



DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Cleanup, And Liability Act

On September 10, 2026, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of New Jersey in the lawsuit entitled *United States v. Environmental Resource Holdings, LLC*, Civil Action No. 2:26-cv-11675.

The United States filed this lawsuit on behalf of the Environmental Protection Agency (“EPA”) under the Comprehensive Environmental Response, Cleanup, and Liability Act, 42 U.S.C. §§ 9601 *et seq.* In its complaint, the United States seeks the performance of initial remedial work for Operable Units 2 and 4 of the Diamond Alkali Superfund Site in New Jersey. The proposed consent decree requires the defendant to perform this work, which includes construction of an upland processing facility and several upland support facilities that would enable dredging and capping work in the Lower Passaic River. The construction includes a facility to handle sediment dredged from the river before it is sent for off-site disposal. The upland support facilities would provide land and infrastructure needed to support future in-river construction work. The defendant will also sample the lower 8.3 miles of the river to establish a baseline and reimburse EPA for future oversight costs related to this work.

The publication of this notice opens a period for public comment on the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Environmental Resource Holdings, LLC*, D.J. Ref. No. 90-11-3-07683/20. 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
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Any comments submitted in writing may be filed by the United States in whole or in part on the public court docket without notice to the commenter.

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.

Eric D. Albert,

Assistant Section Chief,

Environmental Enforcement Section,

Environment and Natural Resources Division.

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