

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

**Independent Petroleum Association of  
America, Arkansas Independent  
Producers and Royalty Owners,  
Domestic Energy Producers Alliance,  
Eastern Kansas Oil & Gas  
Association, Gas and Oil Association  
of West Virginia, Illinois Oil & Gas  
Association, Independent Petroleum  
Association of New Mexico, Indiana  
Oil and Gas Association, International  
Association of Drilling Contractors,  
Kansas Independent Oil & Gas  
Association, Kentucky Oil & Gas  
Association, National Stripper Well  
Association, North Dakota Petroleum  
Council, Ohio Oil and Gas  
Association, Oklahoma Independent  
Petroleum Association, Panhandle  
Producers & Royalty Owners  
Association, Pennsylvania  
Independent Oil & Gas Association,  
Permian Basin Petroleum Association,  
Petroleum Association of Wyoming,  
Texas Alliance of Energy Producers,  
Texas Independent Producers &  
Royalty Owners Association, and  
Western Energy Alliance  
Petitioners,**

**v.**

**United States Environmental  
Protection Agency, and MICHAEL S.  
REGAN, Administrator, United States  
Environmental Protection Agency,**

**Respondent.**

**CASE NO. 24-1103**

**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. Local Rule 15, the Independent Petroleum Association Of America (“IPAA”), Arkansas Independent Producers And Royalty Owners (“AIPRO”), Domestic Energy Producers Alliance (“DEPA”), Eastern Kansas Oil & Gas Association (“EKOGA”), Gas And Oil Association Of West Virginia (“GOWV”), Illinois Oil & Gas Association (“IOGA”), Independent Petroleum Association Of New Mexico (“IPANM”), Indiana Oil And Gas Association (“INOGA”), International Association Of Drilling Contractors (“IADC”), Kansas Independent Oil & Gas Association (“KIOGA”), Kentucky Oil & Gas Association (“KOGA”), National Stripper Well Association (“NSWA”), North Dakota Petroleum Council (“NDPC”), Ohio Oil And Gas Association (“OOGA”), Petroleum Alliance Of Oklahoma, Panhandle Producers & Royalty Owners Association (“PPROA”), Pennsylvania Independent Oil & Gas Association (“PIOGA”), Permian Basin Petroleum Association (“PBPA”), Petroleum Association Of Wyoming (“PAW”), Texas Alliance Of Energy Producers (“Texas Alliance”), Texas Independent Producers & Royalty Owners Association (“TIPRO”), And Western Energy Alliance (collectively, “Producer Associations”), hereby petition this Court for review of final agency action taken by Respondents United States Environmental Protection Agency and Michael S. Regan,

Administrator United States Environmental Protection Agency, entitled “Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review, 89 Fed. Reg. 16820 (March 8, 2024) ("Rule"). The Producer Associations 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,

/s/ James D. Elliot

James D. Elliott (DC Bar #46965)  
Spilman Thomas & Battle, PLLC  
1100 Bent Creek Boulevard, Suite 101  
Mechanicsburg, PA 17050  
Phone: (717) 791-2012  
Fax: (717) 795-2743

Counsel For The Independent Petroleum  
Association Of America, Arkansas Independent  
Producers And Royalty Owners, Domestic  
Energy Producers Alliance, Eastern Kansas Oil  
& Gas Association, Gas And Oil Association  
Of West Virginia, Illinois Oil & Gas  
Association, Independent Petroleum  
Association Of New Mexico, Indiana Oil And  
Gas Association, International Association Of  
Drilling Contractors, Kansas Independent Oil &  
Gas Association, Kentucky Oil & Gas  
Association, National Stripper Well

Association, North Dakota Petroleum Council, Ohio Oil And Gas Association, Oklahoma Independent Petroleum Association, Panhandle Producers & Royalty Owners Association, Pennsylvania Independent Oil & Gas Association, Permian Basin Petroleum Association, Petroleum Association Of Wyoming, Texas Alliance Of Energy Producers, Texas Independent Producers & Royalty Owners Association, And Western Energy Alliance

Dated: April 30, 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 April 30, 2024:

