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Black Warrior Riverkeeper and Kamtek Reach Settlement Over Wastewater Violations

Birmingham, AL— Today, Black Warrior Riverkeeper and Kamtek, Inc. announced a settlement that will address violations of pollutant standards at the automotive parts manufacturer's aluminum casting plant in Birmingham. Kamtek discharges process wastewater to Jefferson County's Five Mile Creek Wastewater Treatment Plant (WWTP). That WWTP discharges into Five Mile Creek, a tributary of the Locust Fork of the Black Warrior River.

According to Black Warrior Riverkeeper's Staff Attorney, Eva Dillard, "Immediately after we sent Kamtek a March 2022 Notice of Intent to Sue (Notice), they asked for an opportunity to correct the violations without litigation. In the 21-year history of our organization sending Clean Water Act lawsuit notices, that request was a first. We were happy to sit down with Kamtek and work toward an agreement about the best ways for the plant to improve their treatment of toxic pollutants. We wish every facility in the watershed was this receptive to our concerns."

Kamtek self-reported violations of its Clean Water Act permit, which limits the concentrations of certain pollutants that the facility can send to the WWTP. When a facility exceeds these limits, the pollutants can interfere with the WWTP's treatment processes or pass through the WWTP to local streams and rivers. When Black Warrior Riverkeeper sent Kamtek the Notice in March 2022, the auto supplier was in the process of overhauling treatment at one of its buildings and had retained an outside consultant to find other ways to improve treatment of process wastewater at the plant. Black Warrior Riverkeeper and its consultants were able to plug into that process for the parties to agree on the best path forward.

In addition to the treatment overhaul, Kamtek has increased the staffing of its wastewater operations so that there is a dedicated operator at the plant every day. Kamtek is also retrofitting an on-site lab at the plant which will allow the operators to collect and analyze wastewater samples in near real time. Being able to closely monitor the plant's wastewater processes will allow the auto supplier to detect if their wastewater is not meeting permit standards prior to discharge and make the appropriate corrections before the wastewater is discharged to the Five Mile Creek WWTP.

Kamtek will invest in continuing costs of approximately \$580,000 per year for increased staffing and testing. The build out of the lab, including the purchase of a mass spectrometer for sensitive testing, is estimated at \$530,000. In addition, Kamtek will underwrite a \$62,000 Supplemental Environmental Project for Five Mile Creek by the Freshwater Land Trust and reimburse Black Warrior Riverkeeper \$15,000 in attorneys' fees.

According to Black Warrior Riverkeeper's Riverkeeper, Nelson Brooke, "Holding industrial wastewater dischargers like Kamtek accountable to Clean Water Act categorical pretreatment standards for toxic pollutants limits the amount of ratepayer funded treatment necessary to discharge compliant wastewater into Five Mile Creek. The plant discharges into Five Mile Creek near Fultondale and upstream of Brookside, where locals and visitors alike access the creek for recreation such as swimming and canoeing with Five Mile Creek Canoe & Co."

The case was first identified for Riverkeeper by Jim Hecker, a lawyer with Public Justice. Public Justice is a national public interest law firm that has partnered successfully with Black Warrior Riverkeeper in other cases.

For a high-resolution photograph by Nelson Brooke, Black Warrior Riverkeeper of paddlers enjoying Five Mile Creek, [click here](#).

For a map of Kamtek and Five Mile Creek by Nelson Brooke, [click here](#).

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[Black Warrior Riverkeeper](#)'s mission is to protect and restore the Black Warrior River and its tributaries. The nonprofit organization promotes clean water for the sake of public health, recreation, and wildlife habitat throughout the Black Warrior River watershed.