



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 Hermes Consolidated, LLC (d/b/a Wyoming Refining Company) (“Wyoming”), 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 Wyoming’s petition for small refinery hardship relief from the Renewable Fuel Standard (“RFS”) for the 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 Wyoming’s 2024–2025 hardship petition by March 30, 2025—90 days after Wyoming 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). Wyoming gives notice of its intent to sue to compel that action. *Id.*

Wyoming urges the Administrator to decide Wyoming’s 2024–2025 hardship petition 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 Wyoming 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 black ink that reads "Jeffrey R. Hollis". The signature is written in a cursive, flowing style.

Jeffrey R. Hollis
General Counsel and Secretary