

## Passaic River Restoration Initiative (PRRI)

“This situation went from being an explosively litigious one, to a public-private cooperative process with tremendous positive environmental results.”

– Dr. Jonathan Deason  
Dawson & Associates

Passaic River, NJ photo © iStockphoto.com/orava

### CLIENT

A major corporate entity that handles nationwide remedial liabilities for several large corporations.

### BACKGROUND

In the 1980s, the U.S. Environmental Protection Agency (EPA) designated a six-mile stretch of the lower Passaic River in New Jersey as a Superfund National Priorities List site. Although many companies had contributed to the Passaic’s chemical degradation, the EPA was holding only a few companies responsible for the significant clean-up costs. Nearly 20 years later, after spending more than \$50 million on Passaic restoration, our client was the only company working with the government to clean up the river. The situation was headed towards litigation, which would have involved a large number of responsible companies and public entities. Recognizing the need to avoid protracted litigation, this company sought help from Dawson & Associates.

### RESPONSE

In consultation with Executive Branch and Congressional officials, the Dawson team designed a new approach to Passaic restoration. Our plan established a partnership combining civil works authorities from the U.S. Army Corps of Engineers and EPA authorities. This cooperative approach successfully encouraged affected companies to join in the restoration instead of litigating.

To facilitate the plan’s implementation, Dawson successfully worked with Congressional leaders to authorize the Corps of Engineers to study the problem. This new approach was institutionalized when the Corps and EPA signed a formal Memorandum of Understanding at a White House ceremony extending the concept nationwide.

After announcing this agreement, the two agencies jointly designated the Passaic River as a pilot study area under the new “Urban River Restoration Initiative” that Dawson created. Other companies interested in resolving potential liabilities joined the Passaic River restoration effort. By 2012, more than 70 companies were contributing to this successful public-private partnership. As a result, the Dawson client was no longer the focus of state and Federal regulators. More importantly for the client, the final cost of the Passaic restoration was almost certainly far less than what it would have been with extended litigation.