

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
STATE OF NEW YORK and ST. REGIS
MOHAWK TRIBE,

Plaintiffs,

VS.

ALCOA INC. and REYNOLDS METALS
CO.,

Defendants.

CIVIL ACTION NO.
7:13-cv-00337-NAM-TWD

NOTICE OF LODGING OF PROPOSED CONSENT DECREE

The United States is lodging with this Court, pending public comment, a proposed Consent Decree between the United States, on behalf of the United States Department of Commerce, acting through the National Oceanic and Atmospheric Administration, and the United States Department of the Interior, the State of New York, and the St. Regis Mohawk Tribe (“Plaintiffs”) and Defendants, Alcoa Inc. and Reynolds Metals Co. The proposed natural resource damage Consent Decree would resolve the Plaintiffs’ claims under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (“CERCLA”), 42 U.S.C. § 9601 et seq., against the Defendants concerning Defendants’ facilities located near the Town of Massena, St. Lawrence County, New York.

In accordance with Paragraph 77 of the Consent Decree, the United States requests that the Court not approve and enter the proposed Consent Decree at this time. Rather notice of the lodging of the Consent Decree will be published in the Federal Register, following which the United States Department of Justice will receive public comments on the proposed Consent Decree. At the close of the public comment period on the proposed Consent Decree, the United States will inform the Court regarding the nature of any public comments regarding the Consent Decree. Depending upon the nature of the comments received, if any, the United States will move to enter, modify, or withdraw the Consent Decree.

Respectfully submitted,

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March 27, 2013
Date

/s/ Peter M. Flynn
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