

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

UNITED STATES STEEL)	
CORPORATION,)	No. <u>23-1207</u>
)	
Petitioners,)	
)	
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, Circuit Rule 15, and section 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), Petitioner United States Steel Corporation (“U. S. Steel”) hereby petitions this Court to review the final action of the United States Environmental Protection Agency entitled Federal “Good Neighbor Plan” for the 2015 Ozone National Ambient Air Quality Standards, 88 Fed. Reg. 36,654 (June 5, 2023) (“Final Rule”). The Final Rule imposes federal implementation plans for 23 states implementing interstate ozone transport obligations under 42 U.S.C. § 7410(a)(2)(D)(i)(I) for the 2015 8-hour ozone national ambient air quality standards. A copy of the Final Rule is attached hereto as Attachment A.

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).

This Court has jurisdiction for this action pursuant to 42 U.S.C. § 7607(b)(1). Respondents have asserted that venue lies in this Court, *see* Final Rule at 36,860, and U. S. Steel acquiesces to venue to avoid dispute. *See Tex. Mun. Power Agency v. EPA*, 89 F.3d 858, 867 (D.C. Cir. 1996) (noting that “§ 307(b)(1) is a venue provision, the application of which can be waived”).

Dated: August 4, 2023

/s/ John D. Lazzaretti
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Steel Corporation*

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

UNITED STATES STEEL CORPORATION,)	
)	No. _____
)	
Petitioners,)	
)	
v.)	
)	
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, and MICHAEL S. REGAN, Administrator, United States Environmental Protection Agency)	
)	
Respondents.)	

RULE 26.1 DISCLOSURE STATEMENT OF PETITIONER UNITED STATES STEEL CORPORATION

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, petitioner United States Steel Corporation filed the following statement:

United States Steel Corporation is organized under the laws of Delaware and its corporate headquarters are located at 600 Grant Street, Pittsburgh, PA 15219. United States Steel Corporation produces iron and steel products for the automotive, construction, appliance, energy, containers, and packaging industries. United States Steel Corporation is a publicly held company. United States Steel

Corporation has no parent company. The following publicly held company has a 10% or greater ownership interest in it:

BlackRock, Inc.

Dated: August 4, 2023

/s/ John D. Lazzaretti

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*Counsel for Petitioner United States
Steel Corporation*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 4, 2023, the foregoing PETITION FOR REVIEW and RULE 26.1 DISCLOSURE STATEMENT OF PETITIONER UNITED STATES STEEL CORPORATION were served by certified mail, return receipt requested, on each of the following:

Michael Regan
EPA Administrator
Office of the Administrator (1101A)
United States Environmental Protection Agency
William Jefferson Clinton Federal Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Merrick Garland
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Correspondence Control Unit
Office of General Counsel (2311)
United States Environmental Protection Agency
William Jefferson Clinton Federal Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

/s/ John D. Lazzaretti