



## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Resource Conservation and Recovery Act

On April 28, 2026, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Southern District of Ohio in the lawsuit entitled *United States et al v. AK Steel Corp.*, Civil Action No. 1:00-cv-00530-JPH.

In 2001, the United States brought an action against Defendant AK Steel Corporation, now named Cleveland-Cliffs Steel Corporation, seeking among other things Defendant's performance of corrective actions under Section 3008(h) of the Resource Conservation Recovery Act ("RCRA"), 42 U.S.C. § 6928(h), to address releases of hazardous waste at Defendant's Middletown Works steel production facility in Middletown, Ohio. On May 15, 2006, the Court entered a Consent Decree in Partial Resolution of Pending Claims (the "2006 Consent Decree") which resolved all claims brought by plaintiffs except for the United States' (and intervening plaintiffs') claims for corrective action under RCRA Section 3008(h). The 2006 Consent Decree required Defendant to perform various corrective action investigations under Section 3008(h) of RCRA, but the Parties agreed to defer resolution of the alleged liability of Defendant under Section 3008(h) of RCRA and to defer entering into an agreement governing implementation of such corrective measures until completion of the investigations. The Consent Decree lodged today establishes requirements for Defendant to complete corrective actions at seven areas in and around the Facility, which Defendant has been developing with EPA oversight pursuant to the 2006 CD. The Consent Decree thus resolves the last pending claim in this case.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Principal Deputy Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States et al v. AK Steel Corp.*, D.J. Ref. No. 90-5-2-1-2189/4. 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	Principal Deputy 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 in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the 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 Consent Decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

**Thomas Carroll,**  
*Assistant Section Chief,*  
*Environmental Enforcement Section,*  
*Environment and Natural Resources Division.*

[FR Doc. 2026-08581 Filed: 5/1/2026 8:45 am; Publication Date: 5/4/2026]