

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of)
)
)
UWUA LOCAL 335 Complainant) WR-2007-0216
and)
)
Missouri American Water Respondent)

AFFIDAVIT OF ALAN RATERMANN

STATE OF MISSOURI)
) ss
COUNTY OF ST. LOUIS)

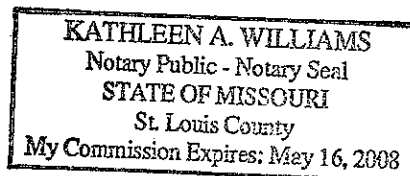
Alan Ratermann, of lawful age, on his oath states: that he has participated in the preparation of the following Rebuttal Testimony in question and answer form, consisting of 5 pages of Rebuttal Testimony and attached exhibits to be presented in the above case, that the answers in the following Rebuttal Testimony were given by him; that he has knowledge of the matters set forth in such answers; and that such matters are true to the best of his knowledge and belief.

Alan Ratermann
Alan Ratermann

Subscribed and sworn to before me this 13th day of July, 2007.

Kathleen A. Williams
Notary Public

My commission expires 5-16-2008



REBUTTAL TESTIMONY
OF
ALAN RATERMANN
SUBMITTED ON BEHALF OF UWUA LOCAL 335
MISSOURI-AMERICAN WATER COMPANY
CASE NO. WR-2007-0216, et al.

1 **Q. Please identify yourself and your job title.**

2 **A.** My name is Alan Ratermann. I am a lead person in the construction department
3 at Missouri American Water Company. I am also the President of Utility
4 Workers Union of America, Local 335 ("UWUA Local 335"). My union
5 represents more than 400 workers at Missouri American Water Company.

6 **Q. Please describe your history with Missouri American Water Company and**
7 **UWUA Local 335.**

8 **A.** I have worked for Missouri American Water Company for fifteen and one-half
9 years. I am in my third term as President of UWUA Local 335. I was also Vice
10 President for six years and served on the negotiating committee three times. In
11 addition, until recently I was a member of the National Executive Board of the
12 UWUA for all UWUA locals representing water and waste workers across the
13 country.

14 **Q. On whose behalf are you presenting this testimony?**

15 **A.** I am testifying on behalf of UWUA Locals 335 and 455. Local 455 is a sister
16 local which represents Missouri American Water Company employees working in
17 St Charles County.

1 **Q. What is the purpose of this testimony?**

2 A. My area of concern is the health and safety of consumers and employees of
3 Missouri American Water Company and insuring that adequate funds from the
4 requested rate increase are allocated to address these health and safety issues. The
5 Union is aware that the Company has a significant amount of asbestos-cement
6 pipe in use. Such pipe is quite old and frequently needs repair. The result is that
7 employees of Missouri American Water Company are sawing directly into
8 asbestos pipe. Sawing into the asbestos-cement pipe creates asbestos dust and
9 slurry (asbestos dust mixed with water).

10 **Q. Why does that concern you?**

11 A. Two reasons. First, the life-threatening hazards of asbestos exposure are well-
12 known, and we are concerned for the safety of utility workers working on the
13 asbestos-cement pipes. These workers are not given adequate training to work
14 safely around asbestos-cement piping. For example, in my 12 years in the
15 construction department, I have never been offered a class on safely cutting
16 asbestos-cement pipe. Second, the asbestos dust and slurry may contaminate the
17 water system. Much of the asbestos dust and slurry created by sawing into a pipe
18 falls back into the pipe itself. Depending on the type of work being performed,
19 the amount of dust and slurry created can be substantial. This source of asbestos
20 is in addition to the asbestos already in the water from naturally occurring sources
21 and from the normal decay of the asbestos-cement pipe. In effect, asbestos is
22 entering into the water system and being ingested by the general public.

23 **Q. Do you believe this to be a health hazard to the public?**

1 A. Yes. The Environmental Protection Agency already regulates the quantity of
2 asbestos in the water supply. Moreover, a research paper disseminated by the
3 National Institute of Environmental Health Sciences, states: "The work group
4 believes that the cancer risk associated with asbestos ingestion...should not be
5 discounted, and ingestion exposure to asbestos should be eliminated whenever
6 possible." Attached and incorporated here as Exhibit 1 is a true and accurate copy
7 of that research paper, "Report on Cancer Risks Associated with the Ingestion of
8 Asbestos." 72 ENVIRON. HEALTH PERSPECT. 253 (1987). It is not clear whether
9 any EPA testing of the water supply of Missouri American Water Company
10 occurs before or after the water flows through the asbestos-cement piping. We
11 believe that in the interests of public safety Missouri American Water Company
12 should have an ongoing program to remove all asbestos-cement pipe from the
13 ground as quickly as possible.

14 **Q. Has Missouri American Water notified its customers that they may be**
15 **consuming asbestos when they drink tap water?**

16 A. To my knowledge, as an employee and a customer of Missouri American Water
17 Company, they have not.

18 **Q. Does Missouri American Water have an ongoing program aimed at removing**
19 **asbestos-cement pipe?**

20 A. To my knowledge they do not.

21 **Q. What is the Company's stated position with regard to the removal of**
22 **asbestos-cement pipe?**

1 A. The Occupational Safety and Health Administration (OSHA) is currently
2 conducting an investigation of the asbestos piping utilized by Missouri American
3 Water Company. Lynn McClanahan, the Company's Manager of Safety and Risk
4 Management, has taken the position that the ingestion of asbestos poses no risks
5 to the general public. However, the OSHA inspector present when Ms.
6 McClanahan made the above statement disagreed with her position. Doug Willis,
7 President of UWUA Local 455 was the source of this information. Therefore, it
8 seems that the Company's position is contrary to that of OSHA and the scientific
9 community.

10 **Q. Do you have any other concerns regarding the piping utilized by Missouri**
11 **American Water Company?**

12 A. Yes. It is possible that some of the pipe is lead-jointed. We have asked the
13 Company whether lead-jointed pipe is in use, but have not yet received a
14 response. Attached and incorporated here as Exhibit 2 is a true and accurate copy
15 of the July 2, 2007 information request to the Company from Doug Wills. If it
16 does exist, such piping should also be replaced as quickly as possible. The public
17 health hazard resulting from lead in the water system has been well documented.

18 **Q. Do you have any recommendations to this Commission with regard to**
19 **asbestos-cement and lead-jointed piping?**

20 A. Yes. While we have no interest in seeing Missouri American Water Company's
21 rates increase any more than absolutely necessary, we believe that a proportion of
22 its ultimate rate increase should be dedicated to establishing a program for the
23 expeditious removal of asbestos-cement piping, and, should it exist, lead-jointed

1 piping. I feel that such a program is necessary to protect the safety of Missouri
2 American Water Company employees and the public as a whole. We also believe
3 a portion of the rate increase should be directed to training employees to safely
4 work around asbestos-cement piping.

5 **Q. Does that conclude your testimony?**

6 **A. Yes.**