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October 13, 1999 -- Total pages: 17 --

RE Warren County Water and Sewer Co. -- Incline Village

The pages following are a stipulation, and an order from the Commission, which granted authority for Warren County Water and Sewer Company to provide utility service, and also granted an addition to what was an existing service area. The previous utility was Gary Smith operating as an individual with the fictitious name Incline Water and Sewer Company.

Gary Smith had acquired the utility systems in approximately 1991. Prior to that, the water and sewer utilities were operated by Incline Village Water Company, Inc., and Incline Village Sewer Company, Inc., which were corporations owned by the original developers of Incline Village subdivision.

This latest acquisition, and expansion, had a new water storage tank as an issue. As you probably are aware, the new tank still not constructed today, and thus by the terms of this stipulation the expanded service area is canceled. We recently submitted a report to the Commission about the status of the storage tank. If you need more information about the tank issue, or need more detail about the history of utility service in this area please contact me.

Jim

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 18th
day of June, 1998.

In the Matter of the Application of)
Gary L. Smith d/b/a Incline Water &)
Sewer Company to Sell and Transfer)
its Franchise, Works or System to) Case No. WA-96-449
Warren County Water and Sewer Company,)
a Missouri Corporation, and to Expand)
its Operating Area, and for Such Other)
Related Matters.)

ORDER APPROVING STIPULATION AND AGREEMENT

On June 21, 1996, Gary L. Smith d/b/a Incline Village Water and Sewer (Incline) and Warren County Water and Sewer (WCWS) filed a joint application for authority to sell and transfer Incline's franchise, works, and system to WCWS. In addition, WCWS seeks a certificate of public convenience and necessity to provide service in Incline's currently certificated area, as well as in unincorporated areas of Warren, Lincoln, and St. Charles Counties (Extended Area). In support of its application, Incline filed testimony of four witnesses. The Staff of the Commission (Staff) filed testimony of one witness that supported most aspects of the application.

On January 7, 1998, the parties filed a unanimous stipulation and agreement, attached hereto as Attachment A, that resolved all the issues. The stipulation reflects that the parties are in agreement that the Commission should: a) grant Incline a certificate of convenience and necessity to provide water service in the Extended Area; b) authorize Incline to transfer its utility assets to WCWS; and c) grant WCWS a certificate of convenience and necessity to provide water and sewer service

in Incline's service territory. On February 4, Staff filed suggestions in support of the stipulation. Staff states that the transfer of assets from Incline to WCWS is not detrimental to the public interest. Staff also states that the conditional grant of authority to serve the extended area contemplated in the stipulation is in the public interest.

The stipulation provides that Incline should be conditionally granted a certificate to provide water service in the extended area. There is a need to provide water for current residents now getting water from wells, future residents, and fire protection. The Commission finds that granting Incline a certificate to provide water service in the extended area is necessary and convenient.

The Commission further finds that the conditions that the stipulation will place on Incline are reasonable. The stipulation provides that the certificate granted to Incline to serve the Extended Area is conditioned upon Incline or WCWS constructing a water storage tower in accord with a specified construction schedule. Since the ability to serve the Extended Area properly is partially dependent on the storage and pressure the tower will provide, the authority to serve the Extended Area should be contingent on the completion of the tower. The stipulation provides that the transfer will not affect rates for service. All of the assets currently used to provide service to the public will still be so used, albeit under a different ownership structure. The Commission finds that allowing the transfer of assets from Incline to WCWS is not detrimental to the public interest and should be allowed. It follows that WCWS should be granted a certificate of convenience and necessity for the area formerly served by Incline.

Although the stipulation does not mention it, the Commission finds that the certificate of authority to provide water and sewer service

held by Incline, and the tariffs pursuant to which it provides service, should be canceled on the date that tariffs filed by WCWS become effective. This will ensure that only one regulated utility holds a certificate to serve in the area. All the utility assets held by Incline are being transferred to WCWS, and the entirety of Incline's service area will be served by WCWS. When the Commission approves WCWS's tariffs, it will simultaneously cancel Incline's certificate of authority.

IT IS THEREFORE ORDERED:

1. That the Stipulation And Agreement, marked as Attachment A to this Order and incorporated herein, is hereby approved.

2. That the authority to serve the expanded territory sought herein is conditionally granted to Gary L. Smith d/b/a Incline Village Water and Sewer and shall not be exercised until such time as the water tower is constructed and operational in accord with the construction schedule set forth in Attachment A, and this authority shall be canceled if each of the conditions set forth in paragraph 32 of Attachment A are not satisfied.

3. That Gary L. Smith d/b/a Incline Village Water and Sewer is authorized to sell, transfer and assign its franchise, works or system to Warren County Water and Sewer pursuant to the terms and conditions contained in Attachment A hereto.

4. That Gary L. Smith d/b/a Incline Village Water and Sewer shall file a pleading with the Missouri Public Service Commission notifying the Commission of the closing date of the sale within ten days after completion of the transaction.

5. That Warren County Water and Sewer is granted a certificate of public convenience and necessity to provide water and sewer

service in the current service territory of Gary L. Smith d/b/a Incline Village Water and Sewer, and water service in the Extended Area as described in the Application, but is not authorized to provide service until the effective date of the tariffs filed pursuant to Ordered paragraph 6 herein and approved by this Commission.

6. That Warren County Water and Sewer shall file with the Commission tariff sheets, with an effective date that is: a) at least 30 days after the issue date; and b) the same as the date of the sale and transfer of assets, adopting the same rates, terms, and conditions as in the currently effective tariffs of Incline Village Water and Sewer, and describing its service territory for water service as the current service territory of Gary L. Smith d/b/a Incline Village Water and Sewer plus the Extended Area as described in the Application, and describing its service territory for sewer service as the current service territory of Gary L. Smith d/b/a Incline Village Water and Sewer.

7. That Gary L. Smith d/b/a Incline Village Water and Sewer's tariffs shall be cancelled on the effective date of the tariffs filed pursuant to Ordered paragraph 6 herein and approved by this Commission.

8. That this order shall become effective June 30, 1998.

BY THE COMMISSION

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Drainer,
Murray and Schemenauer, CC., concur.

Mills, Deputy Chief Regulatory Law Judge

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

JAN 6 7 1998

MISSOURI
PUBLIC SERVICE COMMISSION

In the Matter of the Application of Gary L.)
Smith d/b/a Incline Water & Sewer Co. to)
Sell and Transfer its Franchise, Work or)
System to Warren County Water and Sewer)
Company, a Missouri corporation, and to)
Expand its Operating Area, and for Such)
Other Related Matters.)

Case No. WA-96-449

STIPULATION AND AGREEMENT

PROCEDURAL HISTORY

On June 21, 1996, Gary L. Smith d/b/a Incline Water & Sewer Co. (hereinafter "Incline") and Warren County Water and Sewer Company (WCWS) filed a joint application for authority to sell and transfer Incline's franchise, works, and system to WCWS. In addition, Incline and WCWS applied for authority to provide water service to an additional unincorporated area located adjacent to the utility's current certificated territory.

The Commission has granted the timely application to intervene of the Trustees of Incline Village, (hereinafter "the Trustees"), a residential subdivision.

Pursuant to the several procedural schedules which have been entered in this matter, Incline filed the written testimony of the following witnesses:

Witnesses sponsored by Incline

Witness	Testimony	Date Filed
Gary L. Smith	Direct	April 7, 1997
Gary L. Smith	Surrebuttal	October 10, 1997
Robert E. Vogler	Direct	April 7, 1997
Larry Zahone	Direct	April 7, 1997

and Staff filed the written rebuttal testimony of Mr. James A. Merciel, Jr. on May 22, 1997.

The Trustees are prepared to offer evidence to the Commission in this cause, including the following:

1. Deposition of Gary L. Smith, taken May 20, 1997 in this proceeding;
2. Deposition of Gary L. Smith, taken July 17, 1997 in Cause No. CV597-134CC, Circuit Court of Warren County, Missouri;
3. Trial Testimony of James A. Merciel, Jr., offered September 5, 1997, in Cause No. CV597-134CC, Circuit Court of Warren County, Missouri;
4. Trial Testimony of Robert E. Vogler, offered September 5, 1997, in Cause No. CV597-134CC, Circuit Court of Warren County, Missouri.

On October 23, 1997, Smith filed a Motion for an Order to Show Cause and Motion Regarding Use of Depositions and Transcriptions in Collateral Proceedings which challenged the unrestricted use of the above-described depositions and transcripts of trial testimony.

For purposes of this action only, and for no other action or proceeding, the parties stipulate and agree that the following facts are true:

STIPULATED FACTS

I. *Transfer of Certificate to Warren County Water and Sewer Company*

1. Presently, the certificate to operate the water and sewer service is in the name of Gary L. Smith and the business is operated under a registered fictitious name of Incline Water and Sewer Company. (Smith Direct, page 1)
2. There are disadvantages to Gary L. Smith ("Smith") operating as a sole proprietorship which the corporate form will eliminate. (Smith Direct, page 1)

3. By the present application, Smith is requesting authority to transfer the certificate and the utility works and property to Warren County Water and Sewer Company (WCWS).

4. WCWS is a Missouri Corporation which has its principle place of business at 2615 Fairway Drive, Foristell, MO 63348. It was created on June 11, 1992 and is in good standing with the Missouri Secretary of State's Office. (Smith Direct, page 2)

5. Smith is the sole shareholder and president of the corporation. (Smith Direct, page 2)

6. WCWS has agreed to accept the transfer of the certificate and property of the utility upon receipt of final regulatory approvals. (Smith Direct, GLS Schedule 2)

7. The transfer has been proposed because corporate ownership provides a number of benefits, including easier separation of assets, liabilities, income and expenses, etc. of the utility from personal assets. Limited liability as a corporation, easier estate planning and continuation of operation in the event of death or disability, potential tax advantages of a separate return and greater availability of credit, easier transfer or purchase of assets are also benefits of corporate ownership. Furthermore, the holding of the certificate and franchise in Smith's name was intended to be only temporary, and the Staff of the commission has encouraged Mr. Smith to acquire the appropriate regulatory approval to transfer the certificate out of his name. (Smith Direct, page 2)

8. The transfer of the certificate and utility property to WCWS will not affect rates for service. (Smith Direct, page 2)

9. Staff has no objection to the transfer. (Merciel Direct, page 2)

10. The transfer is not detrimental to the public interest. (Merciel Direct, page 7)

II. *Proposed Expansion of Certificated Area*

11. The utility has requested by this application to expand its certificated area to include approximately 3 square miles of property located adjacent to the utility's existing certificated area.

A map outlining the area is attached to Smith Direct as GLS Schedule 3. (Smith Direct, page 3)

12. The proposed expanded area is generally undeveloped but Lincoln and Warren counties are growing at a rate of approximately 20% per year. The area is located in the Interstate 70 growth corridor and is readily accessible by several state and county highways. (Smith Direct, page 3)

13. There are four reasons why the area served and to be served by the utility should be increased.

a. *Present Need and Future Development*

14. First, even though the area described in GLS Schedule 3 is presently sparsely populated, the homeowners now living there are connected to wells the reliability and useful life of which are progressively decreasing. Within the next several years those homeowners will be required to find more permanent sources of clean water for their residences, and to date that alternative source is the utility water system and its improvements. Enlarging the certificated territory would be the first step in planning for that growth. (Smith Direct, page 3-4)

15. In order to provide for orderly expansion of the service area, and to prevent a web of service lines extending to current mains, it would be advisable to provide for orderly growth by planning expansion of mains. (Smith Direct, page 3-4)

16. Many of the homeowners in this area have expressed an interest in an expansion of mains for their properties and would pay for that improvement so that service will be available when it is ultimately needed. (Smith Direct, page 4)(Bruning Direct, page 1)

17. Second, it is anticipated that the area proposed to be added will draw more residents and hence more residential development. This in turn would mean a larger customer base at little or no cost to the utility. (Smith Direct, page 4)

18. This growth in residents will provide a potentially significant customer base at no cost to the utility. The increase in revenue would lessen the rate impact that current and proposed improvements and replacements/repairs will have on the current customer base. Expansion of the certificated area of the utility will allow the utility to negotiate with the developers of the area for capital contributions and will set the stage for orderly growth of the service system. (Smith Direct, page 5)

b. Future Storage Requirements

19. Third, the utility must anticipate the need for future storage requirements.

20. The construction of an elevated 100,000 gallon water tower and storage tank (the "Water Tower") is necessary for the health, safety and welfare of the public in the present service area, including the residents of the Incline Village subdivision. The utility has obtained an order in condemnation from the Warren County Circuit Court for the rights in property needed for construction of the water tower (Smith Surrebuttal, page 2)

21. The Water Tower is strongly recommended by the utility's engineers. (Vogler Direct, page 4) and by the staff (Merceil Trial Testimony in Cause No. CV597-134CC).

