

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

SIERRA CLUB,

Petitioner,

v.

UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY, and MICHAEL S. REGAN,
in his official capacity as Administrator
of the United States Environmental
Protection Agency,

Respondents.

No. _____

PETITION FOR REVIEW

Pursuant to Section 19 of the Toxic Substances Control Act, 15 U.S.C. § 2618, and Rule 15 of the Federal Rules of Appellate Procedure, Petitioner Sierra Club hereby petitions for review of Respondent United States Environmental Protection Agency’s Final Rule, Methylene Chloride; Regulation Under the Toxic Substances Control Act, 89 Fed. Reg. 39,254 (May 8, 2024), a copy of which accompanies this petition.

The Final Rule was published in the Federal Register on May 8, 2024, *id.*, and was “promulgated” for purposes of judicial review on May 22, 2024. 40 C.F.R. § 23.5(a); *see also* 15 U.S.C. §§ 2605(i)(2), 2618(a).

Petitioner Sierra Club's principal place of business is within this Circuit.

This Court accordingly has jurisdiction to review EPA's rule pursuant to 15 U.S.C.

§ 2618(a).

DATED: May 28, 2024

Respectfully submitted,

/s/ Jonathan Kalmuss-Katz

Jonathan Kalmuss-Katz

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Attorneys for Petitioner Sierra
Club

CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1, Petitioner Sierra Club states that it is a non-profit corporation, has no parent corporation, and that no publicly held corporation owns 10% or more of its stock.

DATED: May 28, 2024

Respectfully submitted,

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Attorneys for Petitioner Sierra
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CERTIFICATE OF SERVICE

I hereby certify that, on May 28, 2024, I electronically filed the foregoing and attached documents on this date with the Clerk of the Court for the U.S. Court of Appeals for the Ninth Circuit using the Appellate Case Management System (“ACMS”) filing system. Pursuant to Federal Rule of Appellate Procedure 15(c), “[t]he circuit clerk must serve a copy of the petition for review . . . on each respondent.”

I further certify that, on May 28, 2024, I served a courtesy copy of the foregoing and accompanying documents via electronic and first-class mail on:

Laura J. S. Brown
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DATED: May 28, 2024

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