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Groups Demand Alabama Update Toxic Pollutant Values to Protect Human Health

Conservation groups throughout Alabama have filed a [Petition for Rulemaking](#) with Alabama's Environmental Management Commission, the board that oversees the Alabama Department of Environmental Management, urging the state to update and publish amended toxicity values for twelve priority toxic pollutants.

The seven nonprofit organizations' legal action alleges that Alabama's current toxicity values are not sufficient to protect human health from consumption of contaminated fish, shellfish and water. The groups filing the Petition for Rulemaking are the Alabama Rivers Alliance, Black Warrior Riverkeeper, Cahaba Riverkeeper, Choctawhatchee Riverkeeper, Coosa Riverkeeper, Environmental Defense Alliance, and Mobile Baykeeper.

“Congress directed States to periodically review and update water quality criteria for toxic pollutants,” said lawyer David Ludder, who represents the groups. “Alabama has failed to update the toxicity values used to calculate water quality criteria for 1,3-Dichlorobenzene, 4,6-Dinitro-2-methylphenol, Ethylbenzene, Toluene, 2,4-Dinitrotoluene, Hexachloroethane, Pentachlorophenol, Trichloroethylene, 1,3-Dichloropropylene, Arsenic, and 1,2,4-Trichlorobenzene.”

Alabama has failed to review and adopt revised toxicity values for toxic pollutants as required by the Clean Water Act despite the development of new information and science on the toxicity of the twelve pollutants. As a result, Alabama's criteria for these toxic pollutants are outdated and insufficient to protect the health of Alabama water users and fish consumers.

“Drinking water and fish are public resources Alabamians expect to be protected and safe for consumption,” said Nelson Brooke, Black Warrior Riverkeeper. “It’s a no-brainer for Alabama to upgrade toxicity values.”

The amendments proposed by the Petition for Rulemaking reflect long-delayed updates to oral Reference Dose (RfD) values and oral Cancer Potency Factor (CPF) values recommended by EPA to protect human health. Adoption of these amendments will result in significantly lower water quality criteria for the twelve toxic pollutants and enhanced protection of human health. The Petition for Rulemaking is backed by substantive, credible and relevant evidence, data and information that supports the adoption of the proposed amendments.

To view the Petition for Rulemaking, [click here](#).

To view Nelson Brooke's photo of a man fishing on Valley Creek to feed his family, [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.