22. The proposed site for the Water Tower is located on a lot owned by the utility within Incline Village. Even considering the storage available in the Water Tower, the utility will have a need for additional storage and it must look for sites at which to construct another storage facility and possibly a new well. With a 1996 peak demand of 63,000 gallons, and a growth factor of approximately 20%, in 4 to 6 years it will be necessary to provide for additional storage even after

construction of the Water Tower. It is not likely that construction of this additional storage capability will be proposed in the current service area. The elevation of certain potential sites in the proposed new service area, and the central location of those potential sites, make them the logical locations for additional storage or additional well(s) in that 4 to 6 year projection. (Smith Direct, page 6).

c. Fire Protection

23. Fourth, there are fire protection and safety advantages.

24. The Wright City Fire Protection District provides service to the area in which the utility's water system is located. The District has requested water service to be extended from the utility's current lines at Highway WW and Fairway Drive to a new fire station the District has constructed at Highway WW and Highway J. (Zahone Direct, page 2)

25. Besides providing water to the fire house, the two mile stretch of line would, if constructed according to NFPA specifications, provide fire protection to numerous homes along that road. In addition, since this area of Warren and Lincoln Counties is rapidly growing, fire protection would also be provided to new homes as they develop. Currently, homes are on individual wells. The fire protection afforded by the wells is negligible. (Zuhone Direct, page 2)

III. Status of Recommended Improvements

26. The utility's engineer, Mr. Robert Vogler, and Staff witness James Merciel recommended that the utility construct or install certain other improvements to the facilities: a) a chlorination system; b) a splash device in the Water Tower to address aeration of the hydrogen sulphide (Vogler Direct, page 5-6); and c) a chemical iron sequestration system. (Merciel Rebuttal, page 4)

27. The utility has installed the chlorination system as of May, 16, 1997 as well as the chemical sequestration of the iron. (Smith Surrebuttal, page 3). The utility has agreed to the installation of the splash device which must wait until the Water Tower is constructed. (Smith Surrebuttal, page 3)

28. The utility has agreed to install 10 inch water mains for purposes of extending service into the proposed expansion area and to the fire district. (Smith Surrebuttal, page 5)

29. Expansion of the certificated area is reasonable and in the public interest given the installation and construction of the improvements to date.

STIPULATIONS REGARDING REQUESTS FOR RELIEF

30. Incline asserts, and no party opposes, that there is sufficient evidence from which the Commission can conclude that the authority requested in Incline's application is in the public interest and should be granted subject to the conditions later described.

31. Incline asserts, and no party opposes, that Incline's request for authority to transfer its assets, property and franchise to WCWS should be granted unconditionally.

32. The parties hereto agree that Incline's request for expansion of its certificated area, should be granted, conditionally however, upon Incline and/or WCWS' satisfaction of the following conditions:

A. Construction Schedule.

- (1) Within thirty (30) days of the effective date of the Report and Order issued in this matter Incline (or WCWS as the case may be) shall:
 - a. apply for construction permits from agencies having jurisdiction thereof for the Water Tower described by Mr. Robert E. Vogler in his direct testimony (See Vogler Direct, page 4); provided however, with respect to acquiring needed permits from Warren County, the application for such permit(s) shall be filed immediately after the construction

permit from the Missouri Department of Natural Resources has been issued;

- b. in connection with *In the matter of the application of Gary L. Smith, d/b/a Incline Water & Sewer Co. for authority to borrow an amount not to exceed \$155,000 in a private placement, and in connection therewith to execute a Promissory Note, Deed of Trust and any required Security Agreements and Financing Statements, Case No. WF-97-271, pending before this Commission, submit for MoPSC Staff review all documentation related to the proposed financing of the purchase and construction of the elevated water storage tank; and*
 - c. apply for all other permits and licenses required for construction and operation of the elevated storage tank.
- (2) Within 90 days after the effective date of the Report and Order issued in this matter, Incline and/or WCWS shall have obtained all permits, financing and licenses subject however to the provisions of subparagraph 5 below.
 - (3) Within one hundred eighty (180) calendar days after obtaining any and all required regulatory, local, county and state approvals, including the financing authority sought in Case No. WF-97-271, Incline shall erect the elevated water storage tank and place it into full operation.
 - (4) If the elevated water storage tank is not fully operational within the time set out in subparagraph (3) of this section, the conditional authority granted shall be canceled without prejudice however to refile in the future for such expanded territory.
 - (5) If Smith or WCWS are delayed at any time by any act or neglect of the Trustees, their agents contractors or employees, or by changes in the construction permits made after permit approval has been obtained, or by strikes, lockouts, fire, unusual delay in transportation, unavoidable casualties or any causes beyond Smith's and WCWS's control, or by delay authorized by the Missouri Public Service Commission or DNR, or any other agency having jurisdiction (hereinafter "government agencies"), or by any cause which government agencies shall decide to justify the delay, then the deadline for completion of any task imposed upon Smith and WCWS in this stipulation shall be extended for a reasonable time, but at least the length of the delay so caused.

- (6) Incline shall certify in writing regarding the filing of permit applications and shall file such certificate with the Commission.
- (7) When the elevated water storage tank is fully operational, Incline shall notify the Commission Staff and the Trustees in writing. Within 10 days of the notice Staff shall be permitted inspect the tank and its operations. Incline shall repair, modify or correct any condition which Staff reasonably believes is contrary to the specifications for the tank or impairs or adversely affects the operations of the tank. Upon the filing of Staff's certificate that the tank is erected in accord with specifications and is fully operational, and the same is filed on or before the deadline established in this schedule (or as extended), the conditional authority will become permanent.

33. The Commission's Order should state the foregoing conditions substantially as follows:

The authority to serve the expanded territory sought herein is conditionally granted and shall not be exercised until such time as the Water Tower is constructed and operational in accord with the construction schedule approved in this order. Such conditional authority shall be cancelled if each of the conditions set forth in paragraph 32 above are not satisfied.

34. The Trustees agree that they will not oppose, directly or indirectly, the request for financing of the elevated storage tank in Case No. WF-97-271 and will file with the Commission such documents that may be reasonably required by Incline to acquire Commission approval of a financing method in as short a time as administratively possible.

35. Furthermore, the Trustees agree that they will not oppose, directly or indirectly, any of Incline's applications for permits related to the construction, erection and operation of the elevated water storage tank.

36. This Stipulation and Agreement has resulted from extensive negotiations among the signatories and the terms hereof are interdependent. In the event the Commission does not adopt this Stipulation in total, then this Stipulation and Agreement shall be void and no signatory shall be bound by any of the agreements or provisions hereof. The Stipulations herein are specific to the

resolution of this proceeding, and all stipulations are made without prejudice to the rights of the signatories to take other positions in other proceedings.

37. In the event the Commission accepts the specific terms of this Stipulation and Agreement, the parties and participants waive, with respect to the issues resolved herein: their respective rights pursuant to §536.080.1, RSMo 1994, to present testimony, to cross examine witnesses, and to present oral argument or written briefs; their respective rights to the reading of the transcript by the Commission pursuant to §536.080.2, RSMo 1994; and their respective rights to seek rehearing pursuant to §386.500 RSMo 1994 and to seek judicial review pursuant to §386.510, RSMo 1994. The parties agree to cooperate with the Incline and with each other in presenting this Stipulation and Agreement for approval to the Commission and shall take no action, direct or indirect, in opposition to the request for approval of this Stipulation and Agreement.


38. The Staff may submit a Staff Recommendation concerning matters not addressed in this Stipulation. In addition, if requested by the Commission, the Staff shall have the right to submit to the Commission a memorandum explaining its rationale for entering into this Stipulation and Agreement. Each party of record and participant herein shall be served with a copy of any memorandum and shall be entitled to submit to the Commission, within five (5) days of receipt of Staff's memorandum, a responsive memorandum which shall also be served on all parties and participants. All memoranda submitted by the parties shall be considered privileged in the same manner as settlement discussions under the Commission's rules, shall be maintained on a confidential basis by all parties and participants, and shall not become a part of the record of this proceeding or bind or prejudice the party submitting such memorandum in any future proceeding or in this proceeding whether or not the Commission approves this Stipulation and Agreement. The contents of any memorandum provided by any party are its own and are not acquiesced in or

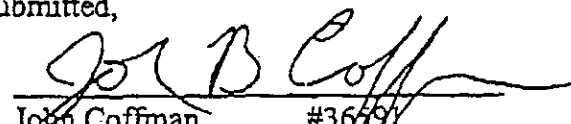
otherwise adopted by the other signatories to the Stipulation and Agreement, whether or not the Commission approves and adopts this Stipulation and Agreement.

The Staff shall also have the right to provide, at any agenda meeting at which this Stipulation and Agreement is noticed to be considered by the Commission, whatever oral explanation the Commission requests, provided that the Staff shall, to the extent reasonably practicable, provide the other parties and participants with advance notice of when the Staff shall respond to the Commission's request for such explanation once such explanation is requested from Staff. Staff's oral explanation shall be subject to public disclosure.


WHEREFORE, the signatories respectfully request the Commission to issue its Order approving the terms of this Stipulation and Agreement and issue its Order granting the authority as requested by Incline subject to the conditions described above.

Respectfully submitted,


Mark W. Comley #28847
Newman, Comley & Ruth P.C.
P.O. Box 537
Jefferson City, MO 65102-0537

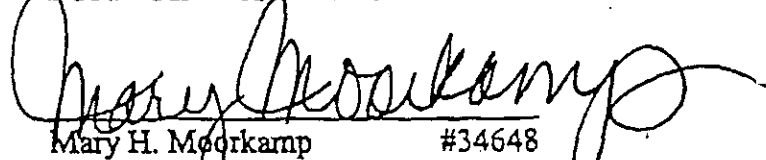

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FOR: Missouri Public Service Commission

FOR: Office of Public Counsel


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Stone, Leyton & Gershman, P.C.
7733 Forsyth Blvd., Suite 500
St. Louis, MO 63105

FOR: Trustees of Incline Village

COPY

IN THE CIRCUIT COURT OF WARREN COUNTY, MISSOURI

GARY L. SMITH d/b/a INCLINE
VILLAGE WATER AND SEWER CO.
and WARREN COUNTY WATER AND
SEWER CO., A MISSOURI CORP.,

Plaintiffs,

vs.

Cause No. CV597-134CC

JOHN KELLY, et al.,

Defendants.

and

DARWIN ZIMMERMAN, et al.,

Plaintiffs,

vs.

Cause No. CV597-213CC

GARY L. SMITH, et al.,

Defendants.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT

On July 1, 1997, the above-captioned causes were consolidated and by agreement of parties, Count I of Plaintiff's First Amended Petition in Cause No. CV597-134CC, being a Petition for Condemnation, and Plaintiff's Petition in Cause No. CV597-213CC seeking injunctive relief were continued to September 5, 1997, for hearing.

On September 5, 1997, the consolidated causes came on for hearing before the Court. Plaintiff Gary L. Smith d/b/a Incline Village Water and Sewer Company and Warren County Water and Sewer Company, a Missouri Corporation, appeared in person and with counsel. Defendant Trustees of Incline Village appeared by counsel.

Defendant's Motion to Dismiss Count I of Plaintiff's First Amended Petition for Condemnation was presented and denied.

Evidence was adduced as to the Petition of Incline Village for Injunctive Relief and as to the Petition of Incline Village Water and Sewer Company and Warren County Water and Sewer Company for Condemnation.

The causes were submitted and taken under advisement by the Court. Now, on this 25th day of September, 1997, the Court being fully advised in the premises enters its Findings of Fact, Conclusions of Law and Order.

PETITION FOR CONDEMNATION

The Court finds that Plaintiffs are authorized by law to condemn and appropriate lands, properties and rights for the purposes as set forth in Plaintiffs' First Amended Petition;

That the Plaintiffs have endeavored to agree with Defendants upon the proper compensation to be paid for the rights sought to be appropriated but that they cannot so agree; and

That the rights are being condemned for a public purpose, that being to facilitate construction of a water storage facility by the Plaintiffs, and that Plaintiffs have complied with all requirements of law.

It is therefore ordered that the properties and rights be and stand condemned for the uses and purposes as set out in Plaintiffs' First Amended Petition.

It is further ordered that _____,

_____ and _____

be and are hereby appointed Commissioners.

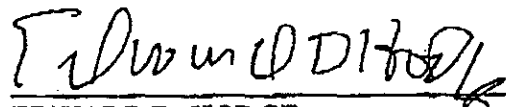
It is further ordered that said Commissioners shall forthwith meet, qualify according to law, view the property and forthwith return under oath to the Circuit Clerk such assessment of net damages, if any, which Defendants may sustain by reason of the appropriation setting forth the amount of net damages allowed said Defendants together with a description of the property for which such damage was assessed.

