

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

<p>VIRGINIA DEPARTMENT OF TRANSPORTATION, ET AL,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">-v-</p> <p>UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, ET AL,</p> <p style="text-align: right;">Defendants.</p>	<p style="text-align: center;">Civil Action No. 1:12-CV-775</p>
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Amended Order

In accordance with the memorandum opinion that accompanies this order, it is now **ORDERED:**

1. Plaintiffs' motion (Dkt. No. 29) for judgment on the pleadings as to Count I of the complaint is **GRANTED**.
2. The clerk shall enter judgment, pursuant to Federal Rule of Civil Procedure 12(c), in favor of the Plaintiffs.
3. The Accotink Creek TMDL is vacated, and this matter is remanded to EPA for reconsideration consistent with this order.

January 3 2013
Alexandria, Virginia

/s/ *log*
Liam O'Grady
United States District Judge