

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

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UNITED STATES OF AMERICA	:	
	:	
	:	
Plaintiff,	:	
	:	Civil Action No.
v.	:	1:13cv29-SPM-GRJ
	:	
BEAZER EAST, INC.,	:	
	:	
Defendant.	:	
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UNITED STATES’ MOTION TO ENTER CONSENT DECREE

Plaintiff, the United States of America, on behalf of the United States Environmental Protection Agency (EPA), respectfully submits this Motion to Enter the Consent Decree lodged with the Court on February 7, 2013. Notice of the proposed settlement was published in the Federal Register on February 13, 2013. See 78 Fed. Reg. 10211. This notice established a thirty-day period for submission of public comments to the Department of Justice.

The United States received 42 comments from individuals; a comment from the City of Gainesville; a comment from the Alachua County Commissioners; and a comment from a local citizen’s group (Protect Gainesville Citizens). None of the comments were found to be a cause for withdrawing the Consent Decree. Several of the comments, including those from the City of Gainesville, the Alachua County Commissioners, and the local citizen’s group were in favor of entry of the decree and stressed the need to expedite the cleanup. Only a few of the remaining comments even pertained to the consent decree, and most of those comments were in the nature of questions which the United States responds to in the attached Memorandum.

As the United States still considers the Consent Decree to be in the public interest, the United States therefore requests that the Court approve entry of the Consent Decree as a final judgment by signing the Decree on page 109.

Respectfully submitted,

s/Cheryl L. Smout _____

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