PETITION FOR INJUNCTIVE RELIEF BY TRUSTEES OF INCLINE VILLAGE

Plaintiff Trustees of Incline Village seek a mandatory injunction requiring Defendant restore Lots 392 and 393 of Plat 21 of Incline Village to the condition existing prior to the removal of trees and the construction of an entrance way by Defendant Gary L. Smith d/b/a Incline Village Water and Sewer Company.

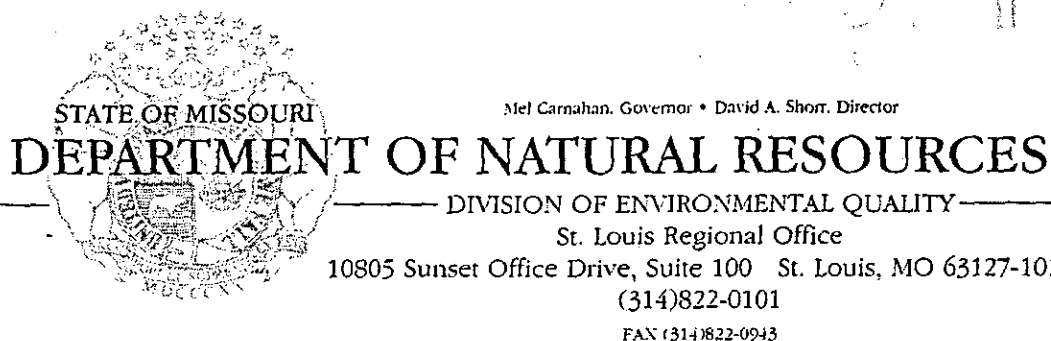
The Court, having authorized by this order the condemnation of the restrictions imposed by the Incline Village Indenture applicable to the lots described, concludes that the Petition for Mandatory Injunction should be denied. It is so ordered.

Costs taxed to Defendant Trustees of Incline Village.


EDWARD D. HODGE
Circuit Judge

Warren County (PDWP)
Incline Village Water & Sewer Co.

File



December 30, 1996

Mr. Gary Smith
Incline Village Water & Sewer Co.
1248 Mimosa Court
Foristell, MO 63348

Dear Mr. Smith:

This office has reviewed the most recent water usage information for the Incline Village public water system (ID# 6036149). Based on the data available, it appears that the current water storage does not adequately meet the average daily demand as is required by the Community Design specifications. During the previous 12 consecutive months, a total of 12,941,000 gallons were pumped for an average of approximately 35,500 gallons per day. The current water storage for the system is only 32,000 gallons, a shortfall of approximately 12½ percent. During the peak months of the summer, the average daily usage often ranged from 50,000 to 60,000 gallons daily, with a peak of 100,000 when water lines are flushed.

As previously mentioned, the Design Guide for Community Public Water Systems (7.0.1b) specifies: "The minimum storage capacity for systems not providing fire protection shall be equal to the average daily consumption." At the present time, the Incline Village water system could be considered moderately undersized in terms of finished water storage. However, with continued building within Incline Village, the water system may soon be seriously deficient with respect to available water storage, and may not be able to meet the daily demand during the peak summer months without a substantial loss of water pressure. For this reason, this office recommends that you consider planning now on adding to or increasing the storage capacity for the water system.

As a rule-of-thumb for estimating future water usage, you can estimate 100 gallons per person per day and an average of 3.5 to 3.75 individuals per home. For example, a development which will have 300 homes when completed will need approximately 105,000 gallons of finished water storage (300 homes X 3.5 people per home X 100 gallons per person = 105,000 gallons). You should note that this does not include fire flow. If you wish to provide for fire flow the amount of finished water storage would be greater. A review of the file for Incline Village indicates that

December 30, 1996

Page 2

approximately 13,200 lineal feet of six-inch diameter water mains were installed, with a minor amount of eight-inch mains. You will need to consult with your engineer to determine if these water lines are sufficient to provide fire flows. If they are adequate, he could then advise you on the amount of storage that would be required to satisfy the requirements of the Missouri State Insurance Services Offices to receive a satisfactory rating.

As always, engineering plans and specifications must be submitted with an application for a construction permit in duplicate by an engineer registered in Missouri. The engineers seal must be affixed to both sets of applications, plans, and specifications. An application for a construction permit is enclosed for your convenience. Your engineer should include in his report calculations on the estimated future demands on the system, as well as flow and pressure calculations if fire flow is to be provided.

If you have any questions, or if this office could be of any assistance, please feel free to contact me at the St. Louis Regional Office.

Sincerely,

ST. LOUIS REGIONAL OFFICE



Daniel Daugherty
Environmental Specialist

DJD/jh

c: Public Drinking Water Program
Public Service Commission

Enclosure

Water Usage and Loss Report

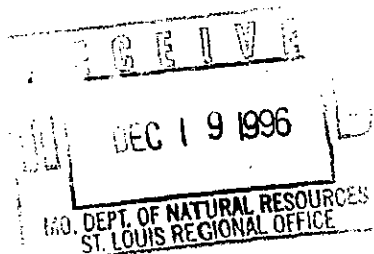
Month	Water Pumped	Water Sold	Loss Percent	Average Use	Active Meters	Zero Use Meters	Over 50000	40001 50000	30001 40000	20001 30000	10001 20000	8001 10000	6001 8000	4001 6000	2001 4000	1 2000
-95	750,000	537,000	15.07	5,000	103	22	0	0	0	2	4	7	19	25	20	8
-95	718,000	514,000	20.75	4,000	107	20	0	0	0	1	3	8	15	34	20	8
5-95	941,000	721,000	13.82	6,000	110	16	3	0	0	1	3	8	18	26	21	14
-95	977,000	786,000	9.31	6,000	114	21	0	1	1	2	14	15	19	21	15	6
-95	1,053,000	757,000	20.99	6,000	119	21	0	1	0	2	13	7	23	30	14	10
9-95	1,175,000	970,000	11.06	8,000	121	17	2	0	0	3	16	24	25	13	14	8
2-95	924,000	903,000	-5.30	7,000	123	16	1	0	1	3	16	7	22	30	20	8
-95	797,000	713,000	4.89	5,000	128	22	0	0	0	4	8	7	22	27	29	12
-95	762,000	634,000	9.58	5,000	123	23	0	0	0	1	3	12	21	38	21	13
2-95	925,000	506,000	19.35	3,000	134	33	0	0	0	0	1	5	15	30	43	14
-96	785,000	620,000	13.38	4,000	128	33	0	0	0	0	5	14	15	34	29	12
-96	922,000	586,000	25.60	4,000	130	38	0	0	0	0	6	7	21	32	23	16
9-96	1,014,000	622,000	26.82	4,000	131	31	0	1	0	0	2	10	23	34	25	18
-96	1,049,000	668,000	31.55	4,000	136	30	0	0	0	1	5	11	21	36	29	14
-96	1,210,000	809,000	25.70	5,000	143	34	0	1	2	0	6	10	29	37	27	9
-96	1,180,000	879,000	14.92	5,000	149	31	1	0	1	1	16	6	22	39	24	19
-96	1,442,000	1,261,000	5.62	8,000	155	34	1	1	1	6	30	15	28	29	11	11
-96	1,382,000	1,124,000	9.99	6,000	163	32	1	0	0	4	19	18	28	31	27	11
-96	1,174,000	1,067,000	4.86	6,000	164	29	1	0	0	0	21	20	26	37	28	10
-96	1,001,000	915,000	3.60	5,000	165	31	1	0	0	0	15	10	30	40	31	17
-96	857,000	718,000	9.22	4,000	175	30	0	0	1	1	0	5	20	48	47	23

21 Month Totals

Monthly Averages

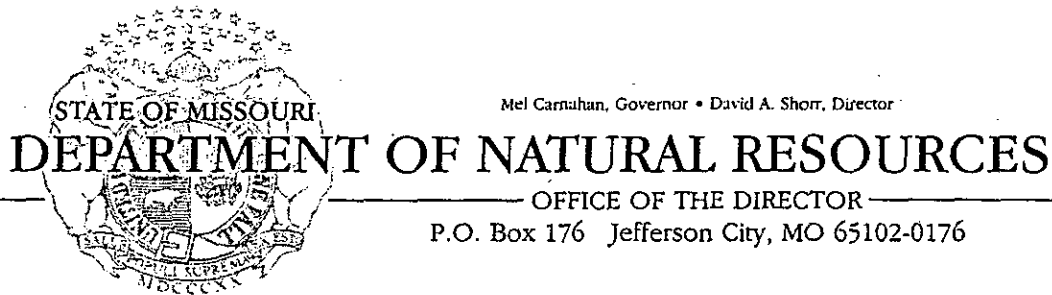
Total Water Pumped	21,038,000	Average Water Pumped	1,001,810
Total Water Sold	16,310,000	Average Water Sold	776,667
Fire and Line Flushing	1,830,000	Average Fire & Flushing	87,143
Total Water Loss	2,898,000	Average Loss	138,000
Water Loss Percentage	13.78%	Average Loss Percentage	13.78%

Incline Village Water & Sewer



Incline

COPY



Mel Carnahan, Governor • David A. Shorr, Director

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE DIRECTOR

P.O. Box 176 Jefferson City, MO 65102-0176

SEP 18 1996

Mr. Gary Smith
Incline Water & Sewer District
2615 Fairview Drive
Foristell, MO 63348

Dear Mr. Smith:

This letter is in response to your correspondence of August 27, 1996, to Senator Ted House regarding activities and practices of the Department of Natural Resources. The Senator has asked us to address the remarks made in your correspondence.

Your letter to Senator House indicates that the Department of Natural Resources, St. Louis Regional Office, has caused hysteria among the subdivision residents by responding to complaints regarding their drinking water. Your letter further states that the department allows nonpayment of bills based on complaints received.

It is the responsibility of the department to assure the residents of Missouri receive safe drinking water from public water supplies. Further, it is our policy to follow-up on citizen complaints when they feel they are not receiving safe drinking water. Our staff must respond to these complaints, be they founded or unfounded. We cannot and will not ignore citizen complaints. The Department of Natural Resources has responded to several complaints by Mr. Richard Kennon concerning the quality of the drinking water in his home. At no time have our investigations, recommendations, or follow-up activities of Mr. Kennon's complaints created hysteria in Incline Village Subdivision.

We do not recommend or encourage residents to not pay their bills based on complaints received on a particular system. Our authority and regulations deal with the quality of drinking water provided, not payment of utility bills.

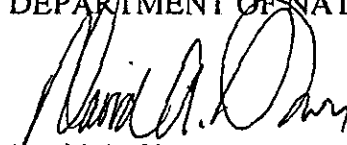
Mr. Gary Smith
Page Two

I hope this answers the questions you had regarding the department's policies on responding to citizen complaints and customer payment of utility bills.

If you need further information or have additional questions, please feel free to contact Robert Eck at the department's St. Louis Regional Office.

Very truly yours,

DEPARTMENT OF NATURAL RESOURCES



David A. Shorr
Director

DAS:kr:bk

c: Senator Ted House
Robert Eck, Regional Director, SLRO

c: David
Pending

TED HOUSE

SENATOR, SECOND DISTRICT

SAINT CHARLES, LINCOLN, WARREN, PIKE
AND MONTGOMERY COUNTIES

ROOM 227, STATE CAPITOL
JEFFERSON CITY, MISSOURI 65101

1-800-526-8437

(573) 751-8437

TDD (573) 751-3969

e-mail: thouse@services.state.mo.us
Internet: www.senate.state.mo.us



MISSOURI SENATE

JEFFERSON CITY

COMMITTEES:

VICE-CHAIRMAN - INSURANCE AND HOUSING

WAYS AND MEANS

EDUCATION

CIVIL AND CRIMINAL JURISPRUDENCE

TRANSPORTATION

LABOR & INDUSTRIAL RELATIONS

CONSERVATION, PARKS AND TOURISM

August 27, 1996

Mr. David Shorr, Director
Department of Natural Resources
Jefferson Building
Jefferson City, MO 65101

AUG 29 1996

Dear David:

Enclosed you will find a copy of correspondence I received today from Mr. Gary Smith, asking questions about the Department of Natural Resources. It is noted that Mr. Smith also sent you the same correspondence.

Would you please send me a copy of your response to Mr. Smith for my records.

Thank you for your assistance. I look forward to hearing from you soon.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Ted House".

TED HOUSE
State Senator

TCH/sh
c: Mr. Gary Smith

To: Sen. Ted Hesse
MODNR - JC
MODPSC

AUG 27 1996

Please advise as to whether the
St. Louis Office of DNR now
regulates payment to utilities. Why
does the St. Louis Office create hysteria
in the subdivision with no follow-up?
Why does St. Louis DNR allow non-payment?
as long as complaints are called in?
as long as complaints were called in?

