

1 XAVIER BECERRA, State Bar No. 118517
 Attorney General of California
 2 SUSAN S. FIERING, State Bar No. 121621
 Supervising Deputy Attorney General
 3 ROSE B. FUA, State Bar No. 119757
 HEATHER C. LESLIE, State Bar No. 305095
 4 Deputy Attorneys General
 1515 Clay Street, 20th Floor
 5 P.O. Box 70550
 Oakland, CA 94612-0550
 6 Telephone: (510) 879-0190
 Fax: (510) 622-2270
 7 E-mail: Rose.Fua@doj.ca.gov
*Attorneys for California Department of Toxic
 8 Substances Control*

9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA
 11
 12

13 **CALIFORNIA DEPARTMENT OF TOXIC**
 14 **SUBSTANCES CONTROL,**

15 Plaintiff,

16 v.

17 **THE UNITED STATES OF AMERICA,**

18 Defendant.
 19

2:16-cv-02897-JAM-AC

**NOTICE OF LODGING OF PROPOSED
 CONSENT DECREE BETWEEN
 PLAINTIFF, THE DEPARTMENT OF
 TOXIC SUBSTANCES CONTROL AND
 THE DEFENDANT, THE UNITED
 STATES OF AMERICA**

Judge: John A. Mendez
 Action Filed: December 9, 2016

20 **TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:**
 21

22 **PLEASE TAKE NOTICE** that Plaintiff, the Department of Toxic Substances Control
 (“DTSC”), hereby lodges a proposed Consent Decree between DTSC and the United States of
 23 America (“United States”), that, if approved by the Court, would end this litigation and resolve
 24 the claims against the United States. The proposed Consent Decree has been signed by DTSC
 25 and the United States and is attached hereto as Attachment A. **DTSC respectfully requests that**
 26 **the Court not take any action on the proposed Consent Decree until after the expiration of**
 27 **the 60-day public comment period and upon motion as set forth below.**
 28

1 A public notice ("Notice") of the Consent Decree will be published in the California
2 Regulatory Notice Register. As explained in Section 20 of the Consent Decree, DTSC will accept
3 public comment on the proposed Consent Decree for a 60-day period following publication of the
4 Notice and will address public comments, if any. DTSC will then file with the Court a motion to
5 enter the proposed Consent Decree, unless public comments regarding the Consent Decree
6 disclose facts or consideration that DTSC believes indicate this Consent Decree is inappropriate,
7 improper, or inadequate, in which case DTSC may withdraw its consent to the Consent Decree.

8 Dated: December 15, 2017

Respectfully submitted,

9 XAVIER BECERRA
10 Attorney General of California
11 SUSAN S. FIERING
12 Supervising Deputy Attorney General



13 ROSE B. FUA
14 HEATHER C. LESLIE
15 Deputy Attorneys General
16 *Attorneys for California Department of*
17 *Toxic Substances Control*