



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Citizen Suit Enforcement: Environmental Integrity Project Notice of Intent to Sue Baltimore, Maryland Facility for Alleged Clean Water Act Violations

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The Environmental Integrity Project ("EIP") sent a February 1st Notice of Intent to Sue ERAMET and Erachem Comilog, Inc. (collectively, "EC") for alleged Clean Water Act ("CWA") violations.

The February 1st letter alleges ongoing CWA violations at EC's manganese ore refining facility in Baltimore, Maryland.

The alleged violations involve discharges from an outfall to Arundel Cove and Curtis Creek. Arundel Cove is stated to be a tributary of Curtis Creek, which drains into the Patapsco River. The waterbodies are classified as waters of the United States and within the Chesapeake Bay watershed.

The discharges are alleged to be in violation of the terms and conditions of the EC plant's CWA National Pollutant Discharge and Elimination System permit.

The violations are summarized in the letter as including:

- Failure to comply with the permit's annual Maximum Loading Rate limit for total nitrogen
- Failure to demonstrate that the facility's optimizing its nutrient control capability
- Failure to comply with the Administrative Consent Agreement's interim performance standard for total nitrogen
- Failure to comply with the Maryland Department of Environment approved final plan and schedule as per the Administrative Consent Agreement
- Failure to operate and maintain

EIP references the "citizen suit" provision of the CWA in regards to its ability to file an action in United States District Court in addressing the alleged violations.

[Click here to download a copy of the February 1st letter.](#)