

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA and )  
 )  
THE STATE OF OHIO, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
NORTHEAST OHIO )  
REGIONAL SEWER DISTRICT, )  
 )  
 )  
Defendant. )  
\_\_\_\_\_ )

Civil Action No.: 1:10-cv-02895

Judge Nugent

NOTICE OF LODGING OF CONSENT DECREE

Plaintiff, the United States of America, by and through the undersigned attorneys, respectfully lodges the accompanying proposed Consent Decree, attached hereto, between the United States and State of Ohio as Plaintiffs, and the Northeast Ohio Regional Sewer District as Defendant, which if approved, will resolve the claims in the above-captioned matter. The United States is *not* requesting any action by the Court at this time on the proposed Amendment.

Consistent with Department of Justice regulations (28 C.F.R. § 50.7), the United States is inviting the public to comment on the proposed Consent Decree for a period of thirty days before

seeking judicial approval. The public comment period will begin upon publication of a notice in the Federal Register, which we anticipate will occur shortly. Upon expiration of that comment period, the United States will advise the Court of any comments received and of the United States' position as to whether the proposed Consent Decree should be approved and entered by this Court. The United States may withhold its consent to the proposed Consent Decree if the comments disclose facts or considerations which indicate that the proposed Consent Decree is improper, inappropriate, inadequate, or not in the public interest.

The United States respectfully requests that the Court await, before considering whether to approve and enter the proposed Consent Decree as an order of this Court, a subsequent submission by the United States regarding any comments received during the public comment period and the United States' position regarding entry of the proposed Consent Decree.

Respectfully submitted,

IGNACIA S. MORENO  
Assistant Attorney General  
Environment and Natural Resources Division

Dated: December 22, 2010

/s/ Steven D. Ellis  
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CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December, 2010, the foregoing Notice of Lodging of Consent Decree was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Steven J. Paffilas  
Steven J. Paffilas  
Assistant U.S. Attorney