

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 83-C-2379

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHELL OIL COMPANY,

Defendants.

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**NOTICE OF LODGING OF PROPOSED AMENDMENT TO CONSENT DECREE  
BETWEEN UNITED STATES OF AMERICA AND SHELL OIL COMPANY**

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This case involves the Rocky Mountain Arsenal Superfund Site (“RMA Site”), located near Denver, Colorado. The United States of America on behalf of the U.S. Environmental Protection Agency, the U.S. Army, the U.S. Department of the Interior, and the Agency for Toxic Substances and Disease Registry, together with Shell Oil Company (“Shell Oil”) entered into the Consent Decree to resolve various claims and counterclaims under, among other things, the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601 et seq. The Consent Decree was entered by Judge James R. Carrigan on February 12, 1993, and is attached hereto as Exhibit 1. The Consent Decree incorporated a February 12, 1989, Settlement Agreement (“Settlement Agreement”) between the United States and Shell Oil.

Pursuant to Paragraphs 4.1 and 4.2 of the Consent Decree, which require lodging modifications of the Consent Decree with the Court, and publication of public notice and solicitation of public comment, the United States hereby lodges its proposed amendment to the

Consent Decree (hereinafter “Amendment to Consent Decree”). The proposed Amendment to Consent Decree is attached as Exhibit 2. Further, and pursuant to Section 122(d)(2) of CERCLA, 28 C.F.R. § 50.7, and Paragraph 4.1 of the Consent Decree, the proposed Amendment to Consent Decree will be subject to at least a 30-day public comment period.

The Department of Justice will publish in the Federal Register a notice of the lodging of this proposed Amendment to Consent Decree. This publication will initiate a required 30-day comment period. The United States will advise the Court when the public comment period has expired. **During the pendency of the public comment period, no action is required of the Court.**

After the close of the public comment period, the United States will evaluate any comments received and will move for entry of the Amendment to Consent Decree, unless the comments disclose facts or considerations which indicate that the proposed Amendment to Consent Decree is inappropriate, improper, or inadequate.

DATED this 28th day of September 2023.

/s/ Phillip R. Dupré  
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