

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
and	)	
	)	
SIERRA CLUB and	)	Case No. 2:22-cv-11191-GAD-CI
CITY OF RIVER ROUGE,	)	
	)	Judge Gershwin A. Drain
Plaintiff-Intervenors,	)	
	)	Magistrate Judge Curtis Ivy, Jr.
v.	)	
	)	
EES COKE BATTERY, LLC;	)	
DTE ENERGY SERVICES, INC.;	)	
DTE ENERGY RESOURCES, LLC;	)	
and DTE ENERGY CO.	)	
	)	
Defendants.	)	
	)	

**FINAL JUDGMENT**

For reasons stated in the Findings of Fact and Conclusions of Law, dated February 17, 2026 (ECF No. 410), final Judgment is entered against Defendants EES Coke Battery, LLC, DTE Energy Services, Inc., DTE Energy Resources, LLC, and DTE Energy Company (collectively, “Defendants”) as follows:

1. Judgment is entered in favor of Plaintiff United States of America and Plaintiff-Intervenors Sierra Club and River Rouge and against all Defendants on the First Claim for Relief;

2. Defendants shall pay a civil penalty to Plaintiff United States of America in the amount of \$100,000,000.00 (one hundred million dollars) for the First Claim;

3. Judgment is entered in favor of Plaintiff United States of America and Plaintiff-Intervenors Sierra Club and River Rouge and against all Defendants on the Second Claim for Relief;

4. Defendants shall pay a civil penalty to Plaintiff United States of America in the amount of \$1.00 (one dollar) for the Second Claim;

5. Interest shall accrue and be payable to the United States on all penalty amounts for post-judgment interest under 28 U.S.C. § 1961, starting from the date this Judgment is entered in the docket until the penalty amount is paid in full;

6. Defendants shall remit payment of all penalties within 90 days of entry of this Judgment by electronic transfer or any other reasonable means so designated by the United States;

7. The United States shall provide payment instructions to Defendants within 30 days of this Judgment;

8. Within 250 days of entry of this Judgment, and consistent with the Findings of Fact and Conclusions of Law, Defendants shall submit all appropriate applications to the Michigan Department of Environment, Great Lakes, and Energy to seek the necessary Prevention of Significant Deterioration (“PSD”) permit(s) and Non-Attainment New Source Review (“NNSR”) permit(s) for the modification found by the Court;

9. Defendants shall come into compliance with the Clean Air Act by working with the Michigan Department of Environment, Great Lakes, and Energy through the permitting process until Defendants have obtained the necessary Prevention of Significant Deterioration (“PSD”) permit(s) and Non-Attainment New Source Review (“NNSR”) permit(s) for the modification found by the Court;

10. Within 120 days of entry of this judgment, Defendants shall establish a Community Quality Action Committee (“Committee”), which shall be made up of seven members: one representative of Defendants; one representative from an academic institution with a focus on public health or the environment; two representatives from environmental advocacy organizations that are actively involved in River Rouge, Ecorse, or 48217; and three community representatives who reside in each of River Rouge, Ecorse, or 48217;

11. Defendants shall consult with Sierra Club to identify a list of individuals to serve on the Committee;

12. Defendants shall convene the Committee as necessary, consistent with the Findings of Fact and Conclusions of Law, and no less than once per quarter in its first three years, to consider and select projects with a goal of maximizing public health and air quality improvements in Ecorse, River Rouge, and 48217;

13. Over the course of seven years, Defendants shall fund at least \$20 million worth of projects considered and selected by the Committee, with at least \$5 million to be committed to such projects within the first three years, consistent with the Findings of Fact and Conclusions of Law;

14. To share progress on this equitable relief, Defendants shall make semi-annual status reports available on a public website;

15. Plaintiff United States of America and Plaintiff-Intervenors Sierra Club and River Rouge are awarded their costs under Federal Rule of Civil Procedure 54(d), in amounts to be established by bills of cost pursuant to Eastern District of Michigan Local Rule 54.1;

16. This Court will retain jurisdiction over this case until Defendants have paid the civil penalties and fully implemented the injunctive relief set forth in this Judgment.

Pursuant to Fed. R. Civ. P. 54, final Judgment is entered.

SO ORDERED.

Dated: February 24, 2026

/s/Gershwin A. Drain  
GERSHWIN A. DRAIN  
United States District Judge

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on  
February 24, 2026, by electronic and/or ordinary mail.

/s/ Marlena Williams  
Case Manager