Hon. Michael S. Regan  
Office of the Administrator (1101A)  
U.S. Environmental Protection Agency  
William Jefferson Clinton Building  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

Correspondence Control Unit  
Office of General Counsel (2311)  
U.S. Environmental Protection Agency  
William Jefferson Clinton Building  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

Hon. Merrick B. Garland  
Attorney General of the United States  
United States Department of Justice  
950 Pennsylvania Ave., NW  
Washington, D.C. 20530-0001

/s/James D. Elliott  
James D. Elliott

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

---

**Independent Petroleum Association of )  
America, Arkansas Independent )  
Producers and Royalty Owners, )  
Domestic Energy Producers Alliance, )  
Eastern Kansas Oil & Gas Association, )  
Gas and Oil Association of West )  
Virginia, Illinois Oil & Gas )  
Association, Independent Petroleum )  
Association of New Mexico, Indiana Oil )  
and Gas Association, International )  
Association of Drilling Contractors, )  
Kansas Independent Oil & Gas )  
Association, Kentucky Oil & Gas )  
Association, , National Stripper Well )  
Association, North Dakota Petroleum )  
Council, Ohio Oil and Gas Association, )  
Oklahoma Independent Petroleum )  
Association, Panhandle Producers & )  
Royalty Owners Association, )  
Pennsylvania Independent Oil & Gas )  
Association, Permian Basin Petroleum )  
Association, Petroleum Association of )  
Wyoming, Texas Alliance of Energy )  
Producers, Texas Independent )  
Producers & Royalty Owners )  
Association, and Western Energy )  
Alliance )  
  ) **Petitioners,** )  
  ) **v.** )  
  ) )  
**United States Environmental )  
Protection Agency,** )  
  ) )  
  ) **Respondent.** )**

---

**CASE NO. 24-1103**

**RULE 26.1 DISCLOSURE STATEMENT  
OF THE INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA, ARKANSAS  
INDEPENDENT PRODUCERS AND ROYALTY OWNERS, DOMESTIC ENERGY  
PRODUCERS ALLIANCE, EASTERN KANSAS OIL & GAS ASSOCIATION, GAS AND  
OIL ASSOCIATION OF WEST VIRGINIA, ILLINOIS OIL & GAS ASSOCIATION,  
INDEPENDENT PETROLEUM ASSOCIATION OF NEW MEXICO, INDIANA OIL  
AND GAS ASSOCIATION, INTERNATIONAL ASSOCIATION OF DRILLING  
CONTRACTORS, KANSAS INDEPENDENT OIL & GAS ASSOCIATION, KENTUCKY  
OIL & GAS ASSOCIATION, NATIONAL STRIPPER WELL ASSOCIATION, NORTH  
DAKOTA PETROLEUM COUNCIL, OHIO OIL AND GAS ASSOCIATION,  
PETROLEUM ALLIANCE OF OKLAHOMA, PANHANDLE PRODUCERS &  
ROYALTY OWNERS ASSOCIATION, PENNSYLVANIA INDEPENDENT OIL & GAS  
ASSOCIATION, PERMIAN BASIN PETROLEUM ASSOCIATION, PETROLEUM  
ASSOCIATION OF WYOMING, TEXAS ALLIANCE OF ENERGY PRODUCERS,  
TEXAS INDEPENDENT PRODUCERS & ROYALTY OWNERS ASSOCIATION,  
AND WESTERN ENERGY ALLIANCE**

Pursuant to Fed. R. App. P. 26.1 and D.C. Circuit Rule 26.1, Petitioners, The Independent Petroleum Association Of America, Arkansas Independent Producers And Royalty Owners, Domestic Energy Producers Alliance, Eastern Kansas Oil & Gas Association, Gas And Oil Association Of West Virginia, Illinois Oil & Gas Association, Independent Petroleum Association Of New Mexico, Indiana Oil And Gas Association, International Association Of Drilling Contractors, Kansas Independent Oil & Gas Association, Kentucky Oil & Gas Association, National Stripper Well Association, North Dakota Petroleum Council, Ohio Oil And Gas Association, Petroleum Alliance Of Oklahoma, Panhandle Producers & Royalty Owners Association, Pennsylvania Independent Oil & Gas Association, Permian Basin Petroleum Association, Petroleum Association Of Wyoming, Texas Alliance Of Energy Producers, Texas Independent Producers & Royalty Owners Association, And Western Energy Alliance (collectively, "Independent Producers") file the following statement:

