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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

<p>UNITED STATES OF AMERICA, Plaintiff, v. MAGNESIUM CORPORATION OF AMERICA, et al., Defendants.</p>	<p>Case No. 2:01CV0040B Judge _____</p>
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NOTICE OF LODGING OF CONSENT DECREE

Plaintiff the United States, by authority of the Attorney General of the United States and through the undersigned attorneys, hereby notifies the Court that, pursuant to 28 C.F.R. § 50.7, the Consent Decree attached hereto is being lodged in this civil action and, once entered after public notice and comment, will resolve the allegations of the Complaint filed in this case in 2001. If entered, the Consent Decree would resolve the Plaintiffs' claims against US Magnesium LLC ("USM"), the Renco Group, Inc. ("Group"), the Ira Leon Rennert Revocable Trusts ("Trusts"), and Mr. Ira Leon Rennert ("Rennert") collectively "Defendants," for alleged violations of the Resource Conservation and Recovery Act of 1976 ("RCRA"), 42 U.S.C. §§ 6901-6992k, at USM's magnesium production facility in Rowley, Utah. USM's facility is the

largest producer of magnesium metal in the northern hemisphere. The Consent Decree also would resolve claims by Plaintiff/Intervenor, United Steelworkers of America - renamed the United Steel, Paper & Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Services Workers International Union, AFL-CIO/CLC (“USW”) - and Local 8319, alleged in a Complaint in Intervention filed on July 27, 2004, alleging violations of RCRA at the USM facility.

If entered, the Consent Decree will require USM to implement extensive process changes at its facility, including the recycling of certain wastes and construction of a filtration plant to treat all process wastewaters to remove dioxins, furans, hexachlorobenzene and PCBs. It also will require USM to implement various measures to ensure that it remains in compliance with RCRA requirements, and provides for financial assurance to ensure remediation and ultimate closure of the facility. USM also will implement new protocols to ensure greater protection to workers at the plant.

This settlement also requires USM, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601 et seq. (“CERCLA”), to construct a barrier wall around a 1,700 acre portion of the facility over the next five years to prevent leaks or breaches of hazardous materials to the Great Salt Lake. USM will spend approximately \$37 million to implement the RCRA injunctive relief and at least \$5.9 million to implement the CERCLA Response Action. As further relief, USM will pay a civil penalty of \$250,000. The settlement also will resolve claims against USM’s parent entities, Group, Trusts, and Rennert.

No action by the Court is required at this time. Pursuant to Department of Justice regulations codified at 28 C.F.R. § 50.7, Section 122(d)(2) of CERCLA, 42 U.S.C. § 9622(d)(2), and Paragraph 118 of the Consent Decree, the United States is required to publish a notice in the

Federal Register that the proposed Consent Decree has been lodged with the Court. The notice will solicit public comment for a period of thirty (30) days. The thirty-day period will begin on the date that notice of the lodging of the proposed Consent Decree is published in the Federal Register.

After the public comment period has expired, the United States will inform the Court of any public comments received and any responses thereto. If, after reviewing the public comments, the Environment and Natural Resources Division of the United States Department of Justice concludes that the proposed Consent Decree should be entered, the United States will seek its entry as a final order of the Court. ***Because of the public comment period, we respectfully request that the Court not execute the proposed Consent Decree at this time.***

WHEREFORE, plaintiff respectfully requests that this Court ***receive the proposed Consent Decree for lodging only***, and that it refrain from acting upon the same until the period for public comment has expired and the United States has moved for entry of the proposed Consent Decree.

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA

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/s/Deborah M. Reyher
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CERTIFICATE OF SERVICE

I hereby certify that the *Notice of Lodging of Consent Decree* was served on counsel for the Defendants and Plaintiff/Intervenor listed below by electronic mail on January 19, 2021.

To USM

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