INCLINE WATER & SEWER CO.
2615 FAIRWAY DRIVE
FORISTELL MO 63348

James Smith

ACCT. NO.	LATE FEE	DISCONNECT DATE	TOTAL DUE
132	2.00	09-06-96	236.18

PASTDUE NOTICE. . . Just a friendly reminder that payment has not been received. Payment must be received by the disconnect date shown above to avoid cutoff of service. If payment has been made, please disregard.

ACCOUNTS TWO OR MORE MONTHS DELINQUENT WILL BE DISCONNECTED ON THE ABOVE DISCONNECT DATE.

TO AVOID A \$20 CHARGE TO

PSC Tariff enclosed -

DNR + Jack Baker have no control on pymt. cc: PSC

INCLINE WATER & SEWER CO.

Richard Kennon?
SALVADOR BERTUBIN
20 RICKY CT
FORISTELL MO 63348

ACCOUNT NO.	TOTAL DUE
132	236.18

Page 104

PLEASE RETURN THIS STUB WITH YOUR CHECK

MISSOURI DEPARTMENT OF NATURAL RESOURCES
FOLDER TRANSMITTAL ROUTING SHEET

Document #: R0114
Division Log #:
Program Log #:

DEADLINE:

Penalty for Missing Deadline:

DOCUMENT DESCRIPTION: Response Letter to Mr. Gary Smith of Incline Water & Sewer Dist.

Originator: Kurt Riebeling Telephone: 822-0101 Date: 9-6-96

Typist: Barb Kaiser Document File Name: _____

FOR SIGNATURE/APPROVAL OF:

☒ DNR Director ☐ DNR Deputy Director ☐ Division Director ☐ Division Deputy Director ☐ Other _____

PROGRAM APPROVAL: Approved by: *h B ch* Program: SLRO Date: 9-6-96

Other Program Approval (Section/Unit): Kurt Riebeling *KR* Date: 9-6-96
Comments:

ROUTE TO:

☐ DIVISION DIRECTOR APPROVAL: *EMS* Date: 9/10/96
Comments:

☐ FINANCIAL REVIEW - DIVISION OF ADMINISTRATIVE SUPPORT:
DAS Director: _____ Date: _____
Accounting: _____ Date: _____
Internal Audit: _____ Date: _____
Purchasing: _____ Date: _____
General Services: _____ Date: _____
Comments: _____

☐ LEGAL REVIEW:
☐ General Counsel: _____ Date: _____
☐ AGO: _____ Date: _____
Comments: _____

☒ DEPARTMENT DIRECTOR APPROVAL: *SB* Date: 9/10/96
Comments: _____

☐ NOTARIZATION NEEDED

NOTES/COMMENTS

INITIALS/DATE

Incline Village

MAJORITY CAUCUS SECRETARY



Y

TED HOUSE

SENATOR, SECOND DISTRICT

SAINT CHARLES, LINCOLN, WARREN, PIKE
AND MONTGOMERY COUNTIES

ROOM 227, STATE CAPITOL
JEFFERSON CITY, MISSOURI 65101
1-800-526-8437
(573) 751-8437
TDD (573) 751-3969

e-mail: thouse@services.state.mo.us
Internet: www.senate.state.mo.us

MISSOURI SENATE

JEFFERSON CITY

COMMITTEES:

VICE-CHAIRMAN - INSURANCE AND HOUSING
WAYS AND MEANS
EDUCATION
CIVIL AND CRIMINAL JURISPRUDENCE
TRANSPORTATION
LABOR & INDUSTRIAL RELATIONS
CONSERVATION, PARKS AND TOURISM

August 27, 1996

Mr. Paul E. Mueller
Environmental Specialist
Department of Natural Resources
10805 Sunset Office Dr., Suite 100
St. Louis, MO 63127

Dear Mr. Mueller:

Reference your letter to Mr. Richard Kennon, #20 Ricky Court, Foristell, MO 63348, dated May 10, 1996. In your letter you state that upon inspection, you only observed an odor in the hot water and not the cold.

Mr. Kennon called my office today with the complaint that the odor is now in the cold water as well as the hot and it is almost unbearable to shower.

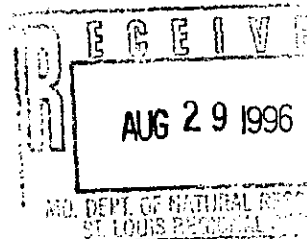
I am asking that you conduct another inspection to see if there is anything that can be done for Mr. Kennon. I would appreciate every consideration being given toward accommodating the concerns of my constituent.

Thank you for your assistance. I look forward to hearing from you soon.

Sincerely yours,

TED HOUSE
State Senator

TCH/sh
c: Mr. Richard Kennon



PWS ID# 603 6149



TED HOUSE

SENATOR, SECOND DISTRICT

ROOM 227, CAPITOL BUILDING
JEFFERSON CITY, MISSOURI 65101

(314) 751-8437
TDD (314) 751-3969

3077 WINDING RIVER DRIVE
ST. CHARLES, MISSOURI 63303
(314) 946-0077

MISSOURI SENATE

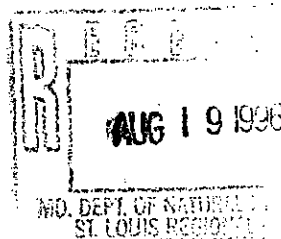
JEFFERSON CITY

COMMITTEES:

VICE-CHAIRMAN - INSURANCE AND HOUSING
EDUCATION
CIVIL AND CRIMINAL JURISPRUDENCE
TRANSPORTATION
LABOR AND INDUSTRIAL RELATIONS
CONSERVATION, PARKS AND TOURISM

March 21, 1996

Mr. Gary Smith
Incline Water & Sewer
2615 Forist Drive
Foristell, MO 63348



Dear Mr. Smith:

Mr. Richard Kennon, a constituent of mine, has informed me that he is having a problem with your company regarding his water and that there has been a disagreement over whether or not it will be treated.

Mr. Kennon has indicated that the Department of Natural Resources advised him the water contains hydrogen sulfate which is only treatable through chlorination. Would you please advise me if you are planning on correcting this condition.

I would appreciate every consideration being given toward accommodating the concerns of Mr. Kennon.

Sincerely yours,

Ted House
TED HOUSE
State Senator

TCH/sh
c: DIR

Thank you for your assistance

why doesn't Jack Baker have to respond to these BS complaints?



NRPWBR30

MISSOURI DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL QUALITY
PUBLIC DRINKING WATER PROGRAM
Jefferson City, Missouri 65102

COPY



P.O. Box 176

314-751-5331

***** VIOLATION NOTICE *****
PUBLIC NOTICE REQUIRED

NOTICE OF NONCOMPLIANCE
DATE OF REPORT: 03/26/96

PWS NAME: INCLINE VILLAGE WATER & SEWER CO

PWS ID: M06036149

MAIL TO: SMITH
OWNER

GARY

Please notify us of any
name and address changes1248 MIMOSA COURT
FORISTELL MO 63348

County: WARREN

The following is a summary of the bacteriological analysis of water samples
submitted for the period ending 02/29/1996.

SAMPLE TYPE	NO. REQUIRED	NO. TAKEN	NO. VALID	NO. INVALID	NO. TC POSITIVE
ROUTINE	1	0	0	0	0
REPEAT	0	0	0	0	0
REPLACEMENT		0	0	0	0

MONTHLY MAJOR MONITORING VIOLATION: This is a violation of (10
CSR 60-4.020 (1)). Failure to collect any routine samples for the
month.

You are required to notify the water systems customers in accord-
ance with 10 CSR 60-8.010. The enclosure gives a sample public
notice and the public notification procedures. You must return
the certification/procedure form and a copy of the notice as seen
by the public, to this office after the public notice requirement
has been completed.

For assistance, contact the ST. LOUIS REG OFFICE - SLRO

314-822-0101

COPY

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Mel Carnahan, Governor • David A. Shorr, Director

DIVISION OF ENVIRONMENTAL QUALITY
P.O. Box 176 Jefferson City, MO 65102-0176

September 5, 1995

CERTIFIED MAIL #P 206 480 252
RETURN RECEIPT REQUESTED

SEP 8 1995
Kansas City Regional Office

Mr. Gary Smith
Incline Village Water and Sewer Co.
1248 Mimosa Court
Foristell, MO 63348

Dear Mr. Smith:

Attached, please find a Notice of Violation (NOV) which is being issued to your public water supply for failure to comply with Public Drinking Water Regulations as stipulated in 10 CSR 60-15.070, 10 CSR 60-7.020 and 10 CSR 60-8.010(2). In particular, this NOV is issued for failure to meet the monitoring requirements for lead and copper in the drinking water, for failure to meet reporting requirements for lead and copper tap water monitoring and for failure to notify the public of lack of sampling from July 1, 1993 to December 31, 1994.

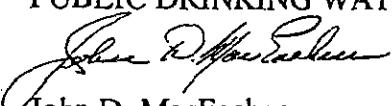
Because of your failure to satisfy these requirements, you are listed as a significant non-complier with federal Safe Drinking Water Law by the U.S. Environmental Protection Agency (USEPA). You may be subject to civil suit by either USEPA or by this agency in federal court for these violations. To prevent suit, you may enter into a Bilateral Compliance Agreement with this program. A copy of this agreement and further details will be forwarded to you under separate cover within the next thirty (30) days.

If you have sampled for lead and copper content since January 1, 1995 you may still be liable for suit for violations incurred prior to that date. We urge you to take this opportunity to prevent litigation by entering into a proposed compliance agreement.

Should you have further questions, please contact this office at (314) 526-8157 between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.

Sincerely yours,

PUBLIC DRINKING WATER PROGRAM


John D. MacEachen
Enforcement Coordinator

Page 109

c: Kansas City Regional Office





MISSOURI DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL QUALITY
NOTICE OF VIOLATION

P.O. BOX 176
JEFFERSON CITY, MO 65102

VIOLATION NUMBER

0310

DATE RECEIVED 1, 1995

☒ A.M.
☐ P.M.

SOURCE NAME ADDRESS, PERMIT NUMBER LOCATION and Sewer Co.

1248 Mimosa Court

Foristell, MO 63348

PWS ID# 6036149

Warren County

MAILING ADDRESS

1248 Mimosa Court

CITY

Foristell

STATE

MO

ZIP CODE

63348

NAME OF OWNER OR MANAGER

Mr. Gary Smith

TITLE OF OWNER OR MANAGER

Owner/Responsible Party

LAW, REGULATION OR PERMIT VIOLATED

~~Missouri Safe Drinking Water Law, 640.120 Rsmo (1994)~~

~~Missouri Public Drinking Water Regulation 100CR60-15.070~~

~~Missouri Public Drinking Water Regulation 10CSR-7.020~~

~~Missouri Public Drinking Water Regulation 10CSR-8.010 (2)~~

NATURE OF VIOLATION

DATE(S):

TIME(S):

Failure to meet lead/copper monitoring requirement as required by

640.120RSMO(1994) and 10CSR60-15.070 from July 1, 1993 to December 31, 1994.

Failure to meet reporting requirements for lead/copper tap water monitoring as required by 10CSR60-7.020 from July 1, 1993 to December 31, 1994.

Failure to perform public notification - Failure to sample.

SIGNATURE (PERSON RECEIVING NOTICE)

BY CERTIFIED MAIL

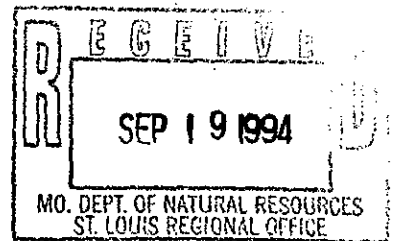
SIGNATURE (PERSON ISSUING NOTICE)

TITLE OR POSITION/DNR REGION

John D. MacEachen
Enforcement Coordinator, PDWP

Kkt-Thabit-Dan

COPY



Commissioners

ALLAN G. MUELLER
Chairman

KENNETH McCLURE

PATRICIA D. PERKINS

DUNCAN E. KINCHELOE

HAROLD CRUMPTON

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
314 751-3234
314 751-1847 (Fax Number)
314 526-5695 (TT)

September 14, 1994

DAVID L. RAUCH
Executive Secretary

SAM GOLDAMMER
Director, Utility Operations

GORDON L. PERSINGER
Director, Policy & Planning

KENNETH J. RADEMAN
Director, Utility Services

DANIEL S. ROSS
Director, Administration

CECIL I. WRIGHT
Chief Hearing Examiner

ROBERT J. HACK
General Counsel

Mr. Gary Smith
Incline Village Water & Sewer Company
1248 Mimosa Ct.
Foristell, Mo 63348

Dear Mr. Smith:

This is a follow-up to our telephone conversation on September 14, 1994, regarding your progress on various items the Public Service Commission (PSC) Staff has been working with you on.

