



## DEPARTMENT OF JUSTICE

### **Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)**

On July 2, 2026, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Montana in the lawsuit entitled *United States and the State of Montana v. Columbia Falls Aluminum Company, LLC*, Civil Action No. 9:26-cv-00099-KLD. The proposed Consent Decree resolves the United States' and the State of Montana's claims against the Columbia Falls Aluminum Company ("CFAC") under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. § 9607(a), and the Montana Comprehensive Environmental Cleanup and Responsibility Act, §§ 75-10-701, et seq., for the recovery of costs related to the release of hazardous substances at the Anaconda Aluminum Co. Columbia Falls Reduction Plant National Priorities List Site (also known as the Columbia Falls Aluminum Company Site) (the "Site") near Columbia Falls, Montana.

In the proposed Consent Decree, CFAC agrees to reimburse the United States Environmental Protection Agency ("EPA") for \$1,800,000.00 in past response costs, and to pay future response costs that will be incurred at the Site. CFAC also agrees to reimburse any independent State future response costs incurred by the Montana Department of Environmental Quality. CFAC will complete all cleanup work required under the Record of Decision issued by EPA for the Site in January, 2025. EPA estimates the cost of the work required of CFAC under the Consent Decree is \$57,634,528.00.

In return for CFAC's agreement to perform the work required by the Consent Decree and pay EPA's past and future response costs and the State's future response costs, the United States is providing a standard covenant not to sue under Sections 106 and 107(a) of CERCLA, 42 U.S.C. §§ 9606 and 9607(a). The State is also providing a covenant under sections 711, 715(2)(a), 722, and 726 of CECRA.

The publication of this notice opens a period for public comment on the 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 Montana v. Columbia Falls Aluminum Company, LLC*, D.J. Ref. No. 90-11-3-12932. 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

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.

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