

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

AMERICAN IRON AND STEEL INSTITUTE,)
STEEL MANUFACTURERS ASSOCIATION,)
SPECIALTY STEEL INDUSTRY OF NORTH)
AMERICA,)

Petitioners,)

v.)

UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY, and MICHAEL S.)
REGAN, Administrator, United States)
Environmental Protection Agency,)

Respondents.)

Case No. 23-1292

PETITION FOR REVIEW

The American Iron and Steel Institute, Steel Manufacturers Association, and Specialty Steel Industry of North America (“Petitioners”) hereby petition this Court, pursuant to Rule 15 of the Federal Rules of Appellate Procedure, D.C. Circuit Rule 15, the Administrative Procedure Act, and Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), for review of the final action the Respondents United States Environmental Protection Agency (“EPA”) and Administrator Michael S. Regan promulgating the rule titled “New Source Performance Standards Review for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels” and published in the Federal Register at 88 Fed.

Reg. 58,442 (August 25, 2023). A copy of EPA's final rule is attached to this Petition and identified as Attachment A.

Dated: October 24, 2023

Respectfully submitted,

/s/ Wayne J. D'Angelo

Wayne J. D'Angelo

Wayne J. D'Angelo

Joseph J. Green

Zachary J. Lee

KELLEY DRYE & WARREN LLP

3050 K Street, NW

Suite 400

Washington, DC 20007

(202) 342-8525

WDAngelo@KelleyDrye.com

JGreen@KelleyDrye.com

ZLee@KelleyDrye.com

*Counsel for Petitioners American Iron and Steel
Institute, Steel Manufacturers Association, and
Specialty Steel Industry of North America*

Rule 26.1(b). AISI has no outstanding shares or debt securities in the hand of the public and has no parent company. No publicly held company has a 10% or greater ownership interest in AISI.

SMA is the primary trade association for electric arc furnace steelmakers, operated for the purpose of promoting the general interests of its membership. SMA states that it is a “trade association” for purposes of Circuit Rule 26.1(b). SMA has no outstanding shares or debt securities in the hand of the public and has no parent company. No publicly held company has a 10% or greater ownership interest in SMA.

SSINA is the primary trade association for producers of specialty metals, manufacturing products like semi-finished, bar, rod, wire, angles, plate, sheet and strip, in stainless steel and other high performance materials. SSINA states that it is a “trade association” for purposes of Circuit Rule 26.1(b). SSINA has no outstanding shares or debt securities in the hand of the public and has no parent company. No publicly held company has a 10% or greater ownership interest in SSINA.

Dated: October 24, 2023

Respectfully submitted,

/s/ Wayne J. D'Angelo

Wayne J. D'Angelo

Wayne J. D'Angelo

Joseph J. Green
Zachary J. Lee
KELLEY DRYE & WARREN LLP
3050 K Street, NW
Suite 400
Washington, DC 20007
(202) 342-8525
WDAngelo@KelleyDrye.com
JGreen@KelleyDrye.com
ZLee@KelleyDrye.com

*Counsel for Petitioners American Iron and Steel
Institute, Steel Manufacturers Association, and
Specialty Steel Industry of North America*

CERTIFICATE OF SERVICE

Pursuant to Fed. R. App. P. 15(c), Circuit Rule 15(a), Fed. R. App. P. 25, and 40 CFR 23.12(a), on this date, I hereby certify that I will cause to be served a true copy of the foregoing Petition for Review via U.S. mail on the 24th day of October, 2023, return-receipt requested, to the following:

Hon. Michael S. Regan
Office of the Administrator (1101A)
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Hon. Merrick B. Garland
Attorney General for the United States
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

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

Dated: October 24, 2023

/s/ Wayne J. D'Angelo
Wayne J. D'Angelo

Attachment A

**“New Source Performance Standards Review for Steel Plants: Electric Arc
Furnaces and Argon-Oxygen Decarburization Vessels”**

88 Fed. Reg. 58,442 (August 25, 2023)