

UNITED STATES COURT OF APPEALS  
 FOR DISTRICT OF COLUMBIA CIRCUIT

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

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FILED DEC 23 2015

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CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,  
 NATIONAL ASSOCIATION OF MANUFACTURERS,  
 AMERICAN PETROLEUM INSTITUTE,  
 UTILITY AIR REGULATORY GROUP,  
 PORTLAND CEMENT ASSOCIATION,  
 AMERICAN COKE AND COAL CHEMICALS INSTITUTE,  
 INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA,  
 NATIONAL OILSEED PROCESSORS ASSOCIATION,  
 and  
 AMERICAN FUEL & PETROCHEMICAL MANUFACTURERS,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY and  
 GINA McCARTHY, Administrator, United States Environmental Protection Agency,

Respondents.

**15-1491**

No. \_\_\_\_\_

**PETITION FOR REVIEW**

Pursuant to Section 307(b)(1) of the Clean Air Act (42 U.S.C. § 7607(b)(1)) and Rule 15(a) of the Federal Rules of Appellate Procedure, the Chamber of Commerce of the United States of America, the National Association of

Manufacturers, the American Petroleum Institute, the Utility Air Regulatory Group, the Portland Cement Association, the American Coke and Coal Chemicals Institute, the Independent Petroleum Association of America, the National Oilseed Processors Association, and the American Fuel & Petrochemical Manufacturers hereby petition this Court to review the final nationally applicable rule of the United States Environmental Protection Agency entitled “National Ambient Air Quality Standards for Ozone,” published in the *Federal Register* at 80 Fed. Reg. 65292 (October 26, 2015)

Respectfully submitted,



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James R. Bieke  
Roger R. Martella  
Joel F. Visser  
SIDLEY AUSTIN LLP  
1501 K Street, N.W.  
Washington, D.C. 20005  
(202) 736-8000

*Counsel for Petitioners the Chamber of  
Commerce of the United States,  
National Ass’n of Mfrs, American  
Petroleum Inst., Portland Cement  
Ass’n, American Coke & Coal  
Chemicals Inst., Independent  
Petroleum Ass’n of America, and  
National Oilseed Producers Ass’n*

*Of Counsel:*

Steven P. Lehotsky  
Sheldon B. Gilbert  
U.S. CHAMBER LITIGATION CENTER  
1615 H Street, N.W.  
Washington, D.C. 20062  
(202) 463-5537

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

*Of Counsel:*

Linda E. Kelly  
Quentin Riegel  
MANUFACTURERS CENTER FOR  
LEGAL ACTION  
733 10 Street, N.W.  
Suite 700  
Washington, D.C. 20001  
(202) 637-3000  
*Counsel for Petitioner the National  
Association of Manufacturers*

*Of Counsel:*

Stacy Linden  
Mara E. Zimmerman  
AMERICAN PETROLEUM INSTITUTE  
1220 L Street, N.W.  
Washington, D.C. 20005-4070  
(202) 682-8000  
*Counsel for Petitioner American  
Petroleum Institute*

*Of Counsel:*

Richard S. Moskowitz  
AMERICAN FUEL & PETROCHEMICAL  
MANUFACTURERS  
1667 K Street, N.W., Suite 700  
Washington, D.C. 20006  
(202) 457-0480  
*Counsel for Petitioner American Fuel  
& Petrochemical Manufacturers*

Lucinda Minton Langworthy  
Aaron M. Flynn  
HUNTON & WILLIAMS  
2200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20037  
(202) 955-1525  
*Counsel for Petitioner Utility Air  
Regulatory Group*

Thomas A. Lorenzen  
Robert J. Meyers  
CROWELL & MORING  
1001 Pennsylvania Ave., N.W.  
Washington, D.C. 20004  
(202) 624-2500  
*Counsel for Petitioner American Fuel  
& Petrochemical Manufacturers*

Dated: December 23, 2015

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PETITIONERS' RULE 26.1 DISCLOSURE STATEMENT

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and D.C.

Circuit Rule 26.1, the above-referenced Petitioners make the following statements:

The Chamber of Commerce of the United States of America (the “Chamber”) states that it is the world’s largest business federation. It is a national not-for-profit trade association that represents 300,000 direct members and indirectly represents the interests of more than 3 million companies, state and local chambers, and trade associations of every size, in every industry sector, and from every region of the country. The Chamber has no parent corporation, and no publicly held company has 10% or greater ownership in the Chamber.

The National Association of Manufacturers (“NAM”) states that it is the largest manufacturing association in the United States. It is a national not-for-profit trade association representing small and large manufacturers in every industrial sector and in all 50 states. The NAM is the powerful 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 has no parent corporation, and no publicly held company has 10% or greater ownership in the NAM.

The American Petroleum Institute (“API”) states that it is a national not-for-profit trade association representing over 590 oil and natural gas companies, leaders of a technology-driven industry that supplies most of America’s energy, supports more than 9.8 million jobs and 8% of the U.S. economy, and, since 2000, has invested nearly \$2 trillion in U.S. capital projects to advance all forms of

energy, including alternatives. API has no parent corporation, and no publicly held company owns a 10% or greater interest in API.

