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UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT

MAR 13 2017

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March 13, 2017

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Mark J. Langer, Clerk
United States Court of Appeals
for the District of Columbia Circuit
United States Courthouse, Room 5523
333 Constitution Avenue, NW
Washington D.C. 20001

Re: *American Chemistry Council v. EPA*, No.

Dear Mr. Langer:

Enclosed for filing in this matter are an original and four copies of a petition for review, corporate disclosure statement, and certificate of service. We have also enclosed a \$500 check for the docketing fee.

Please file stamp one copy and return it to our messenger.

Thank you for your kind assistance.

Sincerely,



Catherine E. Stetson

Counsel for Petitioners

UNITED STATES COURT OF APPEALS FOR DISTRICT OF COLUMBIA CIRCUIT	
FILED	MAR 13 2017
Hogan Lovells US LLP Columbia Square 555 Thirteenth Street, N.W. Washington, DC 20004	
CLERK	

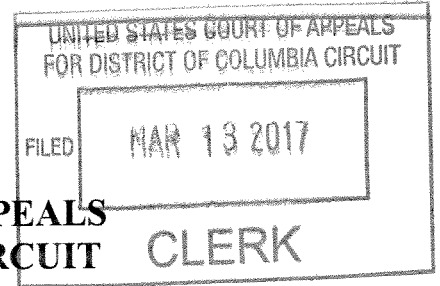
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17-1085

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IN THE UNITED STATES COURT OF APPEALS
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AMERICAN CHEMISTRY COUNCIL,
AMERICAN FUEL & PETROCHEMICAL
MANUFACTURERS, AMERICAN
PETROLEUM INSTITUTE, CHAMBER
OF COMMERCE OF THE UNITED
STATES OF AMERICA, and NATIONAL
ASSOCIATION OF MANUFACTURERS,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

No. 17-1085

PETITION FOR REVIEW

Pursuant to Section 307(b) of the Clean Air Act, 42 U.S.C. § 7607(b)(1), and Rule 15(a) of the Federal Rules of Appellate Procedure, the American Chemistry Council, American Fuel & Petrochemical Manufacturers, the American Petroleum Institute, the Chamber of Commerce of the United States of America, and the National Association of Manufacturers hereby petition this Court to review a final rule issued by the United States Environmental Protection Agency. The final rule, which was published on January 13, 2017, is set forth in the *Federal Register* as Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, 82 Fed. Reg. 4594 (Jan. 13, 2017), and is attached as Exhibit A.

This court has jurisdiction and is the proper venue for this action, pursuant to 42 U.S.C. § 7607(b)(1).

The final rule should be set aside because it is unlawful, arbitrary, capricious, an abuse of discretion, and not otherwise in accordance with law.

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Respectfully submitted,



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No. 17-1085

Petitioners,

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PROTECTION AGENCY,

Respondent.

PETITIONERS' CORPORATE DISCLOSURE STATEMENT

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 \$797 billion enterprise and a key element of the nation's economy. It is the nation's largest exporter, accounting for fourteen percent of all U.S. exports. Chemistry companies are among the largest investors in research and development. Safety and security have always been

primary concerns of ACC members, and they have intensified their efforts, working closely with government agencies to improve security and to defend against any threat to the nation's critical infrastructure. ACC certifies that it is a "trade association" for purposes of Circuit Rule 26.1(b).

American Fuel & Petrochemical Manufacturers (AFPM) is a national trade association representing approximately 400 companies that encompass virtually all United States refining and petrochemical manufacturing capacity. AFPM certifies that it is a "trade association" for purposes of Circuit Rule 26.1(b).

The American Petroleum Institute (API) is a national trade association with 625 corporate members that represents all aspects of America's oil and natural gas industry, including producers, refiners, suppliers, marketers, pipeline operators and marine transporters, as well as service and supply companies that support all segments of the industry. API's mission is to promote safety across the industry globally and to influence public policy in support of a strong, viable U.S. oil and natural gas industry. API negotiates with regulatory agencies, represents the industry in legal proceedings, participates in coalitions, and works in partnership with other associations to achieve its members' public policy goals. API certifies that it is a "trade association" for purposes of Circuit Rule 26.1(b).

The Chamber of Commerce of the United States of America is the world's largest business federation, representing 300,000 direct members and indirectly

representing the interests of more than three million companies and professional organizations of every size, in every industry sector, and from every region of the country. The Chamber certifies that it is a “trade association” for purposes of Circuit Rule 26.1(b).

The National Association of Manufacturers (NAM) is the nation’s largest industrial trade association, representing small and large manufacturers in every industrial sector and in all 50 states. NAM is the voice of the manufacturing community and the leading advocate for a policy agenda that helps manufacturers compete in the global economy and create jobs across the United States. NAM certifies that it is a “trade association” for purposes of Circuit Rule 26.1(b).

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*Counsel for National Association of
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March 13, 2017

CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2017, I caused copies of the foregoing to be delivered via first-class mail to the following:

Correspondence Control Unit
Office of General Counsel (2311)
U.S. Environmental Protection Agency
Ariel Rios Building, Mail Code 101A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

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Acting Assistant Attorney General
Environmental and Natural Resources Division
United States Department of Justice
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