Exhibit No.:

Issue: Systems features and

capacity

Compliance with regulatory and engineering standards

Witness: David G. Krehbiel

Sponsoring Party: Big Island Water & Sewer

Company, Inc.

Case No.: Case No. WO-2007-0277

Joined for hearing with Case No. WC-2006-0082

BIG ISLAND WATER & SEWER COMPANY, INC.

Case No. WO-2007-0277 **Joined for hearing with** Case No. WC-2006-0082

REBUTTAL TESTIMONY

OF

DAVID G. KREHBIEL

Camdenton, Missouri February, 2007

2	Q.	Please state you name and your business address.
3	A.	My name is David G. Krehbiel and my business address is 63 Blair Ave.,
4		Camdenton, MO 65020.
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6	Q.	Are you the same David Krehbiel who filed written direct testimony in this
7		matter?
8	A.	Yes, I am.
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10	Q.	Explain the purposes of your rebuttal testimony.
11	A.	I will be addressing portions of the direct testimony filed in this case by Ben
12		Pugh.
13		
14	Q.	On page 4 of Mr. Pugh's rebuttal he refers to the relocated water main and
15		its position below a sewer main on an incline. Does the location of the sewer
16		main pose a risk of contamination of the water supply?
17	A.	No, there is no risk to public health because of the location of these lines. The
18		relocation of the water main is in full compliance with the regulations of DNR
19		and otherwise in accord with applicable engineering standards. The required
20		separation of the water line and the sewer line has been achieved. To accept what
21		seems to be Mr. Pugh's logic, that no water line should be installed below a sewer
22		line, is simply not practical in the field,where topography, soil or rock

DAVID KREHBIEL REBUTTAL

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- 1 conditions must be considered--and both DNR and professional engineers
- 2 understand this. Additionally, refer to my direct testimony at page 5, line 20.
- Q. On page 5 of his testimony, Mr. Pugh discusses the minimum distance between a public water supply and wastewater treatment plants. He claims that the Big Island facilities are not in compliance with applicable regulations. Were the Big Island well and the wastewater treatment plant
- 8 designed, constructed and separated in accordance with regulation?
- 9 A. Yes. Mr. Pugh refers to a Missouri Department of Health schedule but it is 10 unclear when that chart was, or is still, effective. The regulation which I consider 11 superior to the Department of Health is the one I referred to in my direct 12 testimony, DNR regulation 10 CSR 20-8.020 (11) (A) 3. That regulation applied 13 to the construction of the facilities. To repeat, the well and the wastewater 14 treatment system on Big Island are separated by more than 100 feet. In fact, the 15 well structure and the discharge point for the treatment plant effluent are 16 separated by more than 300 feet. As Mr. Pugh admits, the design and the 17 construction of these facilities was approved and accepted by DNR. I know of no 18 citation by any health agency as to the location of the well and wastewater 19 treatment facility. The facilities are in compliance with the DNR Design Guide 20 and again, are otherwise compliant with applicable engineering standards.
  - Q. On pages 5-7 of Mr. Pugh's rebuttal testimony he lists what he believes are notices of violation issued by DNR. Have you compared his list with Ms.

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## Brunk's testimony on the same subject and has she set out the enforcement

## history correctly?

A. Yes, I believe she has. Mr. Pugh appears to raise matters in his testimony which are not notices of violation of DNR regulations. On page 5, the item he identifies as "1." was a violation review and involved the circumstances which led to a notice of violation respecting water and sewer lines sharing the same trench. The item he marks as "3." is a Camden County road and bridge matter unrelated to DNR regulations. The disposal of the roofing material referred to in item "4." on page 7 is a solid waste disposal issue, not a water quality issue. Mr. Pugh claims that the developer violated a section of the Settlement Agreement, which Ms. Brunk has attached to her testimony, but my understanding is that DNR has closed out the Settlement Agreement as having been fully complied with. Under "6." Mr. Pugh reports on an inspection done by DNR none of which involve notices of violations but rather matters observed in the field, all of which were rectified to DNR's satisfaction and concern minor issues unrelated to the core operation of the water and sewer systems on the Island. The item marked as "7." involved a mistake on the part of the construction crews. That error is explained in Ms. Brunk's testimony. The matter was resolved. Under the item marked "8." Mr. Pugh raises four purported violations of regulations but these are not "notices of violation" under DNR procedures. Mr. McDuffey in his separate surrebuttal will address three of them. As for the fourth, marked as "d." that is a duplicate of the notice of violation Mr. Pugh identified as "7." and which I just explained.

Rebuttal Testimony David Krehbiel February 16, 2007 Page 4

- 1 Q. Does this conclude your rebuttal testimony?
- 2 A. Yes.