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Black Warrior RIVERKEEPER® settles pollution lawsuit with Alabama Biodiesel

Settlement will restore habitat for two endangered species found only in Black Warrior basin

Moundville, AL: Black Warrior Riverkeeper and Alabama Biodiesel have reached a settlement to the pollution lawsuit Black Warrior Riverkeeper filed on August 22, 2007 in United States District Court. The Honorable Judge John E. Ott has approved the settlement requiring Alabama Biodiesel to cease illegal discharges of oil and grease, obtain a pollution permit mandated by the Clean Water Act, and pay \$27,500 for a Supplemental Environmental Project (SEP) in the Black Warrior River watershed.

The settlement benefits Jefferson County's Tapawingo/Penny Springs, habitat of the federally endangered Vermilion and Watercress Darters and a pristine tributary of Turkey Creek, which in turn is a major tributary of the Black Warrior River's Locust Fork. Both endangered fish species live only in Alabama's Black Warrior watershed. The parties chose the Freshwater Land Trust, an Alabama non-profit land conservation organization, to receive Alabama Biodiesel's SEP payment and lead the restoration project. Black Warrior Riverkeeper is very pleased that the entire payment will permanently contribute to ecologically vital improvements within the Black Warrior watershed.

Black Warrior Riverkeeper filed the lawsuit in response to the company's unpermitted oil and grease discharges into an unnamed tributary of Carthage Branch, a tributary of the Black Warrior River immediately upstream of the Moundville public boat launch and Moundville Archaeological Park, where thousands of Alabamians, tourists, and researchers visit the river each year. Locals reported an oily residue diminishing their enjoyment of fishing, swimming and boating, as Moundville resident and Black Warrior Riverkeeper member Mark Storey explained in The New York Times on March 11, 2008.

Click here for the settlement agreement: http://blackwarriorriver.org/biodiesel_settlement.pdf

Click here for the original lawsuit: http://blackwarriorriver.org/biodiesel_lawsuit.pdf

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Black Warrior Riverkeeper is a non-profit organization whose mission is to protect and restore the Black Warrior River. Alabama Environmental Council's 2007 Conservation Organization of the Year, Black Warrior Riverkeeper is an autonomous local chapter of Waterkeeper Alliance. Visit our website at <http://www.blackwarriorriver.org>. For more information, contact Nelson Brooke, Executive Director, Black Warrior Riverkeeper: 205-458-0095, nbrooke@blackwarriorriver.org or Wendy Jackson, Executive Director, Freshwater Land Trust: 205-226-7900; <http://www.freshwaterlandtrust.org>.