

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

UNITED STATES OF AMERICA)	
and the STATE OF INDIANA,)	
)	
Plaintiffs,)	
)	Case No. 2:18-cv-00127
v.)	
)	
UNITED STATES STEEL CORPORATION,)	
)	
Defendant.)	

NOTICE OF LODGING OF PROPOSED CONSENT DECREE

The United States of America, on behalf of the United States Environmental Protection Agency, the National Park Service of the United States Department of the Interior and the National Oceanic and Atmospheric Administration of the United States Department of Commerce; and the State of Indiana (“State”), on behalf of the Indiana Department of Environmental Management and the Indiana Department of Natural Resources (hereinafter “Plaintiffs”), respectfully lodge the accompanying proposed Consent Decree, attached hereto, under the Clean Water Act, 33 U.S.C. § 1251 *et seq.*, as amended; the Emergency Planning and Community Right-to-Know Act of 1986 (“EPCRA”), 42 U.S.C. § 11001 *et seq.*; the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (“CERCLA”), 42 U.S.C. § 9607; the System Unit Resources Protection Act (“SURPA”), 54 U.S.C. §§ 100722-100723; and Title 13 of the Indiana Code and Title 327 of the Indiana Administrative Code, between Plaintiffs and Settling Defendant U. S. Steel Corporation, Inc. (“U. S. Steel”), regarding U. S. Steel’s Midwest Plant in Portage, Indiana.

The proposed Consent Decree would resolve Plaintiffs' claims for the alleged violations of the Clean Water Act, EPCRA and applicable State law that are alleged in the Complaint against U. S. Steel filed today in this action. The proposed Decree also provides for a covenant not to sue under CERCLA, SURPA and applicable State law for payments made by U. S. Steel under the proposed Decree of the United States' response costs and damages.

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 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 that indicate that the proposed 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 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,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd day of April, 2018, a copy of the foregoing *Notice of Lodging of Proposed Consent Decree* was filed electronically. Notice of this filing will be sent via electronic mail to counsel for U. S. Steel, as follows:

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