During the conversation, each item was discussed and Staff's recommendations and suggestions were detailed. The following list will outline our discussion, and include Staff's expectations of what Incline Village Water & Sewer Company (Company) must do to fulfill its obligations:

1. It is understood that the past due electric bill was paid in full on September 12, 1994. You indicated that some bills and expenses the Company is receiving must go unpaid until sufficient case flow is achieved. The case flow situation was discussed and potential rate adjustments were explained.
2. You indicated that you have the EIERA loan application completed to the best of your knowledge, but it was discovered that you only have it partially prepared. The information needed to complete the applications was faxed to you following our conversation. An agreement was made that you will have the applications submitted to the PSC office by September 16, 1994.
3. An informal rate increase request which you have submitted was discussed. An explanation was given regarding the procedures which will be followed to process it.
4. It is understood that the water leak located on Fairway Drive will be repaired this week, or prior to September 16, 1994. A recommendation was made to contact Mr. John Kelly who acts as the subdivision street commissioner, and discuss your plans on how you intend to repair the leak and the subsequent street replacement.

September 14, 1994

Mr. Smith

Page 2

5. It is understood that you will purchase a water pressure booster assembly and give to Mr. Scott for his installation by September 30, 1994.

6. It is understood that you intend to apply for enough financing through the EIERA loan program to replace the well pump, purchase a reserve blower assembly, make needed repairs to the well house, install a chlorination system, and possibly take care of other incidentals. A prompt submission of the loan application was emphasized during our conversation as stated above.

7. Preliminary discussion was focused on the implementation of plant maintenance schedules. Staff is preparing samples of the type of schedules discussed and will meet with you in the future to illustrate their uses.

If you have any questions about this letter, or if you feel that any of these item were not included in the context of our discussion, please call me at 314-751-7074. It is important that you understand the expectations that were agreed upon and set forth in this letter.

Sincerely,



Bill L. Sankpill

Manager

Water and Sewer Department

cc: John Kelly

DEPARTMENT OF NATURAL RESOURCES
ST. LOUIS REGIONAL OFFICE

Telephone or Conference Record

COPY

FACILITY:	Incline Village Water & Sewer	COUNTY:	Warren	DATE:	August 17, 1994
TELEPHONE CALL			CONFERENCE		
[X] INCOMING [] OUTGOING [] RETURNED			[] FIELD [] OFFICE		
SUBJECT:	Status of compliance with submission or requested plans and reports.				
PERSONS INVOLVED					
NAME			AFFILIATION		
Representative Charles Norwald			State Representative		
SUMMARY OF CONSERVATION		Representative Norwald called to see if Gary Smith of Incline Village			
<p>Water & Sewer had submitted the Sampling Site Plan as requested. (This had been "requested" at a meeting attended by local homeowners, Rep. Norwald, Bill Sankpill of PSC, Robert Eck, Thabit Hamoud and Myself of DNR, Warren Co. Health Department, Warren County Planning & Zoning, and Mr. Smith) I told Rep. Norwald that Mr. Smith had submitted the site plan, it was not complete, and I was in the process of writing to Mr. Smith to request the map which should accompany the plan. Rep. Norwald wanted to know why the residents had not been notified by August 1st. and provided a copy of the plan as "agreed to at the meeting". I told the Representative that it was my understanding that the August first deadline was for Mr. Smith to submit the Site Plan and Emergency Operating Plan, and that this office would copy the homeowners association on any correspondence to Mr. Smith about the system. This exactly what we were doing, I was responding to Mr. Smith's submission and the vice-president of the homeowners was to be copied. Norwald wanted to know why the homeowners were not provided a copy of the plan by August 1st. I told him that it was my understanding that Mr. Smith had the August 1st deadline to submit the plan to this office and that the homeowners would be copies on any correspondence, not that Mr. Smith would submit the plan by August 1st and the same day we would review and respond. I explained that the plans had to be reviewed before we could respond to what was submitted. Rep. Norwald also wanted to know if the customers had been copied on the results of water tests. I said no, but they can be added to the distribution list. Rep. Norwald stated that these constituents were concerned about the quality of the water because they have never seen a test result. I explained that if there ever is a Maximum Contaminant Level Violation that the water system is required to do a Public Notice and the nature of the distribution of the notice must be certified and a form sent in. Rep. Norwald asked if there has been one at Incline Village and I told him no, not in the past couple of years.</p> <p>(NOTE: This was covered at the meeting that the Representative attended). He asked if we ever took samples, and I said yes, when we do an inspection, and if it is on a day when we can mail it to the lab. We are limited to Monday Tuesday and Wednesday for collecting samples because we have to mail them to the DOH lab.</p> <p>Rep. Norwald asked about the system serving water to the "Shady Oaks" development and I told him that I believed that the construction permit for the waterline extension had been approved; he said the line was in. He commented on the sewer system, stating that the second blower still is not in. He wanted to know when we had inspected the system and how often. I told him normally a system is inspected in two or three years, but that I had inspected it recent with the PSC, and again this year for the permit renewal, so it had been inspected at least twice in the past three years which is more frequently than normal. I also mentioned that I had collected a sample of the discharge this spring (just before the meeting) and the results were within the permit limits.</p>					

Rep. Norwald kept coming back to the site plan and contacting the homeowners, (at least five times total during the conversation). Each time I explained that we were keeping the homeowners in the loop and coping them on all correspondence going to Mr. Smith about the system.

Rep. Norwald then stated that he felt that communication wasn't being maintained, the homeowners were not being kept informed, and that nothing was being done at Incline Village to correct the problems, that his had gone on for over two years ant that he thought this was all "bullshit" (his exact word) . He said that he was going to have to go to someone else to get thing done.

He concluded by stating that he would contact David Shore (Director of DNR).

I said "have a nice day" and hung up.

Total elapsed time of telephone call: 27 minutes.

SIGNATURE:

Daniel P. Dougherty

8/17/94

DEPARTMENT OF NATURAL RESOURCES
ST. LOUIS REGIONAL OFFICE

COPY

Telephone or Conference Record

FACILITY:	Warren County Water & Sewer	COUNTY:	Warren	DATE:	5/11/2001
TELEPHONE CALL			CONFERENCE		
[X] INCOMING [] OUTGOING [] RETURNED			[] FIELD [] OFFICE		
SUBJECT:					
Warren County Water & Sewer Co. bypass of wastewater					
PERSONS INVOLVED					
NAME			AFFILIATION		
Mr. Vic Muschler			EPA - CID		
Left Message					
SUMMARY OF CONSERVATION					
Mr. Gary Smith owner and operator of Warren County Water and Sewer was indicted and arrested for the wastewater bypass that occurred on April 18, 2001.					
After his arrest Mr. Smith checked into a 24-day rehab program.					
SIGNATURE: <i>Paul E. Muehle</i>					

COPY



Mel Carnahan, Governor • Stephen M. Mahfood, Director

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL QUALITY

St. Louis Regional Office

10805 Sunset Office Drive, Suite 100 St. Louis, MO 63127-1038

(314) 301-7100

FAX (314) 301-7107

August 8, 2000

CERTIFIED MAIL: #Z 284 948 838
RETURN RECEIPT REQUESTED

Mr. Gary Smith
Warren County Water & Sewer Co.
1248 Mimosa Court
Foristell, MO 63348

Dear Mr. Smith:

Enclosed is a report of an inspection conducted by Mr. Dan Daugherty of my staff. The report contains recommendations which the inspector has determined are warranted based on his findings at the facility. Please review the report and implement the recommendations presented.

Due to violations of the State Operating Permits for the wastewater treatment facilities, Notices of Violation (NOV) #1615 SL and 1616 SL are enclosed. Please take the appropriate and necessary steps to return this system to compliance.

A written response to the report is requested by August 30, 2000. Should you have any questions or comments, please contact Mr. Daugherty of this office.

Sincerely,

ST. LOUIS REGIONAL OFFICE

F. Michael Struckhoff
Acting Regional Director

FMS/DD/dr

Enclosures

c: Public Drinking Water Program
Public Service Commission
Warren County Health Department
Warren County Planning Commission
Incline Village Homeowners Association

REPORT ON INSPECTION

Warren County Water & Sewer Co.
1248 Mimosa Court
Foristell, MO 63348
PWS ID# 6036149
State Operating Permits
MO-0098817 and MO-0100358

INTRODUCTION:

On July 26, 2000 an inspection of the Warren County Water & Sewer Co. public water system and wastewater treatment system was conducted by Mr. Dan Daugherty of the Department of Natural Resources (DNR), and Mr. Steve Loethen of the Public Service Commission. Ms. Christina Baker, Ms. Teresa Thomason, Ms. Lei Hou, and Mr. Paul Mueller of the Department of Natural Resources were also present for the inspection. Mr. Gary Smith represented the facility at the inspection. The findings of this inspection, comments on the findings, and corresponding recommendations are presented below.

FINDINGS AND COMMENTS:

Public Water System:

1. The Warren County Water & Sewer Co. has a valid Permit to Dispense Water to the Public, which number is 6036149.
2. The facility has an operator with a class D certificate issued by the Department, as required by Missouri Public Drinking Water Regulation 10 CSR 60-14.010.
3. The bacteriological sampling history for Warren County Water & Sewer Co. was reviewed for the period of July 1, 1998 through June 30, 2000.

This review revealed that the facility had successfully complied with the sampling requirements applicable to the facility. There were no monitoring violations and there were no maximum contaminant level (MCL) violations during the 18-month time period reviewed. Warren County Water & Sewer Co. is required to collect one sample each month for analysis.

The last violation on record was from February 1996.

4. The Warren County Water & Sewer Co. has an approved sampling site plan on file with this office as required by 10 CSR 60-4.020. Currently there are a total of 40 routine sampling sites identified. A minimum of 5 is required.
5. Every time a new address is sampled as a Routine sample, that address is added to the inventory as a routine sampling location.

6. The Warren County Water & Sewer Co. has an Emergency Operations Plan (EOP) on file with this office as required by 10 CSR 60-12.010.

The Emergency Operating Plan should be reviewed annually, and updated to reflect changes in equipment, personnel, suppliers, just to name a few.

7. Samples for Nitrate and Nitrite analysis have been satisfactorily submitted annually as required. There have been no detects of Nitrate or Nitrite in any of the samples submitted for the previous three years.
8. Samples for Inorganic Chemical analysis were satisfactorily submitted in December 1999 as required. The water system did not exceed any of the Primary Maximum Contaminant Levels (MCLs).
9. Samples for Volatile Organic Contaminants (VOCs) were submitted in December 1999. No contaminants were detected in the sample.
10. Samples for Synthetic Organic Contaminants (SOCs) were satisfactorily submitted in January 1999. None of the 41 different chemical contaminants were detected.
11. Samples for Lead & Copper analysis have been satisfactorily submitted as required. The last round of testing was in September 1997. The water system is consistently well below the Action Level of 15 micrograms per liter for Lead, and 1300 micrograms per liter for Copper.
12. Samples for radiological analysis have been submitted routinely as required.

A total of four samples, one sample submitted each calendar quarter, was required. The samples were consistently below the Maximum Contaminant Level for both Gross Alpha particle activity and Gross Beta particle activity.

A sample for Radon was submitted in 1998 as required and the analysis result was 141 pCi/L. The EPA has not established a Maximum Contaminant Level for Radon. It is expected that a rule will be published in August of 2000, and the limit will be somewhere between 300 and 1,000 pCi/L.

13. Herbicides were stored in the well house.

Chemicals such as herbicides, motor oils, and gasoline should never be stored within the well house. (Figure 1, Figure 2)

14. Fuel for vehicles is stored at the site in aboveground, elevated fuel tanks.

While the Design Guide does not recommend against storing fuel in aboveground fuel tanks near a well, it would be advisable to keep all such possible pollutants as far away from the well as possible.

15. Drawdown readings are not being taken.

A drawdown gauge is used to detect the well water level. If the water is drawn down to the pump intake point, pump damage may occur. Drawdown gauges are intended to make it possible for the operator to detect and prevent such problems.

16. The well casing has not been painted and is starting to rust.

Failure to control rust and corrosion of the well casing and sanitary well seal may result in the upper portion of the casing rusting to the point that the sanitary seal would be compromised or lost. This would then allow avenues for contaminants to enter the well and contaminate the water system. Should the casing rust through, it would require the very expensive replacement of several feet of well casing to correct.

17. The well piping has been recently painted, but the paint is soft, and flaking off of the piping.

The well casing and all metallic components should be properly painted to prevent corrosion. Failing to control corrosion of the metallic surfaces of the well and related components can result in premature failure of the system, unnecessary water outages and additional expense to the water system for repairs.

18. The chlorination equipment was installed in same room with other well equipment. A vent kit was available but was not installed. As a result, corrosive chlorine vapors are allowed to escape into the well house.

