

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

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)	
AMERICAN COKE AND COAL CHEMICALS)	
INSTITUTE and COKE OVEN)	
ENVIRONMENTAL TASK FORCE,)	
)	
Petitioners,)	Case No. <u>24-1287</u>
)	
v.)	
)	
U.S. ENVIRONMENTAL PROTECTION)	
AGENCY and MICHAEL S. REGAN,)	
ADMINISTRATOR, U.S. ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondents.)	
_____)	

PETITION FOR REVIEW

Pursuant to the Clean Air Act § 307(b)(1), 42 U.S.C. § 7607(b)(1), the Administrative Procedure Act, 5 U.S.C. §§ 701-706, Federal Rule of Appellate Procedure 15, and D.C. Circuit Rule 15, the American Coke and Coal Chemicals Institute (ACCCI) and the Coke Oven Environmental Task Force (COETF) hereby petition this Court for review of the U.S. Environmental Protection Agency’s final agency action entitled “National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks, and Coke Oven Batteries;

Residual Risk and Technology Review, and Periodic Technology Review,” 89 Fed. Reg. 55684-55757 (July 5, 2024).

The challenged action finalizes the residual risk and technology review conducted for the Coke Ovens: Pushing, Quenching, and Battery Stacks source category, 40 C.F.R. Part 63, Subpart CCCCC, and the periodic technology review for the Coke Oven Batteries source category, 40 C.F.R. Part 63, Subpart L, located at facilities owned and operated by ACCCI’s and COETF’s members. A copy of the Federal Register notice publishing the final rule is attached as Exhibit A.

Dated: August 30, 2024

Respectfully submitted,

/s/ Jeffrey A. Knight

Jeffrey A. Knight

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**RULE 26.1 DISCLOSURE STATEMENT OF THE AMERICAN COKE
AND COAL CHEMICALS INSTITUTE**

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Petitioner the American Coke and Coal Chemicals Institute (ACCCI) hereby certifies as follows:

1. ACCCI is a voluntary not-for-profit trade association whose members own and operate all of the facilities that produce metallurgical coke in the U.S. Through the Coke Oven Environmental Task Force (COETF), ACCCI promotes the interests of its members, who produce metallurgical coke using the “byproduct recovery” cokemaking process, by communicating industry positions to the federal

government and advocating on their behalf regarding federal legislative, regulatory, and other legal matters.

2. ACCCI has no parent company, and no publicly held company has a 10 percent or greater ownership interest in ACCCI.

3. ACCCI has no outstanding shares or debt securities in the hands of the public and has no parent, subsidiary, or affiliate that has issued shares or debt securities to the public.

Dated: August 30, 2024

Respectfully submitted,

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**RULE 26.1 DISCLOSURE STATEMENT OF THE COKE OVEN
ENVIRONMENTAL TASK FORCE**

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Petitioner the Coke Oven Environmental Task Force (COETF) hereby certifies as follows:

1. The COETF is a coalition of member companies led by the American Coke and Coal Chemicals Institute (ACCCI) with a primary purpose to address major environmental issues affecting the byproduct recovery coke industry and to advocate on behalf of its members in legislative, regulatory, and other legal matters. The

COETF's member companies own and operate all of the byproduct recovery cokemaking facilities in the U.S.

2. The COETF has no parent company, and no publicly held company has a 10 percent or greater ownership interest in the COETF.

3. The COETF has no outstanding shares or debt securities in the hands of the public and has no parent, subsidiary, or affiliate that has issued shares or debt securities to the public.

4. The following members of the COETF have issued shares or debt securities to the public:

- Cleveland Cliffs, Inc.;
- DTE Energy Company;
- Drummond Company; and
- United States Steel Corporation.

Dated: August 30, 2024

Respectfully submitted,

/s/ Jeffrey A. Knight

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Counsel for COETF

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 the foregoing Petition for Review and Rule 26.1 Disclosure Statements were electronically filed using the Case Management/Electronic Case File (CM/ECF) system and have been served by U.S. certified mail, return receipt requested, this 30th day of August 2024 upon each of the following:

The Honorable Michael S. Regan
Office of the Administrator (1101A)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

U.S. Environmental Protection Agency
Correspondence Control Unit
Office of General Counsel (2311)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Todd Kim
Assistant Attorney General
United States Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530-0001

/s/ Jeffrey A. Knight

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