

**For Immediate Release**  
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**Black Warrior Riverkeeper Reaches Successful Settlement in Donaldson Prison Sewage Lawsuit**

*Birmingham* – Black Warrior Riverkeeper has reached a successful settlement in their water pollution case against Alabama Utility Services (AUS), the operator of Donaldson Correctional Facility’s sewage treatment plant. The settlement includes injunctive relief (a court order requiring steps to curtail pollution) and a \$100,000 Supplemental Environmental Project (SEP) to benefit Jefferson County’s Valley Creek watershed. The parties have filed a proposed settlement decree with the court and are awaiting approval by the U. S. Department of Justice.

The prison’s sewage treatment plant has a state permit to discharge treated wastewater to Big Branch, a tributary of Valley Creek upstream of Bankhead Lake on the Black Warrior River in west Jefferson County. Bankhead Lake is among the most popular sections of the river for fishing, boating, and swimming. Donaldson Correctional Facility had a long history of discharging improperly treated sewage in violation of its permit.

On February 28, 2012, Black Warrior Riverkeeper, a nonprofit clean water advocacy organization, filed a citizen suit under the Clean Water Act in U.S. District Court for National Pollutant Discharge Elimination System permit violations at the plant. Investigative work by Black Warrior Riverkeeper’s Enforcement Coordinator, John Kinney and staff Riverkeeper, Nelson Brooke, produced critical evidence necessary to bring the case.

Brooke noted, “In 2004, we sent the Department of Corrections a notice of our intent to sue for improper sewage treatment at Donaldson, which forced the Alabama Department of Environmental Management (ADEM) to finally initiate enforcement at the prison after over a decade of sewage pollution. Unfortunately ADEM did not pursue a lasting fix and by 2009, the plant again began discharging improperly treated sewage to Big Branch. We took legal action in 2012 to halt water pollution upstream of where countless people live, swim, and fish. We are happy to announce this settlement on behalf of all who swim, fish, and recreate downstream.”

“AUS will invest in critical repairs and upgrades at the Donaldson plant, which should ensure that the facility complies with the law now and in the future,” added Eva Dillard, Black Warrior Riverkeeper’s Staff Attorney. “As a result of the lawsuit and settlement, the plant will be totally refurbished.”

AUS’ \$100,000 SEP payment over ten years will fund conservation work in Jefferson County’s Valley Creek watershed. As in other instances where they have pursued litigation and reached settlement, Black Warrior Riverkeeper chose the [Freshwater Land Trust](#), a widely respected Alabama nonprofit land conservation organization, to receive the SEP funds.

“Our top priority in all litigation is to fix pollution problems,” explained Charles Scribner, Executive Director of Black Warrior Riverkeeper. “It is a significant bonus that many of our successful settlements, including this one, generate funds helping the Freshwater Land Trust do great conservation work benefiting local communities.”

To view Scribner’s picture of Brooke collecting polluted water samples downstream of the prison, [click here](#).

To view the settlement, [click here](#).

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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).