



DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree under the Comprehensive Environmental Response, Compensation, and Liability Act

On March 4, 2026, the Department of Justice lodged a proposed consent decree with the United States District Court for the Western District of Washington in the lawsuit entitled *United States and the State of Washington v. The Boeing Company, et al.*, Civil Action No. 2:26-cv-00783.

The complaint asserts claims under sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9606 & 9607(a), and the Washington Model Toxics Control Act (MTCA), RCW 70A.305.030–70A.305.050, against dozens of defendants for performance of response action and payment of response costs incurred by the United States and the State to address releases of hazardous substances at the Lower Duwamish Waterway Superfund Site, in Seattle, Washington. The proposed consent decree requires three defendants, The Boeing Company, City of Seattle, and King County, to design and perform the remedy EPA selected for the in-water portion of the Site, estimated to cost \$668 million. One defendant, Continental Holdings, Inc., will fund a 1.74% share of the work. The other defendants will pay a total of about \$130 million. The United States, on behalf of several settling federal agencies, will pay \$140 million. In return, settling defendants and settling federal agencies will receive a covenant not to sue under sections 106 and 107 of CERCLA and RCW 70A.305.040 of MTCA.

The publication of this notice opens a period for public comment on the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and the State of Washington v. The Boeing Company, et al.*, D.J. Ref. No. 90-11-3-07227. All comments must be submitted no later

than thirty (30) days after the publication date of this notice. Comments may be submitted either by e-mail or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By e-mail	pubcomment-ees.enrd@usdoj.gov
By mail	Assistant Attorney General U.S. DOJ – ENRD P.O. Box 7611 Washington, D.C. 20044-7611

Any comments submitted in writing may be filed by the United States and the State in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the proposed consent decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. If you require assistance accessing the proposed consent decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

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