

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

INTERSTATE NATURAL GAS ASSOCIATION
OF AMERICA; AMERICAN PETROLEUM
INSTITUTE,

Petitioners,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY; MICHAEL S. REGAN,
Administrator, U.S. EPA

Respondents.

Case No.

23-1193

PETITION FOR REVIEW

Pursuant to Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1); Federal Rule of Appellate Procedure 15(a); and D.C. Circuit Rule 15, the Interstate Natural Gas Association of America (“INGAA”) and American Petroleum Institute (“API”) hereby petition this Court for review of a final rule of the United States Environmental Protection Agency. *See Federal “Good Neighbor Plan” for the 2015 Ozone National Ambient Air Quality Standards*, 88 Fed. Reg. 36,654 (June 5, 2023). A copy of the rule is attached as Exhibit A to this petition.

This Court has jurisdiction pursuant to 42 U.S.C. § 7607(b)(1). In the interest of expediting consideration of this challenge and to avoid any

delay that likely would be caused by disputes over venue in the regional circuits, INGAA and API acquiesce to venue in this Court. *See Tex. Mun. Power Agency v. EPA*, 89 F.3d 858, 867 (D.C. Cir. 1996) (“§ 307(b)(1) is a venue provision, the application of which can be waived”).

Dated: July 26, 2023

Respectfully submitted,

/s/ Eric D. McArthur

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Gas Association of America and
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RULE 26.1 STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, petitioner Interstate Natural Gas Association of America (“INGAA”) hereby states that INGAA is a national trade association that represents interstate natural gas transmission pipeline companies. INGAA has no parent corporation, and no publicly held corporation has a 10% or greater ownership in INGAA.

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, petitioner American Petroleum Institute (“API”) hereby states that API is a national trade association that represents all segments of America’s natural gas and oil industry. API has no parent

corporation, and no publicly held corporation has a 10% or greater ownership in API.

Dated: July 26, 2023

Respectfully submitted,

/s/ Eric D. McArthur

Eric D. McArthur

*Counsel for Interstate
Natural Gas Association of
America and American
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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 I have caused a true and correct copy of the foregoing Petition for Review and Rule 26.1 Statement to be served by United States mail, postage prepaid, this 26th day of July, 2023, upon each of the following:

Hon. Michael S. Regan, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

U.S. Environmental Protection Agency
Correspondence Control Unit
Office of General Counsel (2310A)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Hon. Merrick B. Garland
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530

Hon. Todd Kim
Assistant Attorney General
Environmental and Natural Resources Division
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530

Dated: July 26, 2023

Respectfully submitted,

/s/ Eric D. McArthur
Eric D. McArthur

*Counsel for Interstate
Natural Gas Association of
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