Kathy

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT
UNITED STATES COURTHOUSE
333 CONSTITUTION AVENUE, N.W.
WASHINGTON, D. C. 20001-2866

GEORGE A. FISHER
CLERK

GENERAL INFORMATION
(202) 535-3300

October 9, 1987

General Counsel
Environmental Protection Agency
401 M. Street, SW
Washington, DC 20460

Re: No. 85-1150 - Natural Resources Defense Council, Inc. v. U.S. Environmental Protection Agency and Lee M. Thomas, Administrator, U.S. Environmental Protection Agency (50 F.R. 1182)

Dear Sir:

Pursuant to the provisions of Rule 41(a) of the Federal Rules of Appellate Procedure, transmitted herewith, in lieu of formal mandate, is a copy of this Court's Opinion and a certified copy of the Judgment, both filed on July 28, 1987.

Kindly acknowledge receipt on the enclosed extra copy of this letter.

Very truly yours,

GEORGE A. FISHER, Clerk

BY: Denise Thomas
Deputy Clerk

Enclosures

cc: All Counsel (letter and judgment only).

CMA 014933

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 85-1150 **September Term, 19** 86

Natural Resources Defense Council, Inc.,
Petitioner

v.

U.S. Environmental Protection Agency and
Lee M. Thomas, Administrator, U.S. Environmental Protection Agency,
Respondents

Vinyl Institute,
Intervenor

United States Court of Appeals
For the District of Columbia Circuit

FILED JUL 28 1987

GEORGE A. FISHER
CLERK

PETITION FOR REVIEW OF AN ORDER OF THE ENVIRONMENTAL PROTECTION AGENCY

Before: WALD, Chief Judge, ROBINSON, MIKVA, EDWARDS, RUTH B. GINSBURG, BORK, STARR, SILBERMAN, BUCKLEY, WILLIAMS and D.H. GINSBURG, Circuit Judges.

J U D G M E N T

This cause came on to be heard on the petition for review of an order of the Environmental Protection Agency, and was argued by counsel. On consideration thereof, it is

ORDERED and ADJUDGED, by this Court, that the petition for review is granted, the decision withdrawing the 1977 proposed rule is vacated, and this case is hereby remanded for timely reconsideration of the 1977 proposed rule consistent with the Opinion for the Court filed herein this date.

Per Curiam

For The Court

George A. Fisher
Clerk

Date: July 28, 1987
Opinion for the Court filed by Circuit Judge Bork.

CMA 014934