Chlorine is a powerful oxidant that attacks and destroys metal surfaces. Therefore, housing chlorine equipment in proximity to well supply piping and other appurtenances subjects these items to a corrosive environment and results in their rapid deterioration.

If a separate ventilated room cannot be provided for the chlorine and metering pump, then the storage container should be well sealed to prevent the escape of chlorine vapors into the well house. The vent kit that was present would provide the necessary seal and an adequate vent.

19. The well was provided with a master meter, drawdown gauge, a screened breather vent, check valve, sampling tap, pump to waste line, and other appurtenances as specified in the Community Design Guide.

20. The water system is no longer using a sequestration agent to control the dissolved iron present in the water.

Should the system recommence sequestration, please contact this office so we can update our records.

21. The standpipe had an overflow that extended to within 24 inches of the ground and was screened as required.

Wastewater Treatment Facilities:

1. Both treatment plants are operated by an operator with a class D certificate issued by the Department. These facilities are therefore in compliance with Clean Water Commission regulation 10 CSR 20-9.020.
2. Wastewater Treatment Facility #1 (WWTF #1) has a valid Operating Permit (MO-0098817) which is in the process of being re-issued.
3. Bypasses of the central collection system are not being reported as required by Missouri Clean Water Regulations 10 CSR 20-7.015(9)(E), and (E) (2).

Whenever there is a bypass of the wastewater collection system the Department must be notified by telephone within 24 hours, and in writing within five business days. The report should include: location of the occurrence; duration of bypass, including the estimated time of start, and the time the bypass was corrected; quantity (estimated) bypassed; cause of bypass; and methods employed to clean-up the bypass.

4. A review of the Discharge Monitoring Reports (DMRs) for the period of July 1998 through March 31, 2000, indicates that this treatment facility has not been in compliance with the reporting requirements and effluent limits specified in each respective permit, as follows:

DMRs: DMRs have not been submitted for the months of March 1999, and January and March 2000.

Part A of your State Operating Permit requires DMRs to be submitted monthly. Measurements of the flow (inflow or discharge), Biochemical Oxygen Demand, Total Suspended Solids, and pH are to be collected once per month. These analysis results are to be reported on the DMR and submitted by the 28th of the following month. For example, the DMR of August 2000 will be due by September 28, 2000.

BOD₅: The permitted monthly average limit of 30 mg/l for Biochemical Oxygen Demand (BOD₅) was exceeded during the months of June (41 mg/L), October (38 mg/L), and December (35 mg/L) 1999.

Please note that none of these values exceeded the Weekly average limit of 45 mg/L. If two or more samples are collected during the compliance period (month), compliance is based on the average of all samples collected.

TSS: The permitted monthly average limit of 30 mg/l for Total Suspended Solids (TSS) was exceeded during the months of June (36 mg/L), August (66 mg/L), September (61 mg/L), October (66 mg/L), and November (44 mg/L) 1999.

5. In total, Treatment Plant #1 has had 11 effluent/reporting violations during the previous 18 months.
6. Additional operational monitoring and laboratory testing must be conducted, as required by Clean Water Commission regulation 10 CSR 20-9.010.

All mechanical plants, with a population equivalent of 200 or more, which serve municipalities, public sewer districts, local government entities, private sewer companies, and state agencies, are required to conduct additional monitoring to ensure adequate wastewater treatment and operational control. This monitoring is a supplement, or in addition, to that required by the NPDES permit. Wastewater Treatment Facility #1 currently has a total of 100 service connections, for an estimated population of 350 individuals. The minimum monitoring required is as follows:

Daily: Ambient air temperature and precipitation, flow (influent or effluent), pH (influent), Settleability, and Dissolved Oxygen.

Weekly: Non-Filterable residue (NFR).

7. The trash basket (or bar-screen) has been removed from the headworks of the treatment plant.

The purpose of a bar screen is to remove large solids from the waste-stream so this material will not clog the treatment plant works or cause other operation problems.

8. The aerators are providing adequate aeration, but the aeration is not even across the chamber. This could indicate that some of the air lines have a partial obstruction or a small leak.

Air flow should be even from all aerators across the aeration chamber(s).

9. Small floc particles could be seen going over the weir.

Flow through the plant, and through the clarifier, should be regulated so that solids are not discharged from the plant. The steady discharge of small floc will result in the treatment plant exceeding the permitted limits on Total Suspended Solids.

10. Large clumps of solids were observed on the back of the weir.

The weirs should be gently scrapped and cleaned daily to keep from accumulating solids on the weir.

11. WWTF #2 Operating Permit (MO-0100358) expired on March 30, 2000. The application for renewal of the permit was received on March 22, 2000. The application is currently being reviewed. Until the new permit is issued, the requirements and limits of the previous permit will remain effective.

Applications for renewal of the Operating Permit must be submitted 180 days (6-months) prior to the expiration date of the permit.

12. A review of the Discharge Monitoring Reports (DMRs) for the period of July 1998 through March 31, 2000, indicates that this treatment facility has not been in compliance with the reporting requirements and effluent limits specified in each respective permit, as follows:

DMRs: DMRs have not been submitted for the months of March 1999, and January and March 2000.

BOD₅: The permitted monthly average limit of 20 mg/l for Biochemical Oxygen Demand (BOD₅) was exceeded during the months of July (29.5 mg/L) and November (49 mg/L) 1999.

TSS: The permitted monthly average limit of 30 mg/l for Total Suspended Solids (TSS) was exceeded during the months of July (23.5 mg/L), and September (31 mg/L) 1999.

13. Treatment plant only had one operating motor.

Clean Water Commission Regulation 10 CSR 20-8.020(13)(B)6 requires extended aeration treatment facilities to have duplicate blowers and motors installed and that both are operational.

14. A hose was attached to the fire hydrant in front of the treatment plant creating a cross connection hazard. (Figure 3)

Clean Water Commission Regulation 10 CSR 20-8.020(11)(C)8 and Missouri Public Drinking Water Regulation 10 CSR 60-11.010(1)(A) prohibits any potential cross connections and requires all service connections to a Public Water Supply that serve or are within a wastewater treatment facility to have a reduced pressure zone backflow prevention assembly installed.

COMPLIANCE REQUIREMENTS:

1. Obtain and install a reduced pressure zone backflow prevention assembly (RPZ) device, if a fire hydrant is to be used as a source of water at the wastewater treatment plants. Failure to use a RPZ at these locations at any time in the future, will result in the issuance of a Notice of Violation.

Public Water Supply System:

2. Continue submitting one sample per month for bacteriological analysis.
3. Remove the herbicides and other (non-water treatment) chemicals from the well house.

Wastewater Treatment Facilities:

4. Replace or repair the motor at Treatment Plant #2 within 30 days of receipt of this report.
5. Submit Discharge Monitoring Reports (DMRs) as required by the terms of your permit.

Your current permit requires effluent samples are to be collected once a month, with the monitoring reports submitted within 28 days after the end of the month. For example, the January DMR is due by February 28.
6. Commence additional monitoring at wastewater treatment plant #1 as required by Clean Water Commission regulation 10 CSR 20-9.010. WWTP #2 should also be monitored as well to maintain optimum treatment of the waste stream.

The minimum monitoring required is as follows:

Daily: Ambient air temperature and precipitation, flow (influent or effluent), pH (influent), Settleability, and Dissolved Oxygen.

Weekly: Non-Filterable residue (NFR).

7. Continue to monitor Treatment Plant #2 according to the terms of the previous permit until you receive the new permit.

RECOMMENDATIONS:

Public Water System:

1. The Emergency Operations Plan should be reviewed annually and updated as necessary to reflect changes in personnel and/or support service companies. If the plan for Warren

County Water & Sewer Co. has been recently updated, please provide this office with a copy at your earliest convenience.

2. Reinstall the vent kit on the chlorine tank.
3. The casing and all metallic parts of the piping within the well house should be cleaned and painted with a good quality rust preventive paint.
4. Please notify this office when sequestration is placed back into service.

Wastewater Treatment Facility:

5. Make adjustment to the treatment plants as necessary to keep the effluent in compliance with the limits stipulated within the operating permit. If you would like assistance in conducting mixed liquor settleability tests at the treatment plants, please contact Mr. Jack Baker at this office.
6. Clean the weirs at the treatment plants on a routine weekly schedule. The weirs should be slowly and gently scraped down with a squeegee. They should never be washed down with a hose. This will stir up the solids and allow the solids to be discharged in amounts that would exceed the limits specified in the permit.

INSPECTED BY:



Daniel Daugherty
Environmental Specialist
St. Louis Regional Office

DJD/dr

APPROVED BY:



Kurt Riebeling
Environmental Section Chief
St. Louis Regional Office

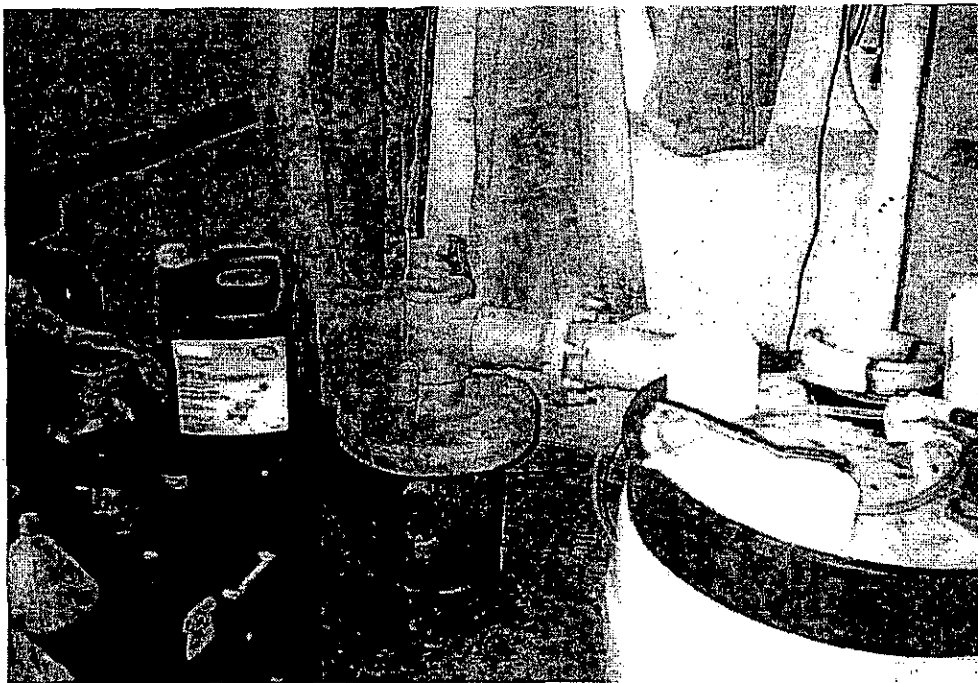


Figure 1: Herbicide stored in well house, near well



Figure 2:
Petroleum chemicals stored in well house



Figure 3:
Hose connected to hydrant used inside
wastewater treatment plant. No
backflow prevention assembly in use.



MISSOURI DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL QUALITY
NOTICE OF VIOLATION

P.O. BOX 176
JEFFERSON CITY, MO 65102

VIOLATION NUMBER

1616 SI

DATE AND TIME ISSUED

August 8, 2000

☐ A.M.

☐ P.M.

SOURCE (NAME, ADDRESS, PERMIT NUMBER, LOCATION)

Warren County Water & Sewer Co. Incline Village WWTF #2

1248 Mimosa Court, Foristell, MO 63348

MO-0100358

SE 1/4, NW 1/4, SW 1/4, Sec. 1, T47N, R1W, Warren County

MAILING ADDRESS

1248 Mimosa Court

CITY

Foristell

STATE

MO

ZIP CODE

63348

NAME OF OWNER OR MANAGER

Gary L. Smith

TITLE OF OWNER OR MANAGER

Owner

LAW, REGULATION OR PERMIT VIOLATED

Missouri Clean Water Law RSMo 644.051.1(1); 644.051.1(3), and 644.076.1

Missouri Clean Water Commission Regulations 10 CSR 20-7.015(8)(B)1; and

10 CSR 20-7.015(9)(A)1

NATURE OF VIOLATION

DATE(S):

TIME(S):

-Facility failed to comply with effluent limits contained in Part A of State Operating Permit MO-0100358 for the months of July, September, and November 1999.

-Facility failed to submit monthly Discharge Monitoring Reports as required in Part A of State Operating Permit MO-0100358 for the months of March 1999, January and March 2000.

SIGNATURE (PERSON RECEIVING NOTICE)

BY CERTIFIED MAIL

SIGNATURE (PERSON ISSUING NOTICE)

Daniel Daugherty

Daniel Daugherty

TITLE OR POSITION

TITLE OR POSITION/DNR REGION

Environmental Specialist
St. Louis Regional Office



MISSOURI DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL QUALITY
NOTICE OF VIOLATION

P.O. BOX 176
JEFFERSON CITY, MO 65102

VIOLATION NUMBER

1615 SL

DATE AND TIME ISSUED

August 8, 2000

☐ A.M.

