

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

HUNT REFINING COMPANY,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

Case No. _____

PETITION FOR REVIEW

Pursuant to Section 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), and Federal Rule of Appellate Procedure 15(a), Petitioner Hunt Refining Company (“Hunt”) petitions this Court for review of the action of the Administrator of the United States Environmental Protection Agency (“EPA”) issued on July 14, 2023 denying Hunt’s petition for small refinery hardship relief from the requirements of the Renewable Fuel Standard (“RFS”) for the 2022 compliance year and titled “July 2023 Denial of Petitions for RFS Small Refinery Exemptions” (attached as Exhibit A). Notice of this action was published in the Federal Register on July 20, 2023. 88 Fed. Reg. 46795 (July 20, 2023) (attached as Exhibit B). This Petition is timely filed within 60 days of the notice published in the Federal Register. *See* 42 U.S.C. § 7607(b)(1).

Hunt files this petition for review of agency action in this Court, the regional circuit in which Petitioner is located, where jurisdiction and venue are proper pursuant to 42 U.S.C. § 7607(b)(1). As a protective measure, however, Hunt will

also file a petition for review of the same agency action in the United States Court of Appeals for the District of Columbia Circuit, because EPA stated in its notice of the agency action that “petitions for judicial review of this action must be filed in the United States Court of Appeals for the District of Columbia Circuit.” 88 Fed. Reg. at 46796.

The Certificate of Interested Persons and Corporate Disclosure Statement required by Federal Rule of Appellate Procedure 26.1 and 11th Circuit Rule 26.1-1 is attached as Exhibit C.

Dated: July 20, 2023

Respectfully submitted,

s/ Jonathan G. Hardin

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Attorneys for Hunt Refining Company

CERTIFICATE OF SERVICE

Pursuant to Federal Rules of Appellate Procedure 3(d), 15(c) and 25, 11th Circuit Rule 25-3, and 40 C.F.R. § 23.12(a), I hereby certify that on July 20, 2023, I will cause copies of the foregoing Petition for Review to be served by certified mail, return receipt requested upon the following:

HON. MICHAEL S. REGAN, Administrator
U.S. Environmental Protection Agency
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Dated: July 20, 2023

s/ Jonathan G. Hardin
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