



January 27, 2025

Submitted via CM/ECF

Patricia S. Dodszuweit, Clerk of Court  
Office of the Clerk  
21400 U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106

Re: *United Steel, et al. v. EPA*, No. 25-1055 (3rd Cir.) and consolidated cases

Dear Ms. Dodszuweit:

This letter is submitted on behalf of the following Petitioners in the above captioned cases: Center for Environmental Health; Environmental Defense Fund; International Union, United Automobile, Aerospace and Agricultural Implement Workers of America; the Massachusetts Coalition for Occupational Safety; and United Steel, Paper and Forestry, Rubber Manufacturing, Energy, Allied Industrial Workers International Union (“Labor and Environmental Petitioners”).

### **Labor and Environmental Petitioners Oppose EPA’s Request to Extend Deadlines**

On January 21, 2025, the Labor and Environmental Petitioners filed an Emergency Motion for Revocation of the Fifth Circuit Administrative Stay. Dckt. No. 12. The next day, Petitioners Alliance for a Strong U.S. Battery Sector and Microporous LLC submitted a letter seeking to respond to the emergency motion, requesting that the Court set a deadline for that response for January 28, 2025. Dckt. No. 13. This Court then issued an order, on January 24, 2025, requiring that any response to the Emergency Motion be filed by January 28, 2025.

On Friday, January 25, 2025, Respondent EPA filed a motion entitled Respondents’ Request to Extend Deadlines for Sixty Days; Withdrawal of Emergency Motion to Lift Stay. Among other requests, EPA has sought a sixty-day extension of its deadline to respond to the Labor and Environmental Petitioners’ emergency motion. Dckt. No. 17. The Labor and Environmental Petitioners write advise the Court that we oppose EPA’s request, and plan to file an opposition with the Court within the time provided by Federal Rule of Appellate Procedure 27(a)(3).

### **Labor and Environmental Petitioners Intend to File Responses Opposing Industry Petitioners’ Motions to Stay**

Three Petitioners – Alliance for a Strong U.S. Battery Sector, Microporous, and PPG Industries – have filed motions to stay certain portions of EPA’s Rule “Trichloroethylene (TCE); Regulation

Under the Toxic Substances Control Act (TSCA),” 89 Fed. Reg. 102568 (Dec. 17, 2024). *See* Alliance motion, Dckt. No. 16, Case No. 25-1083 (January 21, 2025); Microporous motion, Dckt. No. 14-1, Case No. 25-1080 (January 21, 2025); and PPG motion, Dckt. No. 2, Case No. 25-1118 (January 21, 2025). The Labor and Environmental Petitioners plan to respond in opposition to these motions by January 31, 2025. We request that the Court take no action on these stay motions until we have had the opportunity to respond.

Sincerely,

/s/ Samantha Liskow  
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