

Citizen Suit Enforcement/Clean Water Act: Black Warrior Riverkeeper Notice of Intent to Sue Birmingham, Alabama, Metal Finishing Facility



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Black Warrior Riverkeeper sent on March 22, 2022, a 60-day Notice of Intent to Sue (“NOI”) pursuant to the citizen suit provisions of the Clean Water Act to Kamtek Inc. (“Kamtek”) for alleged violations.

Kamtek is stated to operate a metal finishing and aluminum casting facility (“Facility”) in Birmingham, Alabama.

The NOI provides that the Facility discharges wastewater to a sewer that flows into Jefferson County Five Mile Creek Wastewater Treatment Plant (“WWTP”). The referenced WWTP is stated to use an activated sludge treatment method and discharges into Five Mile Creek pursuant to a Clean Water Act National Pollution Discharge Elimination System (“NPDES”) permit.

The Alabama Department of Environmental Management (“ADEM”) is stated to have issued a State Indirect Discharge Permit to Kamtek incorporating pretreatment standards and local limits for a WWTP outfall.

Kamtek is stated to have reported in its monthly discharge monitoring reports violations of certain pretreatment standards for:

- Total nickel
- Total zinc
- Total copper
- Total phenols

Black Warrior Riverkeeper requests that Kamtek provide it information regarding any steps taken to irradicate the underlying cause of the alleged violations or any inaccuracies in the letter. If not, the organization states that it will commence a citizen suit action at the expiration of the 60-day notice period.

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