

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

IN THE MATTER OF:	)	
	)	
United States Department of the Army,	)	
	)	
Respondent.	)	Docket No.
	)	CERCLA-08-2020-0001
Rocky Mountain Arsenal	)	
Commerce City, CO,	)	
	)	
Facility.	)	
	)	

JOINT STATUS REPORT REGARDING SETTLEMENT

On July 10, 2023, the Presiding Officer issued an Order granting a fourth stay, until November 30, 2023, in the above-captioned proceeding. The Order requires that Complainant, Regional Counsel Kenneth C. Schefski, U.S. Environmental Protection Agency (EPA), Region 8, and Respondent, United States Department of the Army, (the Parties) file monthly status reports regarding the progress of the Parties' settlement efforts. As reported during the previous stays in this matter, the Parties have made substantial progress toward settling this matter, and the Parties are continuing their efforts to ensure the execution of the Consent Decree Amendment (CDA). The Parties are fully committed to execution of the CDA and have been engaged with the Department of Justice (DOJ) to provide information and assistance to further progress.

DOJ has completed its internal approval process and lodged the CDA on September 28, 2023 in the United States District Court for the District of Colorado. While the remaining steps in finalizing the CDA are outside of the Parties' control, the Parties continue to have regular meetings with DOJ to ensure that the remaining steps are carried out as efficiently as possible. The remaining steps include:

1). Holding a 30-day public comment period and filing a response to public comment with the District Court, if needed; and

2). Entry of the CDA, subject to public comment and District Court approval.

The Parties have come a long way in advancing resolution of this matter and remain committed to working with DOJ to ensure that the final actions are carried out to resolve this matter in accordance with DOJ regulations and procedures. Upon execution of the CDA, Complainant intends to withdraw the Complaint in this matter as moot.

Respectfully submitted,

**WILLIAM**  
**LINDSEY** Digitally signed by  
WILLIAM LINDSEY  
Date: 2023.09.28  
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Andrew J. Corimski  
Litigation Branch  
Environmental Law Division  
US Army Legal Services Agency  
9275 Gunston Road, Fort Belvoir, VA 22060

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William Lindsey  
Senior Assistant Regional Counsel  
US EPA – Region 8 (8ORC-LE-C)  
1595 Wynkoop Street  
Denver, Colorado 80202

CERTIFICATE OF SERVICE

It is hereby certified that on this 29th Day of September 2023, the undersigned caused the foregoing Joint Status Report Regarding Settlement under Docket No. CERCLA-08-2020-0001 to be sent to the following parties in the manner indicated below.

Dated: September 29, 2023

CORIMSKI.ANDRE Digitally signed by  
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229 Date: 2023.09.29 14:53:33  
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Andrew J. Corimski  
Litigation Branch  
Environmental Law Division,  
US Army Legal Services Agency  
9275 Gunston Road, Fort Belvoir, VA 22060  
Phone: 571-234-3836  
Email: andrew.j.corimski.civ@army.mil

Copy by OALJ E-Filing System to:

Christine Donelian Coughlin, Administrative Law Judge  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Ronald Reagan Building, Room M1200  
1300 Pennsylvania Ave., NW  
Washington, DC 20004

Mary Angeles, Headquarters Hearing Clerk  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Ronald Reagan Building, Room M1200  
1300 Pennsylvania Ave., NW  
Washington, DC 20004

Copy by Electronic Mail to:

William Lindsey  
Senior Assistant Regional Counsel  
US EPA – Region 8 (8ORC-LE-C)  
1595 Wynkoop Street  
Denver, Colorado 80202  
Email: lindsey.william@epa.gov  
*For Complainant*

Mark Chalfant  
US EPA – Region 8 (8ORC-LE-C)  
1595 Wynkoop Street  
Denver, Colorado 80202  
Email: chalfant.mark@epa.gov  
*For Complainant*