

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 02-1135

September Term 2008

EPA-67FR16582

Filed On: July 30, 2009

Sierra Club, Petitioner

v.

Environmental Protection Agency and Lisa
Perez Jackson, Administrator, Environmental
Protection Agency, Respondents

American Chemistry Council, et al.,
Intervenors

Consolidated with 03-1219, 06-1215, 07-1201

BEFORE: Sentelle,* Chief Judge, and Ginsburg, Henderson,* Rogers, Tatel,
Garland, Brown,* Griffith, and Kavanaugh,** Circuit Judges

ORDER

The petitions of intervenors National Environmental Development Association's Clean Air Regulatory Project and American Chemistry Council, et al. for rehearing en banc and the responses thereto were circulated to the full court, and a vote was requested. Thereafter, a majority of the judges eligible to participate did not vote in favor of the petition. Upon consideration of the foregoing, it is

ORDERED that the petitions be denied.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk

* Chief Judge Sentelle and Circuit Judges Henderson and Brown would grant the petitions.

** Circuit Judge Kavanaugh did not participate in this matter.