

IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

HYBAR LLC

Petitioner,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY AND MICHAEL S.
REGAN, ADMINISTRATOR, UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY,

Respondents.

23-2782

Case No. _____

FILED

AUG 04 2023

**MICHAEL GANS
CLERK OF COURT**

PETITION FOR JUDICIAL REVIEW

Hybar LLC petitions pursuant to 42 U.S.C. § 7607(b)(1) and Federal Rule of Appellate Procedure 15 for review of the Respondents United States Environmental Protection Agency and Administrator Michael S. Regan’s final action imposing a federal implementation plan on the State of Arkansas, included as part of the final action styled “Federal ‘Good Neighbor Plan’ for the 2015 Ozone National Ambient Air Quality Standards” published in the Federal Register, 88 *Fed. Reg.* 36654, on June 5, 2023 (“Final Rule”). A copy of the foregoing final action is attached to this Petition as Appendix A. This Court has jurisdiction, and is the proper venue for this action, under 42 U.S.C. § 7607(b)(1) because Petitioner is seeking review of only the portion of the Final Rule constituting a final action imposing a federal implementation plan in Arkansas applicable to industrial sources within Arkansas, which is necessarily a “locally

or regionally applicable” action, and is also not “based on a determination of nationwide scope or effect.” 42 U.S.C. § 7607(b)(1). This Petition for review is timely filed within sixty days of the date of publication in the Federal Register. 42 U.S.C. 7607(b)(1).

Respectfully submitted,



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August 4, 2023

Counsel for Petitioner

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

HYBAR LLC

Petitioners,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

Case No. _____

CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and Circuit Rule 26.1A, Hybar LLC makes the following corporate disclosure: Hybar LLC is 100% owned by Hybar Intermediate Holdings LLC, which is 100% owned by Green & Clean Holdings LLC. No publicly held corporation owns 10% or more of the stock of Hybar LLC, Hybar Intermediate Holdings LLC, or Green & Clean Holdings LLC.



Mark W. DeLaquil

August 4, 2023

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Petition for Judicial Review and Corporate Disclosure Statement will be served this day by United State first-class mail upon the following:

United States Environmental Protection Agency
Correspondence Control Unit
Office of General Counsel (2344A)
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Administrator Michael S. Regan
United States Environmental Protection Agency
Office of the Administrator (1101A)
1200 Pennsylvania Ave., NW
Washington, D. C. 20460

Attorney General Merrick B. Garland
United States Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530



Mark W. DeLaquil

August 4, 2023