

# Citizen Suit Action/Clean Water Act: Black Warrior Riverkeeper and Tuscaloosa, Alabama Coal Mine Operator Enter into Consent Decree



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Black Water Riverkeeper (“Riverkeeper”) and Warrior Met Coal Mining, LLC (“WMC”) entered into a July 29th Consent Decree (“CD”) addressing alleged violations of the Clean Water Act. See Case No. 7:22-cv-01178-LSC.

The CD addresses WMC’s Mine No. 7 (“Mine”).

WMC is described as a metallurgical coal mining company which operates several mines including Mine No. 7, which is described as an underground coal mine.

Riverkeeper had filed suit against WMC under the following statutes:

- Clean Water Act.
- Surface Mining Control and Reclamation Act.
- Alabama Surface Mine Control and Reclamation Act.

Riverkeeper alleged that WMC’s Mine included slurry in Impoundment No. 4. It was alleged that unpermitted discharges occurred at the slurry which flowed into an unnamed tributary eventually feeding into Texas Creek and then the Black Warrior River at Hope Lake.

The discharges are stated to consist of a combination of wastewater from aspects of the underground mining and coal preparation.

The CD requires that WMC implement an Action Plan approved by the Federal Mining Safety and Health Administration, including:

- Implementation of installation of a liner to address the dam.
- Conduct detailed sampling after the Action Plan is complete to evaluate the success of the liner in stopping discharges.
- Enroll in Alabama’s Dam Safety Program.

WMC is also required to pay \$250,000.00 as a supplemental environmental project. The money will be provided to the Freshwater Land Trust.

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