

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

AMERICAN CHEMISTRY COUNCIL,)
AMERICAN FUEL &)
PETROCHEMICAL MANUFACTURERS)
Petitioners,)

v.)

Case No. 23-1203

U.S. ENVIRONMENTAL PROTECTION)
AGENCY)
Respondent.)

PETITION FOR REVIEW

Pursuant to section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), and Rule 15(a) of the Federal Rules of Appellate Procedure, the American Chemistry Council and the American Fuel & Petrochemical Manufacturers hereby petition the Court for review of the final agency action of the United States Environmental Protection Agency entitled *Federal “Good Neighbor Plan” for the 2015 Ozone National Ambient Air Quality Standards Final Rule*, 88 Fed. Reg. 36654 (Dec. 21, 2022). A copy of the final rule is attached as Exhibit A.

Respectfully submitted,

/s/ Elliott Zenick

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American Fuel & Petrochemical

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Dated August 4, 2023

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AMERICAN CHEMISTRY COUNCIL,)
AMERICAN FUEL & PETROCHEMICAL)
MANUFACTURERS ASSOCIATION)
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**RULE 26.1 DISCLOSURE STATEMENT FOR
THE AMERICAN CHEMISTRY COUNCIL**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner the American Chemistry Council (“ACC”) makes the following declarations:

ACC represents the leading companies engaged in the business of chemistry. ACC members apply the science of chemistry to make innovative products and services that make people’s lives better, healthier and safer. ACC is committed to improved environmental, health and safety performance through Responsible Care®; common sense advocacy designed to address major public policy issues; and health and environmental research and product testing. The business of chemistry is a \$768 billion enterprise and a key element of the nation’s economy. It

is among the largest exporters in the nation, accounting for fourteen percent of all U.S. goods exported.

ACC states that it is a “trade association” for purposes of Circuit Rule 26.1(b). ACC has no parent corporation, and no publicly held company has 10 percent or greater ownership in ACC.

Respectfully submitted,

/s/ Elliott Zenick

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Date: August 4, 2023

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*Respondent.*_____)

**RULE 26.1 DISCLOSURE STATEMENT FOR
AMERICAN FUEL & PETROCHEMICAL MANUFACTURERS**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner American Fuel & Petrochemical Manufacturers (“AFPM”) states that it is a national trade association including most U.S. refiners and petrochemical manufacturers.

AFPM has no parent companies, and no publicly held company has a 10% or greater ownership interest in AFPM. AFPM is a “trade association” within the meaning of Circuit Rule 26.1(b). AFPM is a continuing association operating for the purpose of promoting the general commercial, professional, legislative, or other interests of its membership.

Respectfully submitted,

/s/ Richard S. Moskowitz

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Counsel for Petitioner

*American Fuel & Petrochemical
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CERTIFICATE OF SERVICE

Pursuant to Fed. R. App. P. 15(c), Circuit Rule 15(a), and 40 C.F.R.

§ 23.12(a), the undersigned hereby certifies that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, and served by certified mail, return receipt requested, on the following:

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Dated: August 4, 2023

/s/ Elliott Zenick