

PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

Nos. 10-1265 and 10-2332

MINARD RUN OIL COMPANY; PENNSYLVANIA INDEPENDENT OIL AND GAS  
ASSOCIATION; ALLEGHENY FOREST ALLIANCE;  
COUNTY OF WARREN, PENNSYLVANIA

v.

UNITED STATES FOREST SERVICE, an agency of the  
U.S. Department of Agriculture;  
TOM TIDWELL, in his official capacity as Chief of the U.S. Forest Service;  
KENT P. CONNAUGHTON, in his official capacity  
as regional Forester for the U.S. Forest Service, Eastern Region;  
LEANNE M. MARTEN, in her official capacity as  
Forest Supervisor for the Allegheny National Forest;  
ATTORNEY GENERAL OF THE UNITED STATES OF AMERICA;  
FOREST SERVICE EMPLOYEES FOR ENVIRONMENTAL ETHICS;  
ALLEGHENY DEFENSE PROJECT;  
SIERRA CLUB

Forest Service Employees for Environmental Ethics,  
Allegheny Defense Project, Sierra Club,  
Appellants

Before: FUENTES, CHAGARES and ROTH, Circuit Judges

**ORDER AMENDING OPINION**

At the direction of the Court, the opinion filed on September 20, 2011 is amended to delete the statute citation appearing in footnote 3 on page 10 of the opinion as follows:

Drilling in the ANF is regulated by the Pennsylvania Department of Environmental Protection (DEP) and subject to a permit process. A permit is usually obtained before applying for an NTP. As an affected landowner, the

Service has the right to participate in the permit process and challenge the terms of a permit.

For the Court,

*Marcia M. Waldron*

Marcia M. Waldron, Clerk

Date: March 7, 2012