

Citizen Suit Enforcement/Clean Water Act: Black Warrior Riverkeeper Notice of Intent to Sue Quinton, Alabama, Mine Owner



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Black Warrior Riverkeeper ("Riverkeeper") sent an October 17th document to the Drummond Company ("Drummond") styled:

Notice of Intent to File Citizen Suit Under Clean Water Act for Unpermitted Discharges at Drummond Company, Inc. Property along Cook Ford Road (Jefferson County, Alabama) ("Notice")

The *Notice* states that Riverkeeper intends to file a lawsuit against Drummond under Section 505 of the Clean Water Act for alleged violations at what it describes as an abandoned underground mine in Quinton, Alabama.

Drummond is alleged to be in violation of Section 301(a) of the Clean Water Act because it is:

. . . currently discharging pollutants (mine pool drainage and/or groundwater) from a point source (a well, pump, pipe, and rip-rap channel) at the Property into an unnamed tributary of the Locust Fork of the Black Warrior River without a National Pollutant Discharge Elimination System ("NPDES") permit.

The *Notice* states that Drummond must cease the alleged violations within 60 days or it will file the Clean Water Act citizen suit seeking declaratory and injunctive relief as well as civil penalties.

The remedies that Riverkeeper states that it will request in a citizen suit action include:

- A judgment declaring the discharges or violations described herein to be unlawful
- Drummond is in continuing violation of the CWA at the former Maxine Mine property
- Enjoining Drummond from continuing to pump polluted water at the Property;
- Ordering Drummond to immediately cease or obtain an NPDES permit for their discharges to the unnamed tributary of the Locust Fork of the Black Warrior River

A copy of the *Notice* can be downloaded [here](#).