

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 <b>Joined for hearing with Case No. WC-2006-0082</b>

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



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.

3

4 **Q. On page 5 of his testimony, Mr. Pugh discusses the minimum distance**  
5 **between a public water supply and wastewater treatment plants. He claims**  
6 **that the Big Island facilities are not in compliance with applicable**  
7 **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.

21

22 **Q. On pages 5-7 of Mr. Pugh's rebuttal testimony he lists what he believes are**  
23 **notices of violation issued by DNR. Have you compared his list with Ms.**

1           **Brunk’s testimony on the same subject and has she set out the enforcement**  
2           **history correctly?**

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

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