

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

STATE OF OKLAHOMA,
STATE OF ALABAMA,
STATE OF ARKANSAS,
STATE OF GEORGIA,
STATE OF KANSAS,
COMMONWEALTH OF KENTUCKY,
STATE OF MISSISSIPPI,
STATE OF MISSOURI,
STATE OF MONTANA,
STATE OF NEBRASKA,
STATE OF SOUTH CAROLINA,
STATE OF TEXAS,
STATE OF UTAH,
and
the ARIZONA LEGISLATURE,

Petitioners,

v.

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

Respondents.

No. 24-1125

PETITION FOR REVIEW

Under Clean Air Act § 307(b)(1) (42 U.S.C. § 7607(b)(1)), 5 U.S.C. §§ 702 and 706, Federal Rule of Appellate Procedure 15(a), and D.C. Circuit Local Rule 15, the States of Oklahoma, Alabama, Arkansas, Georgia, Kansas, Kentucky,

Mississippi, Missouri, Montana, Nebraska, South Carolina, Texas, Utah, and the Arizona Legislature petition this Court for review of the final agency action taken by Respondents United States Environmental Protection Agency and Michael S. Regan, Administrator, United States Environmental Protection Agency, entitled “Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act; Safer Communities by Chemical Accident Prevention,” 89 Fed. Reg. 17,622 (Mar. 11, 2024). Petitioners have attached a copy of that final rule.

Petitioners will show that the final rule exceeds the agency’s statutory authority and otherwise is arbitrary, capricious, an abuse of discretion, and not in accordance with law. Petitioners thus ask that this Court declare unlawful and vacate the Administrator’s final action.

Respectfully submitted,

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Dated: May 9, 2024

CERTIFICATE OF SERVICE

I certify that I have caused a true and correct copy of this Petition to be served on the following Respondents by U.S. Mail on May 9, 2024:

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