



DEPARTMENT OF JUSTICE

Notice of Comment Period Extension on 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. On September 15, 2026, notice of the proposed consent decree and the start of the comment period was published in the **Federal Register**. The United States is extending the comment period for this proposed consent decree by thirty (30) days, to November 14, 2026.

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 extends the period for public comment on the proposed consent decree by thirty days, to November 14, 2026. 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 November 14, 2026. 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

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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