

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

April 7, 2020

Christopher M. Wolpert
Clerk of Court

RENEWABLE FUELS ASSOCIATION,
et al.,

Petitioners,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

and

HOLLYFRONTIER CHEYENNE
REFINING, LLC, et al.,

Intervenors - Respondents.

AMERICAN FUEL &
PETROCHEMICAL
MANUFACTURERS, et al.,

Amici Curiae.

No. 18-9533
(EPA No. 1-3876)
(Environmental Protection Administration)

ORDER

Before **BRISCOE, KELLY**, and **LUCERO**, Circuit Judges.

This matter is before the court on the *Petition for Rehearing or Rehearing En Banc of Intervenors HollyFrontier Cheyenne Refining, LLC, HollyFrontier Refining &*

Marketing, LLC, and HollyFrontier Woods Cross Refining (“Holly Frontier Petition”) and *Intervenor-Respondent Wynnewood Refining Company, LLC’s Petition for Rehearing En Banc* (“Wynnewood Petition”). Having carefully considered both petitions and the filings in this appeal, we direct as follows.

HollyFrontier’s request for panel rehearing is denied pursuant to Fed. R. App. P. 40.

Both the HollyFrontier Petition and the Wynnewood Petition were transmitted to all non-recused judges of the court who are in regular active service. As no member of the panel and no non-recused judge in regular active service requested that the court be polled, the requests for rehearing *en banc* are denied pursuant to Fed. R. App. P. 35(f).

The following motions are granted: (1) *Motion to Seal Forthcoming Amicus Brief in Support of Rehearing and to Extend the Current Protective Order Governing Confidentiality to Movants and Their Brief*; (2) *Motion of Contrymark Refining and Logistics, LLC to Participate as Amicus Curiae*; (3) *Sinclair Wyoming Refining Company, Sinclair Casper Refining Company, and Big West Oil LLC Motion for Leave to File Amici Curiae Brief Supporting Intervenor-Respondents*; (4) *The American Fuel & Petrochemical Manufacturers Motion for Leave to File Amicus Curiae Brief in Support of Petitions for En Banc Rehearing*; and (5) *Motion of the Small Refineries Coalition for*

Leave to File Amicus Curiae Brief in Support of Intervenor-Respondents' Petitions for Rehearing En Banc.

Entered for the Court

A handwritten signature in black ink, appearing to read 'C. M. Wolpert', with a long horizontal flourish extending to the right.

CHRISTOPHER M. WOLPERT, Clerk