

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

YUROK TRIBE, ALASKA  
COMMUNITY ACTION ON TOXICS,  
CENTER FOR ENVIRONMENTAL  
TRANSFORMATION, and CONSUMER  
FEDERATION OF AMERICA,

*Petitioners,*

No. \_\_\_\_\_

v.

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

*Respondents.*

**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, Petitioners Yurok Tribe, Alaska Community Action on Toxics, Center for Environmental Transformation, and Consumer Federation of America hereby petition for review of Respondent United States Environmental Protection Agency's revisions to its risk management regulations for decabromodiphenyl ether. Final Rule, Decabromodiphenyl Ether and Phenol, Isopropylated Phosphate (3:1); Revision to

the Regulation of Persistent, Bioaccumulative, and Toxic Chemicals Under the Toxic Substances Control Act (TSCA), 89 Fed. Reg. 91,486 (Nov. 19, 2024) (attached as Exhibit 1).

The Final Rule was published in the Federal Register on November 19, 2024, *id.*, and was “promulgated” for purposes of judicial review on December 3, 2024. 40 C.F.R. § 23.5; *see also* 15 U.S.C. §§ 2605(i)(2), 2618(a).

Petitioner Yurok Tribe is a sovereign nation and federally recognized Indian Tribe whose reservation and seat of government are located within this Circuit. Petitioner Alaska Community Action on Toxics’ 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). The other petitioners’ principal places of business are not within this Circuit, but pursuant to Federal Rule of Appellate Procedure 15(a)(1), their interests make joinder to this petition practicable.

DATED: December 12, 2024

Respectfully submitted,

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## **CORPORATE DISCLOSURE STATEMENT**

Pursuant to Federal Rule of Appellate Procedure 26.1, Petitioner Yurok Tribe states that it is a sovereign nation and federally recognized Indian Tribe. Petitioners Alaska Community Action on Toxics, Center for Environmental Transformation, and Consumer Federation of America state that they are non-profit corporations, have no parent corporation, and no publicly held corporation owns 10% or more of their stock.

## CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing/attached documents with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit using the Appellate Electronic Filing system, and that the foregoing documents were served on Respondents via Overnight Mail to each of the following addresses on this 12th day of December, 2024, in accordance with Federal Rule of Appellate Procedure 15(c).

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DATED: December 12, 2024

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