

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

THE ETHYLENE OXIDE)
STERILIZATION ASSOCIATION, INC.)

Petitioner,)

v.)

Case No. 24-1180

U.S. ENVIRONMENTAL)
PROTECTION AGENCY and)
MICHAEL S. REGAN, Administrator,)
U.S. Environmental Protection Agency)

Respondents.)

PETITION FOR REVIEW

Pursuant to Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), Federal Rule of Appellate Procedure 15, and D.C. Circuit Rule 15, The Ethylene Oxide Sterilization Association, Inc. hereby petitions this Court for review of a final rule issued by the respondents, the U.S. Environmental Protection Agency and Administrator Michael S. Regan, in his official capacity, entitled *National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Emissions Standards for Sterilization Facilities Residual Risk and Technology Review*, 89 Fed. Reg. 24090 (Apr. 5, 2024). A copy of the final rule is attached hereto as Exhibit A.

Respectfully submitted,

Dated: June 4, 2024

/s/ Kelly N. Garson

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*Counsel for Petitioner The Ethylene Oxide
Sterilization Association, Inc.*

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RULE 26.1 DISCLOSURE STATEMENT OF PETITIONER

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, Petitioner The Ethylene Oxide Sterilization Association, Inc. (EOSA) respectfully submits this Disclosure Statement. EOSA is a nonprofit organization incorporated in the District of Columbia for the purpose of representing members of the ethylene oxide sterilizing industry to promote and enhance the safe use of ethylene oxide for sterilization purposes. EOSA has no parent company, subsidiary, or affiliates. No publicly held company has a ten percent or greater ownership interest in EOSA.

Dated: June 4, 2024

/s/ Kelly N. Garson
*Counsel for Petitioner The Ethylene Oxide
Sterilization Association, Inc.*

CERTIFICATE OF SERVICE

Pursuant to Fed. R. App. P. 3(d), 15(c), and 25, and 40 C.F.R. § 23.3, I hereby certify that on June 4, 2024, I electronically filed the foregoing Petition for Review and Rule 26.1 Disclosure Statement with the Clerk of the Court by using the Case Management/Electronic Case File (CM/ECF) system and will cause a copy of the foregoing Petition for Review to be served by certified mail, return receipt requested, upon each of the following:

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Correspondence Control Unit
Office of General Counsel (2311)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

The Honorable Merrick B. Garland
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

The Honorable Todd Sunhwaee Kim
Assistant Attorney General
Environmental and Natural Resources Division
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, DC 20530

Dated: June 4, 2024

/s/ Kelly N. Garson

*Counsel for Petitioner The Ethylene Oxide
Sterilization Association, Inc.*