

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

CLEVELAND-CLIFFS INC.)	
)	No. 24-1110
Petitioner,)	
)	
v.)	
)	
UNITED STATES)	
ENVIRONMENTAL)	
PROTECTION AGENCY, and)	
MICHAEL S. REGAN,)	
Administrator, United States)	
Environmental Protection Agency)	
)	
Respondents.)	
)	

PETITION FOR REVIEW

Pursuant to Rule 15 of the Federal Rules of Appellate Procedure and section 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), Petitioner Cleveland-Cliffs Inc. hereby petitions this Court to review the final rule promulgated by the United States Environmental Protection Agency entitled “National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing,” 89 Fed. Reg. 16,408 (March 6, 2024) (“Final Rule”).

This petition is timely filed within 60 days from the date notice of promulgation of the Final Rule was published in the Federal Register. 42 U.S.C. § 7607(b)(1).

A copy of the Final Rule is attached hereto as Attachment A.

Respondents have asserted that venue lies with this Court. *See* Final Rule at 16,409. However, although Petitioner has filed this protective appeal with this Court, it believes that the United States Court of Appeals for the Eighth Circuit has jurisdiction and is the proper venue for this action because the Final Rule is “locally or regionally applicable.” 42 U.S.C. § 7607(b)(1). All taconite iron ore processing facilities affected by the Final Rule are in the iron mining region of the United States with six in Northeastern Minnesota and one in the Upper Peninsula of Michigan.

Dated: May 6, 2024

/s/Douglas A. McWilliams

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Counsel for Petitioner Cleveland-Cliffs Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 6, 2024, the foregoing PETITION FOR REVIEW was served by a third-party commercial carrier, return receipt requested, on each of the following:

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Merrick Garland
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Counsel for Petitioner Cleveland-Cliffs Inc.

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DISCLOSURE STATEMENT PURSUANT TO RULE 26.1

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, the undersigned counsel represents that Petitioner Cleveland-Cliffs Inc. is a publicly held, non-governmental corporate party to the above-captioned proceeding. No parent corporation owns 10% or more of Petitioner’s stock. Blackrock Inc., a publicly held corporation, owns 10% or more of Petitioner’s stock.

Dated: May 6, 2024

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 6, 2024, the foregoing Disclosure Statement Pursuant to Rule 26.1 was served by a third-party commercial carrier, return receipt requested, on each of the following:

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