

United States Court of Appeals For the First Circuit

No. 11-1474

UPPER BLACKSTONE WATER POLLUTION ABATEMENT DISTRICT

Petitioner

v.

U.S. ENVIRONMENTAL PROTECTION AGENCY

Respondent

No. 11-1610

CONSERVATION LAW FOUNDATION, INC.

Petitioner

v.

UPPER BLACKSTONE WATER POLLUTION ABATEMENT DISTRICT

Intervenor

U.S. ENVIRONMENTAL PROTECTION AGENCY

Respondent

Before

Lynch, Chief Judge,
Souter, * Associate Justice,
Torruella, Boudin, Stahl,
Howard and Thompson, Circuit Judges.

*The Hon. David H. Souter, Associate Justice (Ret.) of the Supreme Court of the United States, sitting by designation.

ORDER OF COURT

Entered: September 25, 2012

The petition for rehearing having been denied by the panel of judges who decided the case, and the petition for rehearing en banc having been submitted to the active judges of this court and a majority of the judges not having voted that the case be heard en banc, it is ordered that the petition for rehearing and the petition for rehearing en banc be denied.

By the Court:

/s/ Margaret Carter, Clerk

cc:

Robert D. Cox, Jr.
Fredric P. Andes
Douglas Thomas Radigan
Samir Bukhari
Madeline Paradise Fleisher
Ira W. Leighton
Karen A. McGuire
S. Paul Ryan
Jennifer Helen Beaton
David M. Moore
Karma Barsam Brown
Nathan Gardner-Andrews
Brooks Smith
Donald Lynn Anglehart
Christopher Michael Kilian
Anthony N.L. Iarrapino