Hattiesburg, MS Sues Hercules Over Pollution

The Associated Press

HATTIESBURG, Miss. (AP) — The City of Hattiesburg is suing Hercules Inc. and parent company Ashland Inc., claiming groundwater contamination from a closed factory may leach into the city's water supply.

The city filed suit Thursday in federal court in Hattiesburg.

"The city is exercising its right and taking the opportunity to protect its citizens and protecting revenues it may cost to deal with this contamination," City Attorney Charles Lawrence told the Hattiesburg American. (http://hatne.ws/16Dtbj2 [1])

Ten residents and a church sued in October, alleging pollution in nearby neighborhoods. The company, the Mississippi Department of Environmental Quality and the U.S. Environmental Protection Agency have been testing for pollution at wells within a half-mile radius of the former chemical plant as well as on the site.

Gary Rhodes, a spokesman for Ashland, says the company is reviewing the lawsuit.

"We will continue to work cooperatively and constructively with MDEQ and EPA," Rhodes wrote in an email Monday. "We will also continue to share information with the local community about our progress and proposed plans for the site. Hercules is committed to a safe and effective cleanup of the former plant that is protective of the health of the community."

"For approximately 90 years, Hercules used, generated and disposed of a virtual toxic soup of contaminants from the facility without taking adequate measures to avoid contaminating groundwater, surface water soils and sediments," states the suit. "Defendants now intend to leave the mess that it made in place so that current and future generations of Hattiesburg residents will bear the costs of its irresponsible behavior toward the environment."

The suit states that the contamination continues to spread from the plant into the nearby air, groundwater and soil.

The shallow groundwater beneath the facility is found between 5 to 22 feet below surface. It is separated from the aquifer the city draws its drinking water from by a thick layer of clay, the complaint states.

The suit cites contaminated water samples taken from a private well in the same aquifer in arguing that the clay does not provide a complete hydraulic barrier for the contaminants. It says that benzene, carbon tetrachloride, trichloroethylene and vinyl chloride have been found in the same water-bearing zone that city wells use.

The suit demands that Ashland pay the cost of cleaning up and monitoring, as well

as pay the city punitive damages and hand over any profits it or Hercules made from failing to treat wastes. The city also wants the court to order a cleanup.

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