The Utility Air Regulatory Group (“UARG”) states that it is a group of individual electric generating companies and national trade associations. UARG participates on behalf of its members collectively in administrative proceedings that affect electric generators under the Clean Air Act and in litigation arising from those proceedings. UARG has no outstanding shares or debt securities in the hands of the public and has no parent company. No publicly held company has a 10% or greater ownership interest in UARG.

The Portland Cement Association (“PCA”) states that it is a national not-for-profit trade association representing companies responsible for more than 80% of cement-making capacity in the United States. Its members operate manufacturing plants in 35 states, with distribution centers in all 50 states. PCA conducts market development, engineering, research, education, technical assistance, and public affairs programs on behalf of its members. PCA has no parent corporation, and no publicly held company owns a 10% or greater interest in PCA.

The American Coke and Coal Chemicals Institute (“ACCCI”) states that, founded in 1944, it is an international trade association that represents 100% of the U.S. producers of metallurgical coke used for iron and steelmaking, and 100% of the Nation’s producers of coal chemicals, who combined have operations in 12

states. It also represents chemical processors, metallurgical coal producers, coal and coke sales agents, and suppliers of equipment, goods, and services to the industry. ACCCI has no parent corporation, and no publicly held company has 10% or greater ownership in ACCCI.

The Independent Petroleum Association of America (“IPAA”) states that it is a national not-for-profit trade association that represents the thousands of independent oil and natural gas producers and service companies across the United States. Independent producers develop 90% of American oil and gas wells, produce 54% of American oil, and produce 85% of American natural gas. IPAA has over 6,000 members, including companies that produce oil and natural gas ranging in size from large publicly traded companies to small businesses, companies that support this production such as drilling contractors, service companies, and financial institutions. IPAA has no parent corporation, and no publicly held company owns a 10% or greater interest in IPAA.

The National Oilseed Processors Association (“NOPA”) states that it is a national not-for-profit trade association that represents 12 companies engaged in the production of vegetable meals and vegetable oils from oilseeds, including soybeans. NOPA’s member companies process more than 1.6 billion bushels of oilseeds annually at 63 plants in 19 states, including 57 plants which process

soybeans. NOPA has no parent corporation, and no publicly held company has 10% or greater ownership in NOPA.

The American Fuel & Petrochemical Manufacturers (“AFPM”) states that it is a national not-for-profit trade association whose members comprise more than 400 companies, including virtually all United States refiners and petrochemical manufacturers, and supply consumers with a wide range of products and services that are used daily in homes and businesses. AFPM has no parent corporation, and no publicly held company owns a 10% or greater interest in AFPM.

These associations’ members will be significantly impacted by the United States Environmental Protection Agency’s rule challenged by this petition, which established revised National Ambient Air Quality Standards for Ozone (80 Fed. Reg. 65292, October 26, 2015) under the Clean Air Act and will have substantial impacts on all sectors of the United States economy. As such, these petitioners have a strong interest in ensuring that this rule satisfies applicable legal requirements.




*Of Counsel:*  
Steven P. Lehotsky  
Sheldon B. Gilbert  
U.S. CHAMBER LITIGATION CENTER  
1615 H Street, N.W.  
Washington, D.C. 20062  
(202) 463-5537  
*Counsel for Petitioner the Chamber of  
Commerce of the United States*

*Of Counsel:*  
Linda E. Kelly  
Quentin Riegel  
MANUFACTURERS CENTER FOR  
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733 10 Street, N.W.  
Suite 700  
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(202) 637-3000  
*Counsel for Petitioner the National  
Association of Manufacturers*

*Of Counsel:*  
Stacy Linden  
Mara E. Zimmerman  
AMERICAN PETROLEUM INSTITUTE  
1220 L Street, N.W.  
Washington, D.C. 20005-4070  
(202) 682-8000  
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Petroleum Institute*

Respectfully submitted,

  
James R. Bieke  
Roger R. Martella  
Joel F. Visser  
SIDLEY AUSTIN LLP  
1501 K Street, N.W.  
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(202) 624-2500  
*Counsel for Petitioner American Fuel  
& Petrochemical Manufacturers*

*Of Counsel:*

Richard S. Moskowitz

AMERICAN FUEL & PETROCHEMICAL  
MANUFACTURERS

1667 K Street, N.W., Suite 700

Washington, D.C. 20006

(202) 457-0480

*Counsel for Petitioner American Fuel  
& Petrochemical Manufacturers*

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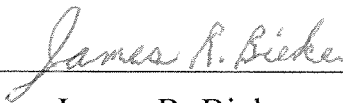
**CERTIFICATE OF SERVICE**

I hereby certify that on this 23<sup>rd</sup> day of December, 2015, I served one copy  
of the foregoing Petition for Review and Petitioners' Rule 26.1 Disclosure  
Statement on each of the following:

The Honorable Gina McCarthy  
Administrator  
United States Environmental Protection Agency  
William Jefferson Clinton Building, Mail Code 1101A  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460  
(By first-class mail, postage prepaid)

The Honorable Loretta E. Lynch  
Attorney General of the United States  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530  
(By first-class mail, postage prepaid)

The Honorable Avi Garbow  
General Counsel  
c/o Correspondence Control Unit  
Office of General Counsel (Mail Code 2311)  
United States Environmental Protection Agency  
William Jefferson Clinton Building  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460  
(By certified mail, return receipt requested)

  
\_\_\_\_\_  
James R. Bieke