The Independent Petroleum Association of America ("IPAA") is an incorporated trade association that represents thousands of independent oil and natural gas producers and service companies across the United States that are active in the exploration and production segment of

the industry, which often involves the hydraulic fracturing of wells. IPAA serves as an informed voice for the exploration and production segment of the industry, and advocates its members' views before the United States Congress, the Administration and federal agencies. IPAA has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

The Arkansas Independent Producers and Royalty Owners (AIPRO) is an incorporated trade association that represents independent oil and natural gas producers and service companies across the state of Arkansas that are active in the exploration and production segment of the industry, which often involves the hydraulic fracturing of wells. AIPRO serves as an informed voice for Arkansas oil and gas producers, and advocates for its members' views before the Arkansas General Assembly, state agencies and commissions, United States Congress, the Administration and federal agencies. AIPRO has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

The Domestic Energy Producers Alliance ("DEPA") is a nationwide collaboration of 25 coalition associations, representing about 10,000 individuals and companies engaged in domestic onshore oil and natural gas production and exploration. Founded in 2009, DEPA gives a loud, clear voice to the majority of individuals and companies responsible for enduring work to secure our nation's energy future. DEPA has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

The Eastern Kansas Oil & Gas Association ("EKOGA") is a nonprofit organization founded in 1957 to become a unified voice representing the unique interests of eastern Kansas oil and gas producers, service companies, suppliers and royalty owners on matters involving oil and gas regulations, safety standards, environmental concerns and other energy related



issues. EKOGA has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

Formed in 2021, through the merger of the West Virginia Oil and Natural Gas Association and the Independent Oil and Gas Association of West Virginia, the Gas and Oil Association of WV, Inc. (GO-WV) remains one of the oldest trade organizations in the State and is the only association that serves the entire oil and natural gas industry. The activities of our members include exploration, drilling, completion, gathering, transporting, distribution, processing, and environmental services. GO-WV has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

The Illinois Oil & Gas Association ("IOGA") was organized in 1944 to provide an agency through which oil and gas producers, land owners, royalty owners, and others who may be directly or indirectly affected by or interested in oil and gas development and production in Illinois, may protect, preserve and advance their common interests. IOGA has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

Independent Petroleum Association New Mexico advances and preserves the interests of independent oil and gas producers while educating the public to the importance of oil and gas to the state and all our lives. IPANM continues to grow and provide the services that protect, defend, and promote the industry that is the very foundation of our way of life. IPANM is member-drive non-profit association and has no parent corporation. There is no publicly held corporation that owns 10% or more of its stock.

The Indiana Oil and Gas Association ("INOGA") has a rich history of involvement in the exploration and development of hydrocarbons in the State of Indiana. INOGA was formed in 1942 and historically has been an all-volunteer organization principally made up of representatives of

oil and gas exploration and development companies (operators), however, it has enjoyed support and membership from pipeline, refinery, land acquisition, service, supply, legal, engineering and geologic companies or individuals. INOGA has been an active representative for the upstream oil and gas industry in Indiana and provides a common forum for this group. INOGA represents its membership on issues of state, federal, and local regulation/legislation that has, does and will affect the business of this industry. INOGA is a 501(c)(6) trade association incorporated as Non-Profit Domestic Corporation under the statutes of Indiana. INOGA has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

Since 1940, the International Association of Drilling Contractors ("IADC") has exclusively represented the worldwide oil and gas drilling industry. IADC's contract-drilling members own most of the world's land and offshore drilling units that drill the vast majority of the wells producing the planet's oil and gas. IADC's membership also includes oil-and-gas producers, and manufacturers and suppliers of oilfield equipment and services. Through conferences, training seminars, print and electronic publications, and a comprehensive network of technical publications, IADC continually fosters education and communication within the upstream petroleum industry. IADC has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

