



PRESS RELEASE

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COLORADO ATTORNEY GENERAL'S OFFICE ADVOCATES WITH U.S. SUPREME COURT FOR STATE'S RIGHTS REGARDING SUPERFUND SITES

DENVER—The [Colorado Attorney General's Office](#) has filed an amicus brief with the United States Supreme Court in support of the petitioners in *State of Arizona v. Ashton Company Incorporated Contractors and Engineers*. Eight additional states, representing a bipartisan group of Attorneys General, joined the brief. The brief argues in favor of state agencies' ability to settle environmental liability under The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as "Superfund." The brief explains that the states' settlement authority should be treated with the same respect as that of the federal government, and courts should review both state and federal settlement agreements under similarly deferential standards.

The following statement is to be attributed to Colorado Attorney General Cynthia H. Coffman:

"The decision by the Ninth Circuit Court of Appeals suggests that states cannot be trusted to settle environmental claims, and so state agreements settling environmental liability should be treated less favorably than similar federal settlement agreements. That's why the Colorado Attorney General's Office took the lead in filing this brief. The states oversee the vast majority of environmentally contaminated sites across the country, and they need the same flexibility to settle environmental claims that the federal government enjoys. We expect that the U.S. Supreme Court will show more respect for state's rights and the critical role states play in cleaning up the country's hundreds of thousands of environmentally contaminated sites."

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