

**UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA
CIRCUIT**

**United States Sugar Corporation v. Environmental Protection
Agency**

United States Sugar · No. 11-1108; consolidated with 11-1124, 11-1134, 11-1142, 11-1145, 11-1159, 11-1165, 11-1172, 11-1174, 11-1181, 13-1086, 13-1087, 13-1091, 13-1092, 13-1096, 13-1097, 13-1098, 13-1099, 13-1100; No. 11-1141; consolidated with 11-1182, 11-1207, 11-1208, 13-1105, 13-1107 · Decided December 23, 2016

SUMMARY

The United States Court of Appeals for the District of Columbia Circuit denied the EPA's petition for panel rehearing as to the remedy. The court left its July 29, 2016 judgment in effect and remanded the numeric MACT standards in the Major Boilers Rule for new and existing sources in eighteen subcategories without vacatur.

OPINION

Judgment - United States Sugar Corp v. EPA

PER CURIAM.

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11-1108 September Term, 2016

FILED: DECEMBER 23, 2016

UNITED STATES SUGAR CORPORATION,
PETITIONER

v.

ENVIRONMENTAL PROTECTION AGENCY,
RESPONDENT

AMERICAN CHEMISTRY COUNCIL, ET AL.,
INTERVENORS

Consolidated with 11-1124, 11-1134, 11-1142, 11-1145, 11-1159, 11-1165, 11-1172, 11-1174, 11-1181, 13-1086, 13-1087, 13-1091, 13-1092, 13-1096, 13-1097, 13-1098, 13-1099, 13-1100, 13-1103 _____ No. 11-1141

AMERICAN CHEMISTRY COUNCIL,
PETITIONER

v.

ENVIRONMENTAL PROTECTION AGENCY,

RESPONDENT

AMERICAN FOREST & PAPER ASSOCIATION, ET AL.,

INTERVENORS

Consolidated with 11-1182, 11-1207, 11-1208, 13-1105, 13-1107 On Petition for Panel Rehearing
Before: HENDERSON, BROWN and GRIFFITH, Circuit Judges.

JUDGMENT

These causes came to be heard on the petition of the Environmental Protection Agency for panel rehearing as to remedy, and the responses thereto. On consideration thereof, it is ORDERED and ADJUDGED that the judgment of this court filed July 29, 2016 remain in effect as to No. 11-1125, et al., American Forest & Paper Association, Inc., et al. v. EPA, and the above-captioned cases, in accordance with the opinion filed July 29, 2016. It is FURTHER ORDERED and ADJUDGED that the numeric MACT standards set in the Major Boilers Rule for new and existing sources in each of the eighteen subcategories be remanded without vacatur for the agency to conduct further proceedings consistent with the court's prior opinion issued July 29, 2016, in accordance with the opinion issued here in this date. FOR THE COURT: Mark J. Langer, Clerk
BY: /s/ Ken Meadows Deputy Clerk Date: December 23, 2016 Opinion Filed Per Curiam