

For Immediate Release:  
July 7, 2015

**Contact:**

Eva Dillard, Staff Attorney, Black Warrior Riverkeeper: (205) 458-0095, [edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)

## **Black Warrior Riverkeeper Successfully Settles Shannon Mine Pollution Lawsuit**

*Birmingham, Ala.* – There is good news today for people and wildlife along Valley Creek and Bankhead Lake. Black Warrior Riverkeeper, a nonprofit clean water advocacy organization, has settled their citizen [lawsuit](#) over water pollution violations at the Shannon Mine. The parties have filed a proposed [settlement](#) decree with the court and are awaiting approval by the U. S. Department of Justice.

The surface coal mine run by Shannon, LLC, a subsidiary of Drummond Co., Inc., operates in Jefferson and Tuscaloosa counties within the upper Black Warrior River watershed. The alleged violations affect the waters of Blue Creek and Little Blue Creek as well as unnamed tributaries, all of which flow into Valley Creek upstream of Bankhead Lake on the Black Warrior River.

Riverkeeper filed the lawsuit in 2013 alleging violations of Shannon Mine’s National Pollutant Discharge Elimination System (NPDES) permit (discharging water with excessive concentrations of selenium, iron and total suspended solids), failing to properly maintain a surface water impoundment (causing seeps which Riverkeeper contends are unpermitted discharge points), and failure to comply with regulations requiring surface mines to maintain a vegetated buffer of at least 100 feet between mining activities and streams.

“This settlement is excellent for so many people who fish, boat, swim, and live along Valley Creek and Bankhead Lake,” said Sherman Engler, President of the Alabama Fisherman’s and Hunters Association. “We appreciate Black Warrior Riverkeeper working constructively with companies to fix pollution problems so that everyone can enjoy these valuable water resources.”

This settlement accomplishes several important goals. First, Shannon Mine is working to address the issues underlying its water pollution violations. As a part of remediation, they engineered a constructed wetland to treat selenium, the primary pollutant of concern released by the mine. Second, Shannon has agreed to allow an impartial survey of the stream buffer and has committed to restoring the buffer if the survey indicates any encroachment into the buffer zone. Third, Shannon will fund a Supplemental Environmental Project (“SEP”) in the amount of \$70,000 with the Freshwater Land Trust, an Alabama nonprofit land conservation organization, in addition to paying a portion of Black Warrior Riverkeeper’s attorneys’ fees and costs from the case. The SEP will focus on the Valley Creek subwatershed, where Shannon Mine is located.

“This settlement represents a win for local water resources on multiple levels,” explained Eva Dillard, Staff Attorney for Black Warrior Riverkeeper. “In addition to addressing the underlying violations which precipitated the lawsuit, Shannon will fund important work on Valley Creek by the Freshwater Land Trust.”

Nelson Brooke, staff Riverkeeper, added, “This settlement is a step in the right direction for Blue Creek and Valley Creek, the critters that call them home, and the people who enjoy fishing and recreating downstream.”

###

Black Warrior Riverkeeper’s mission is to protect and restore the Black Warrior River and its tributaries. The citizen-based nonprofit organization promotes clean water for improved public health, recreation, and wildlife habitat throughout the Black Warrior River watershed. Learn more at [BlackWarriorRiver.org](http://BlackWarriorRiver.org).