

No. 24-1228

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

STATE OF LOUISIANA AND LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
AND MICHAEL S. REGAN, IN HIS OFFICIAL CAPACITY AS
ADMINISTRATOR OF THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY,

Respondents.

PETITION FOR REVIEW

Under Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), 5 U.S.C. § 702, Federal Rule of Appellate Procedure 15, and D.C. Circuit Rule 15(a), the State of Louisiana and the Louisiana Department of Environmental Quality petition this Court for review of the Final Rule promulgated by Respondents United States Environmental Protection Agency (“EPA”) and Michael S. Regan, in his official capacity as Administrator of EPA, entitled “New Source Performance Standards for the Synthetic Organic Chemical Manufacturing Industry and National Emission Standards for Hazardous Air Pollutants for the Synthetic Organic Chemical Manufacturing Industry and Group I & II Polymers

and Resins Industry,” published in the Federal Register at 89 Fed. Reg. 42932 (May 16, 2024) (“Rule”). A copy of the Rule is attached to this petition.

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 Final Rule.

Date: July 1, 2024

Respectfully submitted,

ELIZABETH B. MURRILL
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/s/ J. Benjamin Aguiñaga
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***Counsel for the State of
Louisiana and Louisiana
Department of Environmental
Quality***

CERTIFICATE OF SERVICE

I certify that on July 1, 2024, I caused a true and correct copy of the foregoing Petition for Review to be electronically filed with the Clerk of the Court using the CM/ECF System, and served a copy by United States first-class mail on the following:

The Honorable Michael S. Regan
Administrator
United States Environmental Protection Agency
Mail Code 1101A
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Office of General Counsel
United States Environmental Protection Agency
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The Honorable Merrick B. Garland
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Date: July 1, 2024

Respectfully submitted,

/s/ J. Benjamin Aguiñaga
J. Benjamin Aguiñaga

*Counsel for the State of
Louisiana and Louisiana
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