

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

CHAMBER OF COMMERCE OF THE)
UNITED STATES OF AMERICA;)
AMERICAN CHEMISTRY COUNCIL;)
AMERICAN FOREST & PAPER)
ASSOCIATION;)
AMERICAN PETROLEUM INSTITUTE;)
AMERICAN WOOD COUNCIL;)
NATIONAL ASSOCIATION OF)
MANUFACTURERS;)
NATIONAL MINING ASSOCIATION;)
and)
PORTLAND CEMENT ASSOCIATION,)

Case No. 24-1051

Petitioners,)

v.)

UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY, and)
MICHAEL S. REGAN, in his official)
Capacity as Administrator, United States)
Environmental Protection Agency,)

Respondents.)

PETITION FOR REVIEW

Pursuant to Rule 15 of the Federal Rules of Appellant Procedure and the Circuit Rules of this Court, and section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), the Chamber of Commerce of the United States of America, American Chemistry Council, American Forest & Paper Association, American

Petroleum Institute, American Wood Council, National Association of Manufacturers, National Mining Association, and Portland Cement Association hereby petition this Court for review of the final rule of respondent United States Environmental Protection Agency under the Clean Air Act published on March 6, 2024, at 89 Fed. Reg. 16,202, entitled, “Reconsideration of the National Ambient Air Quality Standards for Particulate Matter.” A copy of the final rule is attached as Exhibit A. This Court has jurisdiction and is a proper venue for this action pursuant to 42 U.S.C. § 7607(b)(1).

Dated: March 6, 2024

Respectfully submitted,

/s/ Elbert Lin

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*Counsel for Petitioners Chamber of
Commerce of the United States of*

America, American Chemistry Council, American Forest & Paper Association, American Petroleum Institute, American Wood Council, National Association of Manufacturers, National Mining Association, and Portland Cement Association

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RULE 26.1 DISCLOSURE STATEMENT
OF CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA, AMERICAN CHEMISTRY COUNCIL,
AMERICAN FOREST & PAPER ASSOCIATION, AMERICAN
PETROLEUM INSTITUTE, AMERICAN WOOD COUNCIL, NATIONAL
ASSOCIATION OF MANUFACTURERS, NATIONAL MINING
ASSOCIATION, AND PORTLAND CEMENT ASSOCIATION

Pursuant to Fed. R. App. P. 26.1 and D.C. Circuit Rule 26.1, Petitioners the Chamber of Commerce of the United States of America, American Chemistry Council, American Forest & Paper Association, American Petroleum Institute, American Wood Council, National Association of Manufacturers, National Mining Association, and Portland Cement Association hereby file the following corporate disclosure statements:

The Chamber of Commerce of the United States of America is the world's largest business federation. It represents approximately 300,000 direct members and indirectly represents the interests of more than 3 million companies and professional organizations of every size, in every industry sector, and from every region of the country. An important function of the Chamber is to represent the interests of its members in matters before Congress, the Executive Branch, and the courts. The Chamber states that it is a non-profit, tax-exempt organization incorporated in the District of Columbia. The Chamber has no parent corporation, and no publicly held company has 10% or greater ownership in the Chamber.

The American Chemistry Council ("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 \$639 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.

The American Forest and Paper Association ("AF&PA") serves to advance U.S. paper and wood products manufacturers through fact-based public policy and marketplace advocacy. The forest products industry is circular by nature. AF&PA member companies make essential products from renewable and recyclable resources, generate renewable bioenergy and are committed to continuous improvement through the industry's sustainability initiative — [*Better Practices, Better Planet 2030: Sustainable Products for a Sustainable Future*](#). The forest products industry accounts for approximately 5% of the total U.S. manufacturing GDP, manufactures about \$350 billion in products annually and employs about 925,000 people. The industry meets a payroll of about \$65 billion annually and is among the top 10 manufacturing sector employers in 43 states. No parent corporation or publicly held company has a ten percent (10%) or greater ownership interest in AF&PA.

American Petroleum Institute (“API”) represents all segments of America’s natural gas and oil industry, which supports more than 11 million U.S. jobs and is backed by a growing grassroots movement of millions of Americans. API’s nearly 600 members produce, process, and distribute the majority of the Nation’s energy, and participate in API Energy Excellence, which is accelerating environmental and safety progress by fostering new technologies and transparent reporting. API certifies that it is incorporated under the laws of the District of Columbia. API has no parent entity, and no publicly held corporation or similarly situated legal entity has 10% or greater ownership of API.

The American Wood Council (“AWC”) represents 87 percent of the structural wood products industry and the more than 450,000 men and women working family-wage jobs in mills across the country. From dimension lumber to engineered wood products, we champion the development of data, technology, and standards to ensure the best use of wood products and recognition of their unique sustainability and carbon-reduction benefits. We are leaders in providing education to the design, code and fire official communities who view AWC as a trusted and credible resource. AWC has no parent corporation, and no publicly held company has 10% or greater ownership in AWC.

The National Association of Manufacturers (“NAM”) is the largest manufacturing association in the United States, representing small and large

manufacturers in all 50 states and in every industrial sector. Manufacturing employs 13 million men and women, contributes \$2.85 trillion to the U.S. economy annually, has the largest economic impact of any major sector, and accounts for over half of all private-sector research and development in the nation. The NAM is the voice of the manufacturing community and the leading advocate for a policy agenda that helps manufacturers compete in the global economy and create jobs across the United States. The NAM states that it is a non-profit, tax-exempt organization incorporated in New York. The NAM has no parent corporation, and no publicly held company has 10% or greater ownership in the NAM.

The National Mining Association (“NMA”) is a nonprofit national trade association that represents the interests of the mining industry, including the producers of most of the nation’s coal, metals, and agricultural and industrial minerals. The NMA has over 280 members, whose interests it represents before Congress, the administration, federal agencies, the courts, and the media. The NMA is not a publicly held corporation and has no parent corporation. No publicly held company has 10% or greater ownership interest in NMA.

The Portland Cement Association (“PCA”), founded in 1916, is the premier policy, research, education, and market intelligence organization serving America’s cement manufacturers. PCA represents a majority of U.S. cement

production capacity. PCA promotes safety, sustainability, and innovation in all aspects of construction, fosters continuous improvement in cement manufacturing and distribution, and generally promotes economic growth and sound infrastructure investment. PCA is a trade association and has no parent corporation, and no publicly held company owns a 10% or greater interest in PCA.

Dated: March 6, 2024

Respectfully submitted,

/s/ Elbert Lin

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*National Association of
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CERTIFICATE OF SERVICE

I hereby certify that on March 6, 2024, I caused one copy of the foregoing to be served on each of the following by certified United States mail, return receipt requested:

The Honorable Michael S. Regan
Administrator
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The Honorable Merrick B. Garland
Attorney General of the United States
United States Department of Justice
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The Honorable Todd Sunhwaee Kim
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/s/ Elbert Lin
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