

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

ALLIANCE OF NURSES FOR)	
HEALTHY ENVIRONMENTS;)	
CAPE FEAR RIVER WATCH;)	
and NATURAL RESOURCES)	
DEFENSE COUNCIL, INC.,)	Petition for Review
)	
Petitioners,)	No. _____
)	
v.)	
)	
UNITED STATES)	
ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	
)	

**PETITION FOR REVIEW
of a final rule of the U.S. Environmental Protection Agency**

Pursuant to Rule 15 of the Federal Rules of Appellate Procedure and section 19(a) of the Toxic Substances Control Act (“TSCA”), Alliance of Nurses for Healthy Environments, Cape Fear River Watch, and the Natural Resources Defense Council hereby petition this Court for review of the final rule of the U.S. Environmental Protection Agency (“EPA”) entitled, “Procedures for Prioritization of Chemicals for Risk Evaluation Under the Toxic Substances Control Act,” which is published at 82 Fed. Reg. 33,753 (July 20, 2017) (the “Prioritization

Rule”). The Prioritization Rule was issued for purposes of judicial review on August 3, 2017. *See* 15 U.S.C. § 2618(a)(1)(A); 40 C.F.R. § 23.5. A copy of the Prioritization Rule is attached as Exhibit A.

Petitioners have also filed a petition for review in this Court challenging a related EPA rule implementing TSCA. *See* Procedures for Chemical Risk Evaluation under the Amended Toxic Substances Control Act, 82 Fed. Reg. 33,726 (July 20, 2017) (the “Risk Evaluation Rule”). Because the legal issues raised by the challenges to the Risk Evaluation and Prioritization Rules substantially overlap, consolidation of the two petitions of review is appropriate to promote judicial economy.

Dated: August 11, 2017

Respectfully submitted,

/s/ Nancy S. Marks_____

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Resources Defense Council*

LOCAL RULE 15(b) LIST OF RESPONDENTS TO BE SERVED WITH COPIES OF PETITION FOR REVIEW

Pursuant to Local Rule 15(b), Respondent U.S. EPA may be served with copies of the foregoing Petition for Review at the following addresses:

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Scott Pruitt, Administrator
U.S. Environmental Protection Agency
Mail code: 1101A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Correspondence Control Unit
Office of General Counsel (2311)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Jeff Sessions
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2017, I caused the foregoing Petition for Review to be served by hand delivery on respondent U.S. Environmental Protection Agency at the address listed below:

Correspondence Control Unit
Office of General Counsel (2311)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

I also certify that on August 11, 2017, I caused the foregoing Petition for Review to be served on all parties or their counsel of record through the CM/ECF system if they are registered users, or, if they are not, by serving a true and correct copy by First Class Mail at the addresses listed below:

U.S. Environmental Protection Agency
Mail code: 1101A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Kevin S. Minoli, Acting General Counsel
U.S. Environmental Protection Agency
Mail code: 2310A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dated: August 11, 2017

/s/ Nancy S. Marks

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