

For Immediate Release:  
June 2, 2026

Contact:

Eva Dillard, staff attorney, Black Warrior Riverkeeper: 205-458-0095,  
[edillard@blackwarriorriver.org](mailto:edillard@blackwarriorriver.org)

### **Black Warrior Riverkeeper Settles Pollution Permit Appeal at Swann's Crossing Mine**

*Birmingham, AL*— Today, Black Warrior Riverkeeper announced the settlement for their appeal of the pollution permit at Swann's Crossing Mine in Tuscaloosa County. The clean water advocacy organization had filed an appeal to contest a National Pollutant Discharge Elimination System (NPDES) permit that the Alabama Department of Environmental Management (ADEM) issued to Southland Resources for the coal mine in Brookwood, Alabama.

On March 18, 2024, ADEM issued a final NPDES permit for the mine which authorized the discharge of pollutants into tributaries of Daniel Creek, a tributary of the Black Warrior River. Daniel Creek is impaired for total dissolved solids (TDS) and is on Alabama's § 303(d) List of impaired waters.

Because the analysis performed by ADEM concluded that the mine's discharge of TDS had the reasonable potential to contribute to a violation of water quality standards for TDS in Daniel Creek, ADEM imposed a water quality-based effluent limit for TDS in that first permit, as is required by the Clean Water Act.

However, when the mine was unable to meet the TDS limit, six months later ADEM proposed to eliminate the TDS limit entirely in a second permit. When Black Warrior Riverkeeper objected, ADEM issued a third permit for Swann's Crossing July 17, 2025 that eliminated some, but not all, of the mine's TDS discharges to Daniel Creek. ADEM's final permit imposed no TDS limitation on the mine's remaining discharges to Daniel Creek, so Black Warrior Riverkeeper filed the appeal.

Rather than try to resolve their differences in an administrative proceeding before the Alabama Environmental Management Commission, the board which oversees ADEM, the parties instead agreed to a water quality-based effluent limitation for TDS in the permit for the mine's remaining discharges to Daniel Creek. Southland also agreed to reclaim and remove certain outfalls from the mine that formerly discharged to Daniel Creek.

Southland will file a permit modification application that reflects this agreement. ADEM will issue a revised NPDES permit.

“Specific, measurable, enforceable limits on the pollutants that enter our waterways are perhaps the greatest tool created by the Clean Water Act for reducing pollution, repairing water quality, and ensuring that our rivers and streams are clean for future generations,” said John Kinney, staff scientist at Black Warrior Riverkeeper. “This settlement will ensure that Daniel Creek retains that protection.”

“From the appeal’s inception, Southland was willing to work with us and ADEM on a compromise permit that would be protective of Daniel Creek,” added Eva Dillard, staff attorney at Black Warrior Riverkeeper. “Given the extensive impacts to Daniel Creek from past coal mining, we are pleased we were able to reach an agreement that will curb further TDS pollution.”

For a copy of the settlement agreement, [click here](#).

For a photo of Daniel Creek entering the Black Warrior River, [click here](#). Daniel Creek has been polluted by numerous coal mines over the years. It is on Alabama’s § 303(d) List of impaired waters. Photo by Nelson Brooke, Black Warrior Riverkeeper. Flight by [SouthWings.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.