

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 15-1328

September Term, 2017

EPA-80FR42870

Filed On: January 26, 2018

Mexichem Fluor, Inc.,

Petitioner

v.

Environmental Protection Agency,

Respondent

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Chemours Company FC, LLC, et al.,  
Intervenors  
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Consolidated with 15-1329

**BEFORE:** Brown\*, Kavanaugh, and Wilkins, Circuit Judges

**ORDER**

Upon consideration of the petitions of Natural Resources Defense Council and the Industry Intervenor-Respondents for panel rehearing and the joint response thereto; the motion of rehearing petitioners for leave to file a joint reply and the lodged joint reply; the motions for invitation to file brief of Administrative Law Professors and the States as amici curiae in support of the petitions for panel rehearing and the lodged briefs; the vote of Circuit Judge Kavanaugh to deny the petitions; and the vote of Circuit Judge Wilkins to grant the petitions, it is

**ORDERED** that the motion for leave and the motions for invitation to file be granted. The Clerk is directed to file the lodged documents. It is

**FURTHER ORDERED** that the petitions be denied as the current panel is equally divided.

**Per Curiam**

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

BY: /s/  
Michael C. McGrail  
Deputy Clerk

\*Circuit Judge Brown was a member of the panel but retired prior to the filing of the petitions.