

**ORAL ARGUMENT HELD ON SEPTEMBER 27, 2016****IN THE UNITED STATES COURT OF APPEALS FOR  
THE DISTRICT OF COLUMBIA CIRCUIT**

STATE OF WEST VIRGINIA, *et al.*,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, *et al.*,

Respondents.

No. 15-1363 and consolidated  
cases

**MOTION TO WITHDRAW AS PETITIONER**

Now comes Petitioner State of New Jersey and hereby moves to withdraw as a petitioner in this matter. This voluntary withdrawal is appropriate as there is no direct claim made against New Jersey in this matter, and this withdrawal will not materially prejudice the rights of the other parties. New Jersey requests that all parties bear their own costs.

Date: January 30, 2018

Respectfully submitted,

GURBIR S. GREWAL  
Attorney General of New Jersey

/s/ Robert J. Kinney

Robert J. Kinney  
Deputy Attorney General

David C. Apy  
Assistant Attorney General

John R. Renella  
Deputy Attorney General  
*Counsel of Record*

Division of Law  
R.J. Hughes Justice Complex  
P.O. Box 093  
25 Market Street  
Trenton, NJ 08625-0093  
Tel: (609) 292-6945  
Fax: (609) 341-5030

*Counsel for Petitioner  
State of New Jersey*

**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMIT,  
TYPEFACE REQUIREMENTS, AND TYPE-STYLE REQUIREMENTS**

1. This document complies with the word limit of Fed. R. App. P. 27(d)(2)(A) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 64 words.
2. This document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because this document has been prepared in a proportionally-spaced typeface using Microsoft Word 2010 in 14-point Times New Roman font.

Dated: January 30, 2018

/s/ Robert J. Kinney  
Robert J. Kinney  
Deputy Attorney General

*Counsel for Petitioner  
State of New Jersey*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of January, 2018, I caused a true and correct copy of the foregoing Motion to Withdraw as Petitioner to be served electronically through the Court's CM/ECF system on all ECF-registered counsel.

Dated: January 30, 2018

/s/ Robert J. Kinney

Robert J. Kinney

Deputy Attorney General

*Counsel for Petitioner*

*State of New Jersey*