The Kansas Independent Oil & Gas Association ("KIOGA") is a nonprofit organization founded in 1937 to represent the interests of oil and gas producers in Kansas, as well as allied service and supply companies. Today, KIOGA is a trade association with nearly 3,000 members involved in all aspects of the exploration, production, and development of crude oil and natural gas resources. KIOGA has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

The Kentucky Oil & Gas Association ("KOGA") was formed in 1931 to represent the interests of Kentucky's crude oil and natural gas industry, and more particularly, the independent crude oil and natural gas operators as well as the businesses that support the industry. KOGA is comprised of over 130 companies and individual members which consist of over 600-member representatives that are directly related to the crude oil and natural gas industry in Kentucky. KOGA has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

The National Stripper Well Association ("NSWA") was founded in 1934 as the only national association solely representing the interests of the nation's smallest oil and natural gas wells before Congress, the Administration and the Federal bureaucracies. It is the belief of NSWA that producers, owners, and operators of marginally-producing oil and gas wells have a unique set of needs and concerns regarding federal legislation and regulation. NSWA is a member-based trade association with over 1000 members nationwide across 30 states. NSWA has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

The North Dakota Petroleum Council ("NDPC") is a trade association representing more than 520 companies involved in all aspects of the oil and gas industry, including oil and gas production, refining, pipeline, transportation, and storage, as well as mineral leasing, consulting, legal work, and oil field service activities in North Dakota, South Dakota, and the Rocky Mountain Region. Established in 1952, NDPC's mission is to promote and enhance the discovery, development, production, transportation, refining, conservation, and marketing of oil and gas in North Dakota, South Dakota, and the Rocky Mountain region; to promote opportunities for open discussion, lawful interchange of information, and education concerning the petroleum industry; to monitor and influence legislative and regulatory activities on the state and national level; and to

accumulate and disseminate information concerning the petroleum industry to foster the best interests of the public and industry. NDPC has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

The Ohio Oil & Gas Association ("OOGA") is a trade association with members involved in all aspects of the exploration, production, and development of crude oil and natural gas resources within the State of Ohio. OOGA represents the people and companies directly responsible for the production of crude oil, natural gas, and associated products in Ohio. OOGA has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

The Petroleum Alliance of Oklahoma was formed in 2019 by the mergers of the Oklahoma Oil and Gas Association and the Oklahoma Independent Petroleum Association and represents more than 1,400 individuals and member companies from the Mid-Continent oil and natural gas industry. The Alliance is the state's largest oil and natural gas association and one of the industry's strongest advocacy groups, representing upstream, midstream, and downstream industry sectors. The Alliance has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

The Panhandle Producers & Royalty Owners Association was founded in 1929 and registered in 1939 by the Texas Secretary of State as an oil and gas membership association registered as a 501c3, governed by a board of directors, whose mission is to protect our industry segments from overreach harmful to our members. We are not owned nor operated by a parent company and are not publicly traded. Our primary purpose is to lobby and represent membership before political parties, state, and federal agencies, to develop policy and position papers, and to act as an informed voice for exploration and production of clean, affordable, abundant fuel with regard to proposed legislation that impacts our industry.

The Pennsylvania Independent Oil & Gas Association ("PIOGA") is a non-profit corporation that was initially formed in 1978 as the Independent Oil and Gas Association of Pennsylvania ("IOGA of PA") to represent the interests of smaller independent producers of Pennsylvania natural gas from conventional limestone and sandstone formations. Effective April 1, 2010, IOGA of PA and the original trade association representing Pennsylvania conventional oil and natural gas producers founded in 1918, the Pennsylvania Oil, Gas and Minerals Association (POGAM), merged and the name of the merged organization changed to its present name. PIOGA's membership currently is over 300 members: oil and natural gas producers developing both conventional and unconventional formations in Pennsylvania; drilling contractors and service companies; engineering companies; manufacturers; marketers; Pennsylvania Public Utility Commission-licensed natural gas suppliers ("NGSs"); professional services firms and consultants; and royalty owners. PIOGA promotes the interests of its members in environmentally responsible oil and natural gas operations, as well as the development of competitive markets and additional uses for Pennsylvania-produced natural gas. PIOGA has no parent corporation and has not issued any stock.

