/ea-regform.pl>. Questions about CM/ECF may be addressed to the Clerk's office.

Stephanie N. O'Banion
Acting Clerk of Court

CBO

Enclosure(s)

cc: Merrick B. Garland
Allen A. Kacenjar Jr.
Office of General Counsel
Debra Shore

District Court/Agency Case Number(s): EPA-HQ-OAR-2017-0664

Cleveland-Cliffs Inc.

Petitioner

v.

U.S. Environmental Protection Agency; Michael S. Regan, Administrator, United States
Environmental Protection Agency

Respondents

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