

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 23-1094

PORT HAMILTON REFINING AND TRANSPORTATION, LLLP,
Petitioner

v.

U.S. ENVIRONMENTAL PROTECTION AGENCY

SUR PETITION FOR PANEL REHEARING

Present: RESTREPO, McKEE, and SMITH, Circuit Judges

The petition for rehearing filed by Respondent in the above-entitled case having been submitted to the judges who participated in the decision of this Court, it is hereby ORDERED that the petition for panel rehearing is granted as set forth in the amended precedential opinion filed simultaneously with this order. Because the amendments to the opinion do not alter the Court's decision in this case, the judgment will remain as filed.

BY THE COURT,

s/D. Brooks Smith
Circuit Judge

Dated: November 22, 2023
Amr/cc: All counsel of record