The Permian Basin Petroleum Association ("PBPA") is the largest regional oil and gas association in the United States. We represent the men and women who work in the oil and gas industry in the Permian Basin of West Texas and southeastern New Mexico. The Permian Basin is the largest inland oil and gas reservoir and the largest oil and gas producing region in the world. PBPA consists of the largest producers as well as the smallest operators in the Permian Basin. Part of PBPA's mission is to promote environmentally conscious operations and sustainable economic profitability among all our members, large and small. PBPA has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

Founded in 1920, the Petroleum Association of Wyoming (“PAW”), is Wyoming’s oldest and largest petroleum industry trade association. As a tax-exempt, membership organization, PAW represents and advocates on behalf of companies engaged in exploration and production of oil and gas in Wyoming. PAW members produce over 90% of Wyoming’s oil and gas, generating approximately \$5 billion in economic activity annually and employing more than 12,000 people in Wyoming. PAW is dedicated to the safe and sustainable development of Wyoming’s oil and gas resources and educating the public on the need for a healthy, viable domestic petroleum industry. PAW is dedicated to the betterment of Wyoming’s oil and gas industry and the public welfare. PAW works to educate the public on the need for a healthy, viable, domestic petroleum industry. PAW has no parent corporation and it has no stock, precluding opportunities for publicly held corporations to own 10% or more of its stock.

The Texas Alliance of Energy Producers (“Texas Alliance”) became a statewide organization in 2000 with the merger of two of the oldest oil & gas associations in the nation: the North Texas Oil & Gas Association and the West Central Texas Oil & Gas Association. The Texas Alliance is now the largest statewide oil and gas association in the country representing Independents. With members in 34 states, the Texas Alliance works on behalf of our members at the local, state, and federal levels on issues vital to the industry. The Texas Alliance is a non-profit entity, has no parent corporation, and there is no publicly held corporation that owns 10% or more of its stock.

The Texas Independent Producers & Royalty Owners Association (“TIPRO”) is a trade association representing the interests of nearly 3,000 independent oil and natural gas producers and royalty owners throughout Texas. As one of the nation's largest statewide associations representing both independent producers and royalty owners, members include small family

businesses, the largest, publicly-traded independent producers, and mineral owners, estates, and trusts. Members of TIPRO are responsible for producing approximately 90 percent of the oil and natural gas within Texas, and own mineral interests in millions of acres across the state. TIPRO has no parent corporation and there is no publicly-held corporation that owns more than 10% of its stock.

Western Energy Alliance is the leader and champion for independent oil and natural gas companies in the West. Working with a vibrant membership base for over 50 years, the Alliance stands as a credible leader, advocate, and champion of industry. Our expert staff, active committees, and committed board members form a collaborative and welcoming community of professionals dedicated to abundant, affordable energy and a high quality of life for all. Most independent producers are small businesses, with an average of fourteen employees. The Alliance has no parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

**RESPECTFULLY SUBMITTED,**

/s/James D. Elliott

James D. Elliott (DC Bar #46965)  
Spilman Thomas & Battle, PLLC  
1100 Bent Creek Boulevard, Suite 101  
Mechanicsburg, PA 17050  
Phone: (717) 791-2012  
Fax: (717) 795-2743

Counsel For The Independent Petroleum Association  
Of America, Arkansas Independent Producers And  
Royalty Owners, Domestic Energy Producers Alliance,  
Eastern Kansas Oil & Gas Association, Gas And Oil  
Association Of West Virginia, Illinois Oil & Gas  
Association, Independent Petroleum Association Of  
New Mexico, Indiana Oil And Gas Association,  
International Association Of Drilling Contractors,

Kansas Independent Oil & Gas Association, Kentucky Oil & Gas Association, National Stripper Well Association, North Dakota Petroleum Council, Ohio Oil And Gas Association, Oklahoma Independent Petroleum Association, Panhandle Producers & Royalty Owners Association, Pennsylvania Independent Oil & Gas Association, Permian Basin Petroleum Association, Petroleum Association Of Wyoming, Texas Alliance Of Energy Producers, Texas Independent Producers & Royalty Owners Association, And Western Energy Alliance

Dated: April 30, 2024