

**23-1229 ENVIRONMENTAL PROTECTION AGENCY V. CALUMET SHREVEPORT
REFINING**

DECISION BELOW: 86 F.4th 1121

LOWER COURT CASE NUMBER: 22-60266, 22-60425, 22-60433, 22-60434

QUESTION PRESENTED:

In a pair of final actions, the United States Environmental Protection Agency (EPA) denied 105 petitions filed by small oil refineries seeking exemptions from the requirements of the Clean Air Act's Renewable Fuel Standard program. Six of those refineries petitioned for review of EPA's decisions in the Fifth Circuit, which denied the government's motion for transfer to the D.C. Circuit. The question presented is as follows:

Whether venue for the refineries' challenges lies exclusively in the D.C. Circuit because the agency's denial actions are "nationally applicable" or, alternatively, are "based on a determination of nationwide scope or effect." 42 U.S.C. 7607(b)(1).

CERT. GRANTED 10/21/2024