

EDF Petitions Review of Third TSCA Framework Rule

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On September 1, 2017, the Environmental Defense Fund (EDF) filed a petition for review in the U.S. Court of Appeals for the D.C. Circuit (No. 17-1201) of the U.S. Environmental Protection Agency's (EPA) final Toxic Substances Control Act (TSCA) framework rule TSCA Inventory Notification (Active-Inactive) Requirements, published on August 11, 2017 (82 Fed. Reg. 37520).

This is the third and final challenge by EDF to the framework rules implementing amended TSCA (there are only three framework rules), but the seventh total challenge, [as other parties have also petitioned for review](#). On August 11, 2017, EDF petitioned for review of the TSCA framework rules Procedures for Chemical Risk Evaluation under TSCA and the final rule Procedures for Prioritization of Chemicals for Risk Evaluation, filed on August 11 (Second Cir. Case Nos. 17-2464 and 17-2403, respectively). Per the Consolidation Orders of the United States Judicial Panel on Multidistrict Litigation, both of EDF's August 11 petitions have now been consolidated with other petitions for review of the same orders. Case No. 17-2464 was moved to the Fourth Circuit, and Case No. 2403 was moved to the Ninth Circuit.

In the Fourth Circuit, the opening brief, record from agency, and the appendix are due **September 20, 2017**, and the response brief is due **October 20, 2017**. In the Ninth Circuit, the Petitioners' briefs are due **October 30, 2017**, and Respondent EPA's briefs are due **November 28, 2017**.

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