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### **Black Warrior Riverkeeper intends to sue Kamtek for Clean Water Act violations**

*Birmingham, AL*— Today, Black Warrior Riverkeeper filed a notice of intent to sue Kamtek, Inc. in federal court for violations of toxic pollutant standards at the auto supplier's aluminum casting plant. 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.

Black Warrior Riverkeeper filed the notice letter regarding Kamtek's failure to comply with mandatory pretreatment requirements implemented under the Clean Water Act. EPA directly imposes pretreatment standards on indirect dischargers like Kamtek and it is unlawful for them to operate in violation of these requirements.

"Five Mile Creek is a beautiful, free-flowing stream frequented by locals, fishers, boaters and wildlife," said Nelson Brooke, Black Warrior Riverkeeper. "Toxic heavy metals and chemicals are not welcome in this beloved creek, which is already on a multi-decade journey to combat its polluted ways of the past and present. We celebrate the 50<sup>th</sup> Anniversary of the Clean Water Act of 1972 this year by holding polluters accountable through the Act's citizen suit provisions."

Kamtek is in violation of EPA's categorical pretreatment standards, which apply to twenty-one specific categories of industrial sources. The standards establish numeric limits on the discharge of particular toxic pollutants that could cause interference with a wastewater treatment plant's processes or pass through the wastewater treatment plant to local streams and rivers. One of these specific categories is the Metal Finishing Point Source category, which applies to Kamtek.

According to EPA, the discharge of wastewater from electroplaters is a significant pretreatment problem. The pollutants regulated by this category, including the nickel, zinc and phenols that Kamtek discharges into the Five Mile Creek WWTP, are toxic to human beings and aquatic organisms. These pollutants can only be partially removed by municipal treatment systems like Five Mile Creek WWTP and the rest pass through to Five Mile Creek. The metals and phenols that do not pass through the treatment system to Five Mile Creek accumulate in the WWTP's sludge. These concentrated pollutants can interfere with the WWTP's treatment operations.

EPA has found that at activated sludge treatment plants, such as the Five Mile Creek WWTP, more than 80 percent of nickel and between 30 and 40 percent of zinc are not removed or captured during treatment. Depending on sludge disposal methods, metals in sludge can contaminate the air, the water, or in some cases enter the human food chain.

“EPA’s categorical pretreatment standards were designed to prevent untreated pollutants from interfering with treatment at Five Mile Creek WWTP or passing through the plant into Five Mile Creek,” said Eva Dillard, staff attorney, Black Warrior Riverkeeper. “Because Kamtek is not consistently meeting these standards, Five Mile Creek is not being protected.”

To address Kamtek’s violations and ongoing pollution, the groups are seeking pretreatment of toxic pollutants that complies with the law, and any other appropriate measures by Kamtek to stop their violations of the Clean Water Act.

For Black Warrior Riverkeeper’s Notice of Intent to Sue, [click here](#).

For a high-resolution photograph by Nelson Brooke, Black Warrior Riverkeeper, [click here](#).  
Description: Downstream of Kamtek’s toxic pollution, Five Mile Creek is a popular destination for recreation in Jefferson County.

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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.*