## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF INDIANA FORT WAYNE DIVISION

UNITED STATES OF AMERICA	
and	
THE STATE OF INDIANA,	
Plaintiffs,	Civil Action No. 2:07-cv-00445-PPS-APR
V.	Notice of Lodging of Agreed Second Material Modification to Consent Decree
THE CITY OF FORT WAYNE, INDIANA,	
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Defendant.	

Pursuant to 28 C.F.R. § 50.7, Plaintiff, the United States of America, at the request of the Administrator of the United States Environmental Protection Agency, and the State of Indiana, on behalf of the Indiana Department of Environmental Management, hereby lodge the attached Agreed Second Material Modification to the Consent Decree entered by this Court on April 1, 2008 (ECF No. 4). Notice of this lodging of this Agreed Second Material Modification to the Consent will be published in the Federal Register. During the pendency of the 30-day public comment period required under 28 C.F.R. § 50.7, no action is required of this Court. After the expiration of the public comment period and evaluation of the comments received, the United States will advise the Court as to whether the Agreed Second Material Modification to the Consent Decree may be entered or whether further action may be required.

Respectfully Submitted,

## FOR THE UNITED STATES OF AMERICA

JEFFREY H. WOOD Acting Assistant Attorney General U.S. Department of Justice Environment and Natural Resources Division

/s/ Elizabeth L. Loeb ELIZABETH L. LOEB Senior Attorney U.S. Department of Justice Environmental Enforcement Section 601 D. St NW Washington DC 20004

## **CERTIFICATE OF SERVICE**

## **Certificate of Service**

I, Elizabeth L. Loeb hereby certify that on October 10, 2018, I caused to be served a copy of the foregoing Notice of Lodging of Agreed Second Material Modification to the Consent Decree on the following counsel of record in this case by first class mail and the ECF system.

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