

**United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007**

ROBERT A. KATZMANN
CHIEF JUDGE

Date: January 08, 2018

Docket #: 18-25

Short Title: Natural Resources Defense Coun v. United
States Environmental Pr

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

Agency #: EPA-HQ-OPPT-2017-
0585-0004

Agency: Environmental
Protection Agency

DOCKETING NOTICE

A petition for review filed by Natural Resources Defense Council in the above referenced case was docketed today as 18-25. This number must appear on all documents related to this case that are filed in this Court. For pro se parties the docket sheet with the caption page, and an Acknowledgment and Notice of Appearance Form are enclosed. In counseled cases the docket sheet is available on PACER. Counsel must access the Acknowledgment and Notice of Appearance Form from this Court's website <http://www.ca2.uscourts.gov>.

The form must be completed and returned within 14 days of the date of this notice. The form requires the following information:

YOUR CORRECT CONTACT INFORMATION: Review the party information on the docket sheet and note any incorrect information in writing on the Acknowledgment and Notice of Appearance Form.

The Court will contact one counsel per party or group of collectively represented parties when serving notice or issuing our order. Counsel must designate on the Acknowledgment and Notice of Appearance a lead attorney to accept all notices from this Court who, in turn will, be responsible for notifying any associated counsel.

CHANGE IN CONTACT INFORMATION: An attorney or pro se party who does not immediately notify the Court when contact information changes will not receive notices, documents and orders filed in the case.

An attorney and any pro se party who is permitted to file documents electronically in CM/ECF must notify the Court of a change to the user's mailing address, business address, telephone number, or e-mail. To update contact information, a Filing User must access PACER's Manage

My Appellate Filer Account, <https://www.pacer.gov/psco/cgi-bin/cmecf/ea-login.pl>. The Court's records will be updated within 1 business day of a user entering the change in PACER.

A pro se party who is not permitted to file documents electronically must notify the Court of a change in mailing address or telephone number by filing a letter with the Clerk of Court.

CAPTION: In an appeal, the Court uses the district court caption pursuant to FRAP 12(a), 32(a). For a petition for review or original proceeding the Court uses a caption pursuant to FRAP 15(a) or 21(a), respectively. Please review the caption carefully and promptly advise this Court of any improper or inaccurate designations in writing on the Acknowledgment and Notice of Appearance form. If a party has been terminated from the case the caption may reflect that change only if the district court judge ordered that the caption be amended.

APPELLATE DESIGNATIONS: Please review whether petitioner is listed correctly on the party listing page of the docket sheet and in the caption. If there is an error, please note on the Acknowledgment and Notice of Appearance Form. Timely submission of the Acknowledgment and Notice of Appearance Form will constitute compliance with the requirement to file a Representation Statement required by FRAP 12(b).

For additional information consult the Court's instructions posted on the website.

Inquiries regarding this case may be directed to 212-857-8638.

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

NATURAL RESOURCES)
DEFENSE COUNCIL, INC.,)
)
Petitioner,)
)
v.) No. _____
)
U.S. 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, 15 U.S.C.

§ 2618(a), the Natural Resources Defense Council hereby petitions this Court for review of a final rule of the U.S. Environmental Protection Agency (EPA) entitled *New Chemicals Decision-Making Framework: Working Approach to Making Determinations under Section 5 of TSCA* (Nov. 7, 2017). EPA posted this rule on regulations.gov under docket number EPA-HQ-OPPT-2017-0585-0004 on November 7, 2017. A copy of the rule is attached as Exhibit A.

Dated: January 5, 2018

Respectfully submitted,

/s/ Aaron Colangelo _____

Aaron Colangelo
Natural Resources Defense Council
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2018, I caused the foregoing Petition for Review, the attached Exhibit A, and the Federal Rule 26.1 Corporate Disclosure Statement 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 January 5, 2018, I caused the listed documents to be served on the respondent by first-class mail to the addresses listed below:

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

Matthew Leopold, General Counsel
U.S. Environmental Protection Agency
Mail code: 2311A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dated: January 5, 2018

/s/ Aaron Colangelo
Aaron Colangelo
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**IN THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

| | | |
|------------------------|---|-----------|
| NATURAL RESOURCES |) | |
| DEFENSE COUNCIL, INC., |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | No. _____ |
| |) | |
| U.S. ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |
| |) | |

FEDERAL RULE 26.1 CORPORATE DISCLOSURE STATEMENT

Petitioner the Natural Resources Defense Council, Inc. (NRDC) is a non-profit organization with no parent corporation and no outstanding stock shares or other securities in the hands of the public. NRDC does not have any parent, subsidiary, or affiliate that has issued stock shares or other securities to the public. No publicly held corporation owns any stock in NRDC.

Dated: January 5, 2018

Respectfully submitted,

/s/ Aaron Colangelo
 Aaron Colangelo
 Natural Resources Defense Council
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 Washington, DC 20005

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