



**UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

CALUMET SHREVEPORT REFINING,
LLC,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

Case No. _____

PETITION FOR REVIEW

Pursuant to Section 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b), and Federal Rule of Appellate Procedure 15(a), Petitioner Calumet Shreveport Refining, LLC respectfully petitions this Court for review of the action of the Administrator of the United States Environmental Protection Agency (“EPA”) issued on January 16, 2025, denying Calumet’s petition for small refinery hardship relief from the requirements of the Renewable Fuel Standard (“RFS”) for the 2023 compliance year. The EPA action challenged here is titled “Denial of Request for Extension of Small Refinery Temporary Exemption Under the Renewable Fuel Standard Program for Calumet Shreveport Refining, LLC’s Shreveport, Louisiana Refinery.” (Cover letter attached as Exhibit A.)*

* The EPA Decision Document attached to the EPA cover letter contains Confidential Business Information (“CBI”) protected under 40 C.F.R. §§ 2.201–215 and is not included in Exhibit A at this time.

EPA's action states that "[t]his decision is a final agency action for purposes of [Clean Air Act] section 307(b)(1)." Decision Document 23. To Petitioner's knowledge, notice of the action has not been published in the Federal Register. Therefore, Petitioner files this petition for review within the time period prescribed by 40 C.F.R. § 23.3(b) and 42 U.S.C. § 7607(b)(1).

Venue is proper in this Court under 42 U.S.C. § 7607(b)(1), as EPA agrees. Decision Document 23.

The Certificate of Interested Persons required by Federal Rule of Appellate Procedure 26.1 and 5th Circuit Rule 26.1.1 is attached as Exhibit B.

Dated: January 30, 2025

LeAnn Johnson Koch
Alexandra Magill Bromer
PERKINS COIE LLP
700 Thirteenth Street, N.W.,
Suite 800
Washington, D.C. 20005-3960
Telephone: 202.654.6297
Facsimile: 202.654.6211
Leannjohnson@perkinscoie.com
ABromer@perkinscoie.com

Respectfully submitted,

s/ Michael R. Huston

Michael R. Huston
Karl J. Worsham
Jordan M. Buckwald (*admission
pending*)
PERKINS COIE LLP
2525 East Camelback Road,
Suite 500
Phoenix, AZ 85016
Telephone: 602.351.8000
Facsimile: 602.648.7000
MHuston@perkinscoie.com
KWorsham@perkinscoie.com
JBuckwald@perkinscoie.com

Attorneys for Calumet Shreveport
Refining, LLC