

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

DAN EOFF

PLAINTIFF/  
COUNTER DEFENDANT

v.

No. 4:13-cv-368-DPM

ENVIRONMENTAL PROTECTION AGENCY;  
and GINA MCCARTHY, in her official capacity as  
Administrator of the EPA

DEFENDANTS/  
COUNTER CLAIMANTS

ORDER

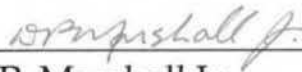
The stay, *No 83*, is lifted. All material things considered, the Court approves the parties' settlement and will enter the consent decree embodying it. *United States v. Metropolitan St. Louis Sewer District*, 952 F.2d 1040, 1044 (8th Cir. 1992). This compromise is fair, reasonable, and in the public interest; no one raised a serious objection during the notice-and-comment period. The necessity of a state permit is, as EPA suggests, beyond the federal issues joined in this case. It's a matter between Eoff and the Arkansas Natural Resources Commission. The Court has presided over the twists and turns in this case for more than three years. Answering the jurisdictional question required a comprehensive review of the record. *No 56*. The settlement's particulars are not complicated. All this history eliminates any need for an

evidentiary hearing. *Metropolitan St. Louis Sewer District*, 952 F.2d at 1044.

The Court confirms its earlier adjudication of Eoff's claims. *No 56 & 81*.

Unopposed motion, *No 93*, granted.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

29 September 2016