



## DEPARTMENT OF JUSTICE

### **Notice of Lodging of Proposed Consent Decree under the Comprehensive Environmental Response Compensation and Liability Act**

On March 6, 2026, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Middle District of Pennsylvania in the lawsuit entitled *United States of America and the Commonwealth of Pennsylvania v. Rutgers Organics LLC*, Civil Action No. 4:26-cv-00560-MWB.

The lawsuit was initiated by a complaint filed by the United States and the Commonwealth of Pennsylvania (the “Trustees”) in their capacity as the legally designated trustees for natural resources in Pennsylvania. The complaint alleged, inter alia, that the Defendant was liable for damages for injury to, destruction of, or loss of natural resources resulting from the release of hazardous substances at and from the Centre County Kepone Site (the “Site”) in College Township, Centre County, Pennsylvania, pursuant to the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 and the Pennsylvania Hazardous Site Cleanup Act.

The Consent Decree resolves the claims of the Trustees against the Defendant for a total payment of \$795,263. Of this amount, \$618,060 will be paid into the United States’ Natural Resource Damages Assessment and Restoration Fund managed by the U.S. Department of the Interior, which will reimburse the Department’s natural resource damages assessment activities and fund projects aimed at restoring the injured natural resources at the Site. The remaining \$177,203 will be paid to the Commonwealth of Pennsylvania to reimburse the Commonwealth’s natural resource damages assessment costs. In addition, under Commonwealth oversight the Defendant will construct a parking lot and a trail to facilitate public fishing access in Spring Creek at a location near the Site, and it will ensure the recordation of a conservation easement on

property adjoining Spring Creek to facilitate water quality restoration efforts. In return for these payments and restoration activities, the United States and the Commonwealth will confer on the Defendant covenants not to sue for natural resource damages known or reasonably ascertainable as of the date of lodging of the Consent Decree.

In accordance with CERCLA, the Trustees have also written a draft Restoration Plan that described proposed alternatives for restoring the natural resources and natural resource services injured by the release of hazardous substances from the Site. The restoration alternatives evaluated in the Restoration Plan are (1) No Action/Natural Recovery; (2) Conservation Easement and Angler Access at NRDAR Property; (3) Future Repair and Maintenance of Existing In-Stream Structures along NRDAR Property; (4) Additional Land Conservation In Spring Creek Watershed; and (5) Additional Restoration Projects within Spring Creek Watershed.

The publication of this notice opens a period for public comment on the proposed Consent Decree and the draft Restoration Plan.

Comments on the proposed Consent Decree should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States of America and the The Commonwealth of Pennsylvania v. Rutgers Organics LLC*, D.J. Ref. No. 90-11-3-1436/4. 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	Assistant Attorney General U.S. DOJ – ENRD P.O. Box 7611 Washington, D.C. 20044-7611

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

Comments on the draft Restoration Plan may be submitted to the Trustees either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By e-mail	Carrie_blakeslee@fws.gov
By mail	USFWS 110 Radnor Road, Suite 101 State College, PA 16801 Attn: Draft Restoration Plan Centre County Kepone NRDAR

All comments must be submitted no later than thirty (30) days after the publication date of this notice. If emailing, please include “Draft Restoration Plan Centre County Kepone NRDAR” in the subject line. During the public comment period, a copy of the draft Restoration Plan will be available electronically at:

[https://www.cerc.usgs.gov/orda\\_docs/DocHandler.ashx?task=get&ID=13160](https://www.cerc.usgs.gov/orda_docs/DocHandler.ashx?task=get&ID=13160).

**Jason A. Dunn,**

*Assistant Section Chief,*

*Environmental Enforcement Section,*

*Environment and Natural Resources Division.*

[FR Doc. 2026-04906 Filed: 3/12/2026 8:45 am; Publication Date: 3/13/2026]