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Black Warrior Riverkeeper Petitions ASMC to Prevent Mines Upstream of Birmingham Water Source

Birmingham/Jasper – Today, Black Warrior Riverkeeper filed a petition with the Alabama Surface Mining Commission (ASMC) to designate areas adjacent to the Birmingham Water Works Board’s Mulberry Fork drinking water intake as lands unsuitable for surface coal mining. The petition opens another front in Black Warrior Riverkeeper’s ongoing fight to stop surface coal mining upstream of the public water intake facility near Cordova that supplies water daily to 200,000 Birmingham-area residents.

According to Riverkeeper Nelson Brooke, the goal of the petition is to protect an important resource: clean, safe and affordable drinking water. “Protecting the source of our drinking water, the Mulberry Fork of the Black Warrior River, is the most cost and resource effective way to provide clean drinking water now and in the future. It makes absolutely no sense for the state to issue permits to pollute the source of our drinking water, so that drinking water customers can then pay to clean up a polluter’s mess.”

Staff attorney Eva Dillard explains, “The Birmingham region has invested substantially in the Mulberry Fork intake and we want to preserve and protect that investment. We believe that the drinking water supplied by the Mulberry Fork represents a unique, site-specific resource. Continuing to permit surface coal mining operations near the Mulberry Fork puts that investment, not to mention the public health, at risk.”

Areas that affect renewable resource lands where coal mining could result in a substantial loss or reduction of long-range productivity of water supply are eligible for designation as lands unsuitable for mining. Renewable resource lands are defined as geographic areas, like the Mulberry Fork and surrounding lands, which contribute significantly to the long-range productivity of water supply.

Previously, Riverkeeper has focused on raising public awareness about the proposed Shepherd Bend and Reed Minerals No. 5 mines, both of which would discharge upstream of the Mulberry Fork intake. In reference to both mine proposals, the Birmingham Water Works Board has publicly commented, “We are concerned that this proposed mine has the potential to adversely impact the Birmingham area drinking water.” The University of Alabama System Trustees have not yet decided whether they will lease or sell the System’s significant property for the Shepherd Bend Mine.

Represented by the Southern Environmental Law Center, Riverkeeper filed a legal challenge to Shepherd Bend LLC’s National Pollutant Discharge Elimination System permit in 2008. That appeal continues. Today’s petition represents an additional, comprehensive strategy to protect drinking water beyond the threat of individual mines; the ultimate goal is to make a preventive determination of where coal mining can safely occur and not harm the Mulberry Fork public drinking water supply. Coal mining is known to contribute heavy metals (including iron, manganese arsenic and lead) and sediment to drinking water, which lead to greater demands on treatment operations as well as increased treatment costs. Added filtration costs are typically passed on to Birmingham Water Works Board drinking water customers.

To view the Petition and its Exhibits, visit:

http://www.blackwarriorriver.org/pdf/BWRk_LUM_PetitionAndExhibits.pdf

For pictures, maps, and more information about the proposed Reed Minerals No. 5 Mine, visit:

<http://blackwarriorriver.org/news/reed-mine-proposal-on-mulberry-fork.html>

For pictures, maps, and more information about the proposed Shepherd Bend Mine, visit:

<http://blackwarriorriver.org/news/help-protect-birmingham-s-drinking-water.html>

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Black Warrior Riverkeeper (blackwarriorriver.org) is a citizen-based nonprofit organization whose mission is to protect and restore the Black Warrior River and its tributaries. In 2011 the Black Warrior became one of America’s Most Endangered Rivers due to current and potential coal pollution. For more information, contact Nelson Brooke at (205) 458-0095, nbrooke@blackwarriorriver.org or Eva Dillard at (205) 458-0095, edillard@blackwarriorriver.org