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.	)	No. 15-1363 and consolidated cases
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, *et al.*,	)	
Respondents.	)	

MOTION TO WITHDRAW AS PETITIONER

Now comes Petitioner North Carolina Department of Environmental Quality ("NCDEQ") and hereby moves to withdraw as a petitioner in this matter. This voluntary withdrawal is appropriate as there is no direct claim made against NCDEQ in this matter, and this withdrawal will not materially prejudice the rights of the other parties. NCDEQ recommends that all parties bear their own costs.

Date: February 23, 2017

Respectfully submitted,

JOSH STEIN
Attorney General of North Carolina

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CERTIFICATE OF COMPLIANCE

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 70 words.

/s/ Marc D. Bernstein

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of February, 2017, 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.

/s/ Marc D. Bernstein