

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 14-1146****September Term, 2015****EPA-79FR34830****Filed On: September 29, 2015**

State of West Virginia, et al.,

Petitioners

v.

Environmental Protection Agency,

Respondent

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City of New York, et al.,  
Intervenors

**BEFORE:** Garland, Chief Judge, and Henderson, Rogers, Tatel, Brown, Griffith, Kavanaugh, Srinivasan, Millett\*, Pillard\*, and Wilkins, Circuit Judges

**ORDER**

Upon consideration of petition of petitioners State of West Virginia, et al., for rehearing en banc, and the absence of a request by any member of the court for a vote, it is

**ORDERED** that the petition be denied.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Michael C. McGrail  
Deputy Clerk

\*Circuit Judges Millett and Pillard did not participate in this matter.