Hattiesburg breaks down cost, impact of changing wastewater systems

Published: Wednesday, August 3rd 2016, 1:19 pm CDT
Updated: Monday, August 15th 2016, 9:12 pm CDT

By Amanda LaBrot, Reporter

HATTIESBURG, MS (WDAM) - Hattiesburg is explaining the cost for residents for the city to switch from a land application wastewater treatment system to a mechanical one.

The Hattiesburg City Council voted Tuesday to abandon all efforts to build a wastewater spray field and instead move forward to complete plans to build a mechanical system to treat the city’s wastewater, but the city said it is not changing its plan to increase water and sewer rates. The council originally approved the rate hike to pay for the land application system, but said higher rates are still needed to fund this project.

"The engineers have said this all along, regardless of what you choose, you're looking at $120 to $140 million roughly for either system, and those require rate increases," said Keith Turner, attorney for Hattiesburg's wastewater litigation.

Hattiesburg resident Paula Carson said she noticed a major jump in her most recent bill.

"The water bill, they say they doubled," Carson said. "Mine's jumped from $97 to $205. I'm disabled. My mom is disabled, and we've got to pay around the clock to get these bills paid. This bill really stung me. I can't believe the city is doing this."

Turner said it is common in cities across the country.

"The entire country, cities similar to Hattiesburg around the country are struggling with this exact same difficulty, which is how do we pay for wastewater treatment that is being mandated that it be implemented by both federal and state requirements?" Turner said. "It's a lot of challenges."

One of the challenges is meeting completion deadlines set by state and federal agencies. Hattiesburg missed a May 1, 2016, construction deadline set by the Mississippi Department of Environmental Quality (MDEQ), which comes with a $1,500 per day fine.

MDEQ said it has not billed Hattiesburg for that fine yet, but Carson said she does not think she should be funding a project before plans are solidified.

"If they (haven't) found (a) place for it, why are they charging us already?" she asked. "I really don't like how the city is doing disabled people and people with low income."

Turner said the city also will not meet the mandated 2018 completion deadline, which has a $2,000 per day fine, because the treatment plans keep changing.

"We're going to be having a conversation with DEQ and with GRN (Gulf Restoration Network) because they're involved in that litigation also about revising scheduling," Turner said. "Obviously, it has to be considered because it doesn't matter what we do at this point, we're not going to be able to make the 2018 deadline. So we're going to have to revisit that. So we're going to be asking for some consideration to allow us to revise that schedule and not have penalties begin in 2018."

As for what the change of treatment system means for an appeal filed by Groundworx to the Mississippi Supreme Court after a judge ruled the company's contract unconstitutional, Turner said he is not representing the city in that matter, but does expect the city's change will spur some movement.

"We've asked Groundworx and they agreed, (so) it's been on hold," Turner said. "There's been a stay up there for all this period of time. I would assume, I don't know for sure, but I would assume that stay will be lifted now in the next week, few weeks or month."
Recommended by

C. On or before February 28, 2017, construction of the “no-discharge” system shall be complete. Respondent shall certify to Complainant completion of construction within ten (10) business days after completion.

If Respondent fails to meet any of these milestone deadlines listed in subparagraph A-C of this paragraph, Respondent shall pay to Complainant a stipulated penalty of $1,500.00 per day until Respondent completes the action(s) required by the deadline.

If Respondent fails to demonstrate compliance with the “Phase II” permit effluent limitations by the May 31, 2017, deadline, Respondent shall pay to Complainant a stipulated penalty of $2,000.00 per day until Respondent demonstrates compliance with the “Phase II” limitations. Respondent shall demonstrate compliance with the “Phase II” limitations in accordance with the provisions of NPDES Permit No. MS90020303.

5.

In the event that the contract between Respondent and Groundworx, LLC is terminated or otherwise does not move forward, it is probable that Respondent will not meet the May 31, 2017, deadline to demonstrate compliance with the Phase II effluent limitations. Accordingly, in the event that the contract between Respondent and Groundworx, LLC is terminated or otherwise does not move forward and it becomes necessary for Respondent to design and construct an alternative wastewater treatment system, the May 31, 2017, deadline shall be extended to September 1, 2018.

In the event that the contract between Respondent and Groundworx, LLC is terminated or otherwise does not move forward, in order to ensure Respondent progresses appropriately toward the extended Phase II compliance deadline of September 1, 2018, the following milestone deadlines shall apply:

A. On or before September 1, 2015, Respondent shall submit to MDEQ construction

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