



May 21, 2025

**VIA ELECTRONIC AND CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Honorable Lee Zeldin  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave NW  
Washington, DC 20460

**Re: Notice of Intent to Sue Pursuant to 42 U.S.C. § 7604(b)(2) for Failure to Issue Decision  
on Small Refinery Hardship Petition Pursuant to § 7545(o)(9)(B)(iii)**

Dear Administrator Zeldin:

On behalf of Par Montana, LLC (“Par Montana”), we submit this notice of intent to sue the Administrator of the United States Environmental Protection Agency (“EPA” or the “Administrator”) for the Administrator’s failure to perform a non-discretionary duty under the Clean Air Act (“CAA”) and to seek a court order requiring the Administrator to perform that nondiscretionary duty. 42 U.S.C. § 7604(a)(2); *id.* § 7604(b)(2). Specifically, EPA has not acted on Par Montana’s petitions for small refinery hardship relief from the Renewable Fuel Standard (“RFS”) for the 2023, 2024 and 2025 compliance years by the statutory deadline. EPA has a non-discretionary duty to act on any petition for small refinery hardship relief within ninety (90) days of receipt of the petition. 42 U.S.C. § 7545(o)(9)(B)(iii). EPA failed to perform that non-discretionary duty when it failed to act on Par Montana’s 2023 hardship petition by March 18, 2025—90 days after Par Montana submitted the 2023 petition on December 18, 2024. EPA also failed to perform that non-discretionary duty when it failed to act on Par Montana’s 2024–2025 hardship petition by March 30, 2025—90 days after Par Montana submitted the 2024–2025 petition on December 30, 2024. EPA’s failure to act by the statutory deadline also constitutes “agency action unlawfully withheld” and “unreasonably delayed.” 5 U.S.C. § 706(1). Par Montana gives notice of its intent to sue to compel that action. *Id.*

Par Montana urges the Administrator to decide Par Montana’s 2023 and 2024–2025 hardship petitions immediately, in order to avoid the need for litigation.

Pursuant to 40 C.F.R. § 54.3(a), the full name and address of the person providing this notice on behalf of Par Montana is:

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Jeffrey R. Hollis  
General Counsel and Secretary  
Par Pacific Holdings, Inc.  
825 Town & Country Lane, Suite 1500  
Houston, TX 77024  
Tel: (832) 916-3392

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey R. Hollis". The signature is written in black ink and is positioned above the printed name and title.

Jeffrey R. Hollis  
General Counsel and Secretary