

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiffs,)	Civil Action No. 2:11-cv-00346
)	
v.)	
)	
WASTE MANAGEMENT OF)	Judge Lynn Adelman
WISCONSIN, INC., <i>et al.</i> ,)	
)	
Defendants.)	
)	

ORDER GRANTING MOTION
OF UNITED STATES TO ENTER
CONSENT DECREE

The United States brought this action under the Comprehensive Environmental Response, Compensation and Liability Act, as amended (“CERCLA”), 42 U.S.C. § 9601 *et seq.*, seeking an order requiring Defendants to perform remedial actions at the Muskego Sanitary Landfill Superfund Site (“Site”) and a judgment requiring Defendants to reimburse response costs incurred and to be incurred by the United States in connection with the Site. Concurrently with the filing of its Complaint, Plaintiff lodged with this Court a proposed consent decree that would resolve the claims asserted against all parties in this action. As provided in Section 122(d)(2) of CERCLA, 42 U.S.C. § 9622(d)(2), and 28 C.F.R. § 50.7, the consent decree was subject to public comment, and the consent decree reserved the right of the United States to withdraw consent to the proposed consent decree if public comments disclosed facts of considerations indicating that the consent decree is inappropriate, improper or inadequate.

During the public comment period on the proposed consent decree, the United States received one public comment. After considering that comment, the United States did not withdraw its consent to the consent decree, and Plaintiff now moves for entry of the consent decree as a final judgment. Each of

the Defendants previously consented to entry of the consent decree without further notice. *See* Consent Decree, ¶117.

Having considered Plaintiff's Motion to Enter Consent Decree and supporting memorandum, which includes a response to the sole public comment, the Court concludes that the consent decree is fair, reasonable, and consistent with CERCLA. Accordingly, Plaintiff's Motion to Enter Consent Decree is hereby GRANTED.

SO ORDERED this 21st day of July, 2011.

s/ Lynn Adelman
LYNN ADELMAN
United States District Judge