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Lyle W. Cayce, Clerk of Court
U.S. Court of Appeals for the Fifth Circuit
Office of the Clerk
F. Edward Hebert Building
600 S. Maestri Place
New Orleans, LA 70130-3408

Re: No. 24-60193
Texas Chemistry Council, et al. v. U.S. Environmental Protection Agency, et al.
Agency No. 89 Fed. Reg. 21,970

Dear Mr. Cayce:

Pursuant to 28 U.S.C. § 2112(a), the U.S. Court of Appeals for the District of Columbia Circuit entered an order on August 1, 2024, transferring Case No. 24-1256, *American Chemistry Council v. EPA*, to this Court. In that case, American Chemistry Council (“ACC”) petitioned for review EPA’s final rule entitled “Methylene Chloride; Regulation Under the Toxic Substances Control Act (TSCA),” 89 Fed. Reg. 39,254 (May 8, 2024) (“Methylene Chloride Rule”). Consolidated challenges to the Methylene Chloride Rule have been docketed in this Court as Case No. 24-24-60256, *East Fork Enterprises Inc., et al. v. EPA, et al.* ACC’s petition for review of the Methylene Chloride Rule should have been consolidated with those cases.

On August 6, 2024, however, this Court consolidated ACC’s petition for review of the Methylene Chloride Rule with petitions for review of a *different* EPA rule entitled “Asbestos Part 1; Chrysotile Asbestos; Regulation of Certain Conditions of Use Under the Toxic Substances Control Act (TSCA),” 89 Fed. Reg. 21,970 (Mar. 28, 2024) (“Asbestos Rule”). Consolidated challenges to the Asbestos Rule have been docketed in this Court as Case No. 24-60193 (L), *Texas Chemistry Council, et al. v. EPA*.

ACC hereby requests that the Court update the case caption in Case No. 24-60256 to include ACC’s petition for review of the Methylene Chloride Rule that was transferred from the D.C. Circuit on August 1 (D.C. Cir. No. 24-1256).

Respectfully submitted,

/s/ David Y. Chung
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Counsel for American Chemistry Council