☐ P.M.

SOURCE (NAME, ADDRESS, PERMIT NUMBER, LOCATION)

Warren County Water & Sewer Co. Incline Village WWTF #1

1248 Mimosa Court, Foristell, MO 63348

MO-0098817

NE 1/4, SW 1/4, NE 1/4, Sec. 1, T47N, R1W, Warren County

MAILING ADDRESS

1248 Mimosa Court

CITY

Foristell

STATE

MO

ZIP CODE

63348

NAME OF OWNER OR MANAGER

Gary L. Smith

TITLE OF OWNER OR MANAGER

Owner

LAW, REGULATION OR PERMIT VIOLATED

Missouri Clean Water Law RSMo 644.051.1(1); 644.051.1(3), and 644.076.1

Missouri Clean Water Commission Regulations 10 CSR 20-7.015(8)(B)1;

10 CSR 20-7.015(9)(E)2; and 10 CSR 20-7.015(9)(A)1

NATURE OF VIOLATION

DATE(S):

TIME(S):

-Facility failed to comply with effluent limits contained in Part A of State Operating

Permit MO-0098817 for the months of June, August, September, October, November, and

December 1999.

-Facility failed to submit monthly Discharge Monitoring Reports as required in Part A of

State Operating Permit MO-0098817 for the months of March 1999, January and March 2000.

-Facility failed to submit a written bypass report as required by Clean Water Commission

Regulations, and in Part 1, Sec. B, Standard Conditions of State Operating Permit

MO-0098817 for a bypass which occurred during the month of February 2000.

SIGNATURE (PERSON RECEIVING NOTICE)

BY CERTIFIED MAIL

SIGNATURE (PERSON ISSUING NOTICE)

Daniel Daugherty

TITLE OR POSITION

TITLE OR POSITION/DNR REGION

Environmental Specialist
St. Louis Regional Office

DMR SUMMARY DATA

FACILITY: Warren Co. Water & Sewer Co. WWTF #1

PERMIT # MO- 0098817

COUNTY WARREN

Expiration Date: 06 / 21 / 2000 *Renewed*

DESIGN POPULATION: _____


DESIGN FLOW _____

DMR's: ☒ Monthly

SAMPLING REQUIREMENT ☒ Monthly

Effluent Limits: Weekly Maximum / Monthly Average	Flow MGD	BOD ₅ 45 30	TSS 45 30	pH		
---------------------------------------------------------	-------------	------------------------------	-----------------	----	--	--

Month	Year	Flow	BOD ₅	TSS	pH		
June	2000						
May	2000						
April	2000						
March	2000					DMR not received or late	
February	2000		22.4	18	7.8		
January	2000					DMR not received or late	
December	1999	23800	35	21	7.9		
November	1999	21600	19	44			
October	1999	22500	38	66			
September	1999	17800	20	61	7.7		
August	1999	18500	27	66	7.3		
July	1999	18500	27	20	7.2		
June	1999	24500	41	36	7.4		
May	1999	18500	28	23	7.7		
April	1999	18500	20	22	7.57		
March	1999					DMR not received or late	
February	1999	18500	29	28	7.4		
January	1999		13	10			
December	1998	22400	10	13	7.32		
November	1998	24500	9	11	7.2		
October	1998	26500	25	9	7.4		
September	1998	25700	12	23	7.7		
August	1998	19500	18	20	7.6		
July	1998	24500	17	15	7.0		
Mean:		20,340	23.3	29.2			

 = Permit limit exceeded or reporting failure

DMR SUMMARY DATA

FACILITY: Incline Village WWTF #2

PERMIT # MO-0100358

COUNTY WARREN

Expiration Date: 03 / 30 / 2000 *Renewal Received*

DESIGN POPULATION: _____


DESIGN FLOW _____

DMR's: ☒ Monthly

SAMPLING REQUIREMENT ☒ Monthly

Effluent Limits: Weekly Maximum / Monthly Average	Flow MGD	BOD ₅ <u>30</u> <u>20</u>	TSS <u>30</u> <u>20</u>	pH 6.0-9.0		
---------------------------------------------------------	-------------	--------------------------------------------	-------------------------------	---------------	--	--

Month	Year	Flow	BOD ₅	TSS	pH		
June	2000						
May	2000						
April	2000						
March	2000					DMR not received or late	
February	2000	16500	10	18	7.6		
January	2000					DMR not received or late	
December	1999	16600	5	10	8.0		
November	1999	17800	49	20	7.4		
October	1999	14500	7	6	7.6		
September	1999	16250	4	31	7.8		
August	1999	15400	7	15	7.5		
July	1999	14900	29.5	25	7.3		
June	1999		4	2			
May	1999	18500	9	10	7.8		
April	1999	14500	4	9	7.8		
March	1999					DMR not received or late	
February	1999	13400	15	10	7.4		
January	1999		9	4			
December	1998	16500	18	7	7.5		
November	1998	16575	4	17	7.6		
October	1998	18600	3	5	7.6		
September	1998	18600	3	16	8.0		
August	1998	16300	4	12	7.7		
July	1998	17500	4	13	7.0		
Mean:		16,400	10.4	12.7			

 = Permit limit exceeded or reporting failure

**DATA INPUT SHEET FOR WQIS
INSPECTIONS**

Facility ID : _____

Permit Number : MO-0698817 Outfall: 001

Facility Name : INCLINE VILLAGE WWTF #1

Legal Descrip: NE 1/4, SW 1/4, NE 1/4, SEC 1, T42N R 1-W River Reach No: 071008-15-01

City Name: FARISFELL County: WAGON ROP: SLRO Inspector: Dan Daugherty

Inspection Date: 7-26-2000 WQIS Input Date: _____

Type of Inspection (check only one):

- CS _____ Comprehensive inspection, sample taken (I&E Manual's class 3 inspection)
 CE ☒ Comprehensive inspection, no sample taken (I&E Manual's class 3 inspection)
 AI _____ Abbreviated inspection (I&E Manual's class 2 inspection)
 CP _____ Inspection or investigation in response to a complaint

INSPECTION DATA (check all that apply)

CO _____ Facility in compliance

NCO ☒ Facility not in compliance

- NOCP _____ No Construction Permit
 CTOP _____ Certified operator is required but not employed
 ELV ☒ Facility is not meeting effluent limits based on DMRs or recent sampling
 BYP _____ Evidence of bypassing at facility or in collection system
 NOLA _____ Class I facility is operating without the required LOA/permit
 NOPT _____ Facility is discharging without a permit (includes land appl. facilities)
 SCV _____ Schedule of compliance is not being met
 REV ☒ Reporting (e.g. DMR) or other standard conditions not being met
 SDV _____ Sludge disposal standard violation
 SIC _____ Sludge or solids were observed in creek or around outfall
 SOP _____ Stream has other observable problems due to this discharge
 SWOP _____ No stormwater outfalls permitted

- HBF _____ Holding basin is within one foot of overflow from a no-discharge system
 LL _____ Lagoon is leaking based on geologic evaluation or water balance information
 LAV _____ Wastewater irrigation problems
 SDP _____ Sludge disposal problems
 PTV _____ Pretreatment problems
 OMP _____ Operation and maintenance problems
 SNO _____ Stream was not observed during inspection
 OT _____ Other (specify)

COMPLIANCE TRACKING (complete all that apply)

(yr./mo./day)

NOVR1 ☒ Notice of Violation issued on: 00 / 8 / 8

RRER2 _____ Facility owner directed to submit DMRs, engineering report, plans and specs., const. permit, etc., by: / /

FRCR3 _____ Facility owner directed to return to compliance by: / /

OTRR4 _____ Other; describe below; response date is: / /

FVIR5 _____ Follow-up visit/inspection scheduled for: / /

**DATA INPUT SHEET FOR WQIS
INSPECTIONS**

Facility ID : _____

Permit Number : MO - 0100358 Outfall: 001

Facility Name : INCLINE VILLAGE UNIT #2

Legal Descrip: S&W, NW&W, SW&W, SEC 17 T47N R1W River Reach No: 0711008-15-01

City Name: FORREST County: Warren ROP: SLRO Inspector: Dan Daugherty

Inspection Date: 7-26-2007 WQIS Input Date: _____

Type of Inspection (check only one):

- CS _____ Comprehensive inspection, sample taken (I&E Manual's class 3 inspection)
 CE ☒ Comprehensive inspection, no sample taken (I&E Manual's class 3 inspection)
 AI _____ Abbreviated inspection (I&E Manual's class 2 inspection)
 CP _____ Inspection or investigation in response to a complaint

INSPECTION DATA (check all that apply)

CO _____ Facility in compliance

NCO ☒ Facility not in compliance

- NOCF _____ No Construction Permit
 CTOP _____ Certified operator is required but not employed
 ELV ☒ Facility is not meeting effluent limits based on DMRs or recent sampling
 BVP _____ Evidence of bypassing at facility or in collection system
 NOLA _____ Class I facility is operating without the required LOA/permit
 NOPT _____ Facility is discharging without a permit (includes land appl. facilities)
 SCV _____ Schedule of compliance is not being met
 REV ☒ Reporting (e.g. DMR) or other standard conditions not being met
 SDV _____ Sludge disposal standard violation
 SIC _____ Sludge or solids were observed in creek or around outfall
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- HBV _____ Holding basin is within one foot of overflow from a no-discharge system
 LL _____ Lagoon is leaking based on geologic evaluation or water balance information
 LAV _____ Wastewater irrigation problems
 SDP _____ Sludge disposal problems
 PTV _____ Pretreatment problems
 OMP _____ Operation and maintenance problems
 SNO _____ Stream was not observed during inspection
 OT _____ Other (specify) _____

COMPLIANCE TRACKING (complete all that apply)

(yr./mo./day)

NOVR1 ☒ Notice of Violation issued on:

00/8/8

RRER2 _____ Facility owner directed to submit DMRs, engineering report, plans and specs., const. permit, etc., by:

____/____/____

FRCR3 _____ Facility owner directed to return to compliance by:

____/____/____

OTRR4 _____ Other; describe below; response date is:

____/____/____

FVIR5 _____ Follow-up visit/inspection scheduled for:

____/____/____



MISSOURI DEPARTMENT OF NATURAL RESOURCES
PUBLIC DRINKING WATER PROGRAM
COMPLIANCE & OPERATIONAL INSPECTION

CLASS 2 INSPECTION FORM

INTERVIEWED >		GARY L. SMITH		DATE		7-26-2000	
ID NUMBER		SYSTEM NAME		COUNTY			
603 6149		WARREN CO WATER & SEWER CO		Warren			
ADDRESS		CITY		STATE		ZIP CODE	
2615 FAIRWAY DRIVE		FORISTELL		MO		63328	
1248 MINNOSA CHASE						TELEPHONE NUMBER	
						463-1000	
						636-463-1441	

COMMENTS AND RECOMMENDATIONS FOR CORRECTION

The following comments are referenced to the applicable checklist items attached to this form.

602 LAST VIOLATION WAS FEBRUARY 1986

219 Should be expanded

227 Should be removed - STUCK & REPAIRED PUMP SUIT - PLUGGED OFF

710 Replace VENT KIT TO KEEP CHLORINE VAPOR TO MINIMUM

222 NOT ONLY DRAW DOWN RESOURCES

712 VENTILATION COULD HELP REDUCE CORROSION.

CASING NOT PAINTED - RUSTED

USED HERBICIDE CHEMICALS IN WELL HOUSE

PETROLEUM STORAGE ON SITE

108 BAK FLW HAZARD AT WASTE WATER TREATMENT PLANT # 2

227 - Casing & Piping Needs Re Painted

214 Weeds KILLED IN WELL HOUSE + OUTSIDE FOR WEED CUTTER

FREE & TOTAL CHLORINE RESIDUAL _____ & _____ mg/l ☐ Sample Collected & LOCATION _____

INSPECTOR'S SIGNATURE

[Signature]

TITLE

EST III

COMPLIANCE & OPERATIONAL CHECKLIST

Fill in the appropriate box and if "C", explain in the comment section on the front of this form.

