

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

WATERLEGACY, FOND DU LAC BAND
OF LAKE SUPERIOR CHIPPEWA and
GRAND PORTAGE BAND OF LAKE
SUPERIOR CHIPPEWA, MINNESOTA
CENTER FOR ENVIRONMENTAL
ADVOCACY,

Plaintiffs,

Civil No. 13-1323 (JRT/LIB)

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 5, GINA McCARTHY, in her
official capacity as Administrator of the
United States Environmental Protection Agency,
and SUSAN HEDMAN, in her official capacity
as Regional Administrator of the United States
Environmental Protection Agency Region 5,

Defendants.

NOTICE OF ACTION ON RENAMD

The United States Environmental Protection Agency (“EPA”) hereby gives notice that it has taken its action on remand. Specifically, on July 2, 2014, the Regional Administrator for EPA Region 5 signed a letter in which EPA disapproves the variance request at issue this case. A decision document explaining the basis for the disapproval accompanies the letter. EPA’s December 27, 2012, approval decision on the variance at issue, which was challenged by Plaintiffs in this case, has been withdrawn and replaced

by EPA's July 2, 2014, disapproval decision. A copy of EPA's July 2, 2014, letter and its decision document are attached to this notice.

Respectfully submitted,

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s/David A. Carson
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Date July 2, 2014

CERTIFICATE OF SERVICE

It is hereby certified that on a July 2, 2014, the undersigned caused the foregoing Notice of Action on Remand to be served electronically on counsel in this case who are registered with the Court's ECF system by filing it electronically with the Court. Any counsel not registered for ECF service will be served by first class mail.

/s/David A. Carson