

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

NATIONAL ASSOCIATION OF CHEMICAL
DISTRIBUTORS, d/b/a ALLIANCE FOR
CHEMICAL DISTRIBUTION; AMERICAN
CHEMISTRY COUNCIL; AMERICAN FUEL &
PETROCHEMICAL MANUFACTURERS;
AMERICAN PETROLEUM INSTITUTE;
CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA; and
SOCIETY OF CHEMICAL
MANUFACTURERS & AFFILIATES,

Petitioners,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY,

Respondent.

Case No. 25-1075

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(a); and D.C. Circuit Rule 15, the National Association of Chemical Distributors, d/b/a Alliance for Chemical Distribution, American Chemistry Council, American Fuel & Petrochemical Manufacturers, American Petroleum Institute, Chamber of Commerce of the United States of America, and Society of

Chemical Manufacturers & Affiliates (collectively “RMP Coalition”), hereby petition for review of a final action of the United States Environmental Protection Agency denying the RMP Coalition’s petition for reconsideration. *See* Letter from Michael S. Regan Denying RMP Coalition’s Petition for Reconsideration (Dec. 26, 2024) (“Decision Letter”); *see also* Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act; Safer Communities by Chemical Accident Prevention; Final Action on Petition for Reconsideration, 89 Fed. Reg. 106,479 (Dec. 30, 2024) (“Notice”). A copy of the Notice is attached as Exhibit A to this petition. A copy of the Decision Letter is attached as Exhibit B. A copy of the RMP Coalition’s petition for reconsideration is attached as Exhibit C. This Court has jurisdiction and is the proper venue for this action pursuant to 42 U.S.C. § 7607(b)(1).

Dated: February 24, 2025

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Respectfully submitted,

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Case No. ____-____

RULE 26.1 STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, the National Association of Chemical Distributors, d/b/a Alliance for Chemical Distribution, American Chemistry Council, American Fuel & Petrochemical Manufacturers, American Petroleum Institute, Chamber of Commerce of the United States of America, and

Society of Chemical Manufacturers & Affiliates provide the following corporate disclosure statements:

The National Association of Chemical Distributors, d/b/a Alliance for Chemical Distribution (ACD) is a trade association of more than 400 chemical distribution industry members that provides the education, connection, standards, and advocacy needed to responsibly move the essential products our world depends on. As leaders in the \$27 billion chemical distribution industry, ACD member companies commit to the highest standards in quality, safety, sustainability, and performance through ACD Responsible Distribution™. ACD is a “trade association” for purposes of Circuit Rule 26.1(b). ACD has no parent corporation, and no publicly held company has 10% or greater ownership interest in ACD.

The American Chemistry Council (ACC) represents the leading companies engaged in the business of chemistry. ACC members apply the science of chemistry to make innovative products and services that make people’s lives better, healthier, and safer. ACC is committed to improved environmental, health, and safety performance through Responsible Care®; common sense advocacy designed to address major public policy issues; and health and environmental research and product testing. The

business of chemistry is a \$639 billion enterprise and a key element of the nation's economy. It is among the largest exporters in the nation, accounting for fourteen percent of all U.S. goods exported. ACC states that it is a "trade association" for purposes of Circuit Rule 26.1(b). ACC has no parent corporation, and no publicly held company has 10% or greater ownership in ACC.

American Fuel & Petrochemical Manufacturers (AFPM) is a national trade association that represents nearly all American refining and petrochemical manufacturing capacity, including the midstream transport that moves products from facilities to consumers. These industries provide jobs, directly and indirectly, to more than three million Americans, contribute to our economic and national security, and enable the production of thousands of vital products used by families and businesses throughout the United States. AFPM is committed to the development of sound policies that enable our members to supply the fuel and petrochemicals that growing populations need to thrive in an environmentally sustainable way. AFPM has no parent corporation, and no publicly held corporation has a 10% or greater ownership in AFPM.

American Petroleum Institute (API) represents all segments of America's natural gas and oil industry, which supports more than 11 million U.S. jobs and is backed by a growing grassroots movement of millions of Americans. API's nearly 600 members produce, process, and distribute the majority of the Nation's energy, and participate in API Energy Excellence, which is accelerating environmental and safety progress by fostering new technologies and transparent reporting. API certifies that it is incorporated under the laws of the District of Columbia. API has no parent entity, and no publicly held corporation or similarly situated legal entity has 10% or greater ownership of API.

The Chamber of Commerce of the United States of America is the world's largest business federation. It represents approximately 300,000 direct members and indirectly represents the interests of more than 3 million companies and professional organizations of every size, in every industry sector, and from every region of the country. An important function of the Chamber is to represent the interests of its members in matters before Congress, the Executive Branch, and the courts. The Chamber states that it is a non-profit, tax-exempt organization incorporated in the District of Columbia. The Chamber has no parent

corporation, and no publicly held company has 10% or greater ownership in the Chamber.

The Society of Chemical Manufacturers & Affiliates (SOCMA) is the national trade association dedicated to the specialty and fine chemical industry. Founded in 1921, SOCMA represents a diverse membership of chemical companies who batch manufacture new and innovative chemistries used in a wide range of commercial, industrial, and consumer products. SOCMA maintains a strong record of member service through programs that maximize commercial opportunities, enhance regulatory and legal compliance, and promote industry stewardship. SOCMA has no parent company nor is it a publicly held company. SOCMA is a non-profit organization incorporated in the state of New York. No publicly held company has 10% or greater ownership in SOCMA.

Dated: February 24, 2025

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CERTIFICATE OF SERVICE

Pursuant to Federal Rules of Appellate Procedure 3(d), 15(c), and 25, D.C. Circuit Rules 15(a) and 25, and 40 C.F.R. § 23.12(a), I hereby certify that I have caused the foregoing Petition for Review and Rule 26.1 Statement to be served by U.S. Mail, this 24th day of February, 2025, upon each of the following:

Hon. Lee Zeldin, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

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

Hon. Pamela Bondi
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
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Hon. Adam Gustafson
Principal Deputy Assistant Attorney General
Environmental and Natural Resources Division
U.S. Department of Justice
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Dated: February 24, 2025

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