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Contact:

Nelson Brooke, Black Warrior Riverkeeper, 205-458-0095, info@blackwarriorriver.org

John Wathen, Friends of Hurricane Creek, 205-310-3739, hccreekkeeper@gmail.com

Tuscaloosa agrees to sewage upgrades, settles lawsuit with clean water groups and ADEM

TUSCALOOSA, Ala.—Today Black Warrior Riverkeeper and Friends of Hurricane Creek, represented by the Southern Environmental Law Center, signed a [settlement agreement](#) with the city of Tuscaloosa and the Alabama Department of Environmental Management (ADEM) to address the city’s chronic sewage spills and Clean Water Act permit violations. Once filed, the Circuit Court of Tuscaloosa will accept or deny the agreement.

In the agreement, Tuscaloosa promises to reduce its sewage spills and provide more robust public notice of these spills, including signs posted by impacted waterways and recreation areas. Tuscaloosa is also committing to meaningful wastewater system improvement by reducing its sewage spill rate and funding roughly \$18 million in collection and treatment system upgrades over the next decade.

Specific projects outlined in the agreement include:

- Replacing or upgrading the Fletcher Water Treatment Plant’s UV system to protect against E. coli pollution.
- Rehabbing or replacing miles of the “Mercedes” sewage line.
- Replacing or upgrading sewage lift stations 39, 40, and 41 with permanent pumps.
- Upgrading sewage lift station 42.
- Completion of additional studies including a Hydraulic Model Update and an engineering plan; evaluations of the clarifiers, problematic sanitary sewer overflow (SSO) locations, and all lift stations including 13 and 18; and an update to the CMOM (Capacity Management Operations and Maintenance) Program.

“Tuscaloosa’s commitments to reduce untreated sewage overflows and upgrade its wastewater treatment plant are necessary first steps toward achieving Clean Water Act permit compliance,” said Nelson Brooke, Black Warrior Riverkeeper. “We will be monitoring Tuscaloosa’s progress, and we’re encouraged by the city’s promise to properly notify the public when their sewage spills reach creeks, lakes, and the river.”

“These upgrades are meaningful and will help safeguard Hurricane Creek’s water quality,” said John Wathen, Hurricane Creekkeeper. “I am grateful the city plans to take action and make improvements that will make the water safer for families that recreate in Hurricane Creek.”

“This is truly a step in the right direction, and these upgrades will significantly improve Tuscaloosa’s sewage system,” said Sarah Stokes, a senior attorney in SELC’s Alabama office. “This agreement shows the power of having clean water advocates at the table when ADEM and other regulators are making decisions.”

Over decades, Tuscaloosa’s sewer system fell into disrepair, including broken sewage pipes, leaking manholes, and pump station failures. Because of these issues, rainwater enters and overwhelms the system, creating sewage overflows. Over 42 million gallons of untreated sewage and industrial waste have spilled into Tuscaloosa’s streets, backyards, and streams since 2017.

In July 2023 the groups [notified](#) the city and ADEM of Clean Water Act and Alabama Water Pollution Control Act violations, and their intent to file a federal lawsuit in 60 days. ADEM filed a state [lawsuit](#) in Circuit Court before that 60 day period ended, preventing Black Warrior Riverkeeper and Friends of Hurricane Creek from filing federal litigation. The Circuit Court agreed to let the groups intervene in ADEM’s case.

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The Southern Environmental Law Center is one of the nation’s most powerful defenders of the environment, rooted in the South. With a long track record, SELC takes on the toughest environmental challenges in court, in government, and in our communities to protect our region’s air, water, climate, wildlife, lands, and people. Nonprofit and nonpartisan, the organization has a staff of 200, including more than 130 legal and policy experts, and is headquartered in Charlottesville, Va., with offices in Asheville, Atlanta, Birmingham, Chapel Hill, Charleston, Nashville, Richmond, and Washington, D.C. selc.org

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. BlackWarriorRiver.org

The Friends of Hurricane Creek’s mission is to promote the protection and rehabilitation of Hurricane Creek and its watershed. John Wathen, Hurricane Creekkeeper, leads the nonprofit organization’s environmental enforcement program. facebook.com/groups/FriendsofHurricaneCreek/