NA ITEM #1 ADMINISTRATION

- ☐ NA ☐ C ok NA
- ☒ 101. 10CSR60-3.010 Permit to Dispense status
- ☒ 102. 10CSR60-2.010(1)(A) Construction permits
- ☐ 103. 10CSR60-3.010(1)(B) Final approvals
- ☒ 104. 10CSR60-10.010(2)(C) Owner supervised program
- ☒ 105. 10CSR60-14.010(4) Certified Chief Operator
- ☒ 106. 10CSR60-12.010 Emergency operations plan
- ☒ 107. 10CSR60-10.040 Lead ban ordinance
- ☐ 108. 10CSR60-11.010 Backflow prevention program
- ☐ 109. 10CSR60-11.010(7)(C) Backflow device records
- ☒ 110. 10CSR60-16.010 Primacy fees
- ☒ 111. 10CSR60-16.030 Laboratory & administration fees
- ☐ 112. 10CSR60-4.020(1)(A) Coliform sampling plan
- ☒ 113. 10CSR60-15.070 Pb/Cu Sampling plan
- ☐ 114. 10CSR60-7.010(4) Turbidity reporting
- ☒ 115. 10CSR60-7.010(4) Disinfection reporting
- ☒ 116. 10CSR60-7.010 Private lab coliform results
- ☒ 117. 10CSR60-8.010 Public notification requirements
- ☒ 118. 10CSR60-6.030 Exemption/ variance requirements
- ☒ 119. 10CSR20-8.170 Sludge management permit or plan
- ☒ 120. 10CSR20-6.010(5) NPDES Permit on plant discharge
- ☒ 121. 10CSR60-7.010(1) Monitoring reports due by 10th
- ☒ 122. 10CSR60-7.010(2) Reporting regulation violations
- ☒ 123. 10CSR60-7.010(3) Reporting Disinfection/Turbidity
- ☒ 124. 10CSR60-7.010(4) Reporting for Lead & Copper
- ☒ 125. 10CSR60-9.010(1)(A) Coliform results (5 yrs)
- ☒ 126. 10CSR60-9.010(1)(A) Operational records (5 yrs)

- ☐ C ok NA
- ☐ 127. 10CSR60-9.010(1)(A) Chemical results (10 yrs)
- ☐ 128. 10CSR60-9.010(1)(B) Violation actions (3 yrs)
- ☐ 129. 10CSR60-9.010(1)(C) Inspection reports (10 yrs)
- ☐ 130. 10CSR60-9.010(1)(D) Variance/ exemption records (5 yrs)
- ☐ 131. 10CSR60-9.010(2) Distribution System records
- ☐ 132. Updated distribution map
- ☐ 133. Individual valve records
- ☐ 134. Individual fire hydrant records
- ☐ 135. Individual flush hydrant records
- ☐ 136. Main Brk/Leak Repair Program
- ☐ 137. Valve Maintenance Program
- ☐ 138. Main Flushing Program
- ☐ 139. Operational/Maint. records
- ☐ 140. Other _____

ITEM #2 SOURCE

- ☐ NA ☐ C ok NA
- ☒ 201. 640.115(1) Source of supply approved
- ☒ 202. 10CSR23-1.090 Well driller's permit (drilled after 1987)
- ☒ 203. 10CSR60-10.010 Construction requirements
- ☒ 204. 10CSR60-4.080(5) Sanitary construction defects
- ☒ 205. 10CSR60-10.020 Siting requirements
- ☒ 206. 10CSR60-4.055(1) GWUDI determination
- ☒ 207. 10CSR23-3.110 Plugging abandoned wells
- ☒ 208. Adequate number of wells
- ☒ 209. Weather protection
- ☒ 210. Security
- ☒ 211. Floor Drain
- ☒ 212. Heating/venting/dehumidification
- ☒ 213. Lighting
- ☒ 214. Chemicals in well-house
- ☒ 215. Top of well at least:
"4' above flood level
"above floor 12" min.
"above ground 18" min.
"approved casing & grout
- ☒ 216. Grand fathered
- ☒ 217. Vent screen/down turned
- ☒ 218. Vent 18" above floor

- ☐ C ok NA
- ☒ 219. Vent adequate size
- ☒ 220. Pump capacity
_____ gpm @ _____ psi
_____ gpm @ _____ psi
- ☒ 221. Well meter, operable
- ☒ 222. Drawdown measuring equip.
- ☒ 223. Pressure Gauge-operable
- ☒ 224. Shutoff Valve
- ☒ 225. Check Valve
- ☒ 226. Wellhead sealed
- ☒ 227. Piping condition
- ☒ 228. Raw water sample tap past check valve
- ☒ 229. Auxiliary power supply
- ☒ 230. Pitiless Unit, no adapter
- ☒ 231. Valve vault adequate size, drained, & provide safe access
- ☒ 232. Vertical Shaft Turbine Pumps Air Release - screened, down turned, 18" above floor
- ☐ 233. Other _____
- ☒ NA ☐ C ok NA
- ☒ 234. 640.115(1) Source of supply approved
- ☐ 235. 10CSR22-2.020(4) Dam safety permit (dams >35' tall)
- ☐ 236. 10CSR22-3.030(1)(B) Dam maintenance & monitoring
- ☐ 237. 10CSR60-10.030 Recreational use plan
- ☐ 238. 10CSR60-10.020 Siting requirements
- ☐ 239. Quality of water
- ☐ 240. Capacity adequate for drought
- ☐ 241. Does system have storage curves
- ☐ 242. Stial marker & weekly records
- ☐ 243. Siltation control structure condition
- ☐ 244. Watershed management plan
- ☐ 245. Algae control program
- ☐ 246. Dam maintenance (mowing, brush, rodents)
- ☐ 247. Erosion control
- ☐ 248. No flow obstructions in spillway entrance
- ☐ 249. Condition of spillway
- ☐ 250. Spillway discharge condition
- ☐ 251. Discharge stream erosion
- ☐ 252. Discharge stream obstructions
- ☐ 253. Emergency spillway condition
- ☐ 254. Other _____

COMPLIANCE & OPERATIONAL CHECKLIST

Fill in the appropriate box and if "C", explain in the comment section on the front of this form.

<input type="checkbox"/> NA	ITEM #7 DISINFECTION
C ok NA	
<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	701. 10CSR60-4.055(3) Minimum residual - entry
<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	702. 10CSR60-4.055(3)(F) Monitoring frequency
<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	703. 10CSR60-4.055(3)(E) Low residual reporting
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	704. 10CSR60-4.055(2)(D) CT study done
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	705. 10CSR60-4.055(2)(C) Meeting CT requirement
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	706. 10CSR60-4.055(3.A) Add Cl prior to ammonia
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	707. 10CSR60-4.055(3.C) Add Cl prior to filters
<input type="checkbox"/> NA	Liquid Chlorinator
C ok NA	
<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	708. Physical condition of feeder
<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	709. Adequate detention
<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	710. Corrosion in room
<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	711. Adequate feed control
<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	712. Adequate venting, heating, lighting
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	713. Other _____
<input checked="" type="checkbox"/> NA	Gas Chlorinator
C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	714. Adequate detention
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	715. Separate Cl ₂ room
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	716. Interior wall view window
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	717. Panic bar door
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	718. Fan suction near floor
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	719. Inlet near ceiling
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	720. Chains n Cl ₂ cylinders
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	721. Cylinders on scales
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	722. Exterior fan/light switch
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	723. SCBA
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	724. Ammonia bottle
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	725. Leak detection/repair kit
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	726. Shower & eye wash
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	727. Hydrocarbons in room
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	728. Sample tap Past Cl ₂
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	729. Condition of room
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	730. Other _____
<input type="checkbox"/> NA	Other Types
C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	731. _____
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	732. _____
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	733. _____

<input type="checkbox"/> NA	ITEM #8 TREATMENT
C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	801. 10CSR60-4.080(8) Approved chemicals, materials & coatings
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	802. 10CSR60-4.080(5) Aeration
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	803. 10CSR60-4.080(5) Chemical Application
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	804. 10CSR60-15.010(4) Corrosion Control Treatment
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	805. 10CSR60-4.080(5) Mixing
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	806. 10CSR60-4.080(5) Settling
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	807. 10CSR60-4.080(5) Filtration
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	808. 10CSR60-4.080(5) H.S. pumps
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	809. 10CSR60-4.080(5) Other pumps
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	810. 10CSR60-4.080(5) Control equipment
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	811. 10CSR60-4.080(5) Plant water storage
<input checked="" type="checkbox"/> NA	Fluoride
C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	812. 10CSR60-4.080(5) Operational Monitoring
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	813. 10CSR60-4.080(11) Sample submittal
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	814. Adequate lab equipment
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	815. Fluoride pump operable
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	816. Sample tap 100 pipe dia. past feed
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	817. Day tank
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	818. Other _____
<input checked="" type="checkbox"/> NA	Ion Exchange Softening
C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	819. Adequate size
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	820. Condition of softener
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	821. Metered for bypassing
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	822. Condition of salt storage
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	823. Other _____
<input checked="" type="checkbox"/> NA	Aeration
C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	824. Capacity
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	825. By-passing for maintenance
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	826. Side access & drainage
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	827. Access to inlet distributor
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	828. Condition of air screens
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	829. Access for screen cleaning
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	830. Condition of media or trays

C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	831. Condition fan & drive motor
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	832. Condition support structure
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	833. Condition of paint
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	834. Other _____
<input checked="" type="checkbox"/> NA	Rapid Mixing
C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	835. Mixing detention
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	836. Adequate mixer capacity
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	837. Condition of mixer
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	838. Mixer maintenance
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	839. Other _____
<input checked="" type="checkbox"/> NA	Flocculation
C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	840. Adequate capacity
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	841. Provisions for cleaning
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	842. Provisions for draining
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	843. Mixer condition
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	844. Mixer capacity
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	845. Mixer access for maintenance
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	846. Short circuiting thru basin
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	847. Condition of basin
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	848. Other _____
<input checked="" type="checkbox"/> NA	Sedimentation
C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	849. Pre-sed. condition & capacity
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	850. Regular sed. purpose & cap.
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	851. Condition of structure
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	852. Maintain units w/ continuous operation
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	853. Condition Int. & Eff. facilities
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	854. Short circuiting in basin
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	855. Adequacy of sludge removal
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	856. Condition of sludge equipment
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	857. Adequacy of sludge lines
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	858. Other _____
<input checked="" type="checkbox"/> NA	Filtration
C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	859. Appropriate type
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	860. Adequate number for continuous operation
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	861. Condition of media
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	862. Maintenance Plan
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	863. Backwash rate & duration
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	864. Adequate backwash method
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	865. Other _____
<input type="checkbox"/> NA	Plant Information
C ok NA	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	866. General Condition
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	867. Other _____

System Information for 12 Months

Number of Active Services _____
 Avg. Daily Produced _____ gal/Purchased _____ gal
 Max. Daily Produced _____ gal/Purchased _____ gal
 Water Loss _____ %

Population Served _____
 Avg. Daily Supplied to Secondary Systems _____ gal
 Max. Daily Supplied to Secondary Systems _____ gal
 Total Storage _____ gal

COMPLIANCE & OPERATION CHECKLIST

Fill in the appropriate box and if "C", explain in the comment section on the front of this form.

ITEM #2 SOURCE (CONT.)

- ☒ NA Rivers & Streams
C ok NA
☐ ☐ ☐ 255. 640.115(1) Source of supply approved
☐ ☐ ☐ 256. Quality of Water
☐ ☐ ☐ 257. Capacity during drought
☐ ☐ ☐ 258. Raw water storage capacity & condition
☐ ☐ ☐ 259. Cofferdam condition
☐ ☐ ☐ 260. Intake protection
☐ ☐ ☐ 261. Vandalism control
☐ ☐ ☐ 262. Other _____

- ☒ NA Intakes
C ok NA
☐ ☐ ☐ 263. Adequacy of water withdrawal levels
☐ ☐ ☐ 264. Capacity of water inlets
☐ ☐ ☐ 265. Water Inlets screened
☐ ☐ ☐ 266. Condition of intake control valves
☐ ☐ ☐ 267. Intake tower condition
☐ ☐ ☐ 268. Safety cable on intake hoses
☐ ☐ ☐ 269. Floats properly anchored
☐ ☐ ☐ 270. Wench and cable condition
☐ ☐ ☐ 271. Discharge pipe capacity
☐ ☐ ☐ 272. Vandalism control
☐ ☐ ☐ 273. Intake protected from flood damage
☐ ☐ ☐ 274. Zebra mussel control program
☐ ☐ ☐ 275. Other _____

ITEM #3 PUMPING STATIONS

- ☒ NA Raw & Finish Water Pumping
C ok NA
☐ ☐ ☐ 301. Pumping capacity
☐ ☐ ☐ 302. Adequate number of pumps
☐ ☐ ☐ 303. Pump operable during flooding
☐ ☐ ☐ 304. Sized for pump maintenance
☐ ☐ ☐ 305. Pump room access
☐ ☐ ☐ 306. Adequate safety equipment
☐ ☐ ☐ 307. Heating and venting
☐ ☐ ☐ 308. Drains and sumps
☐ ☐ ☐ 309. Lighting (int&ext)
☐ ☐ ☐ 310. Power supply
☐ ☐ ☐ 311. Telemetry & pump control
☐ ☐ ☐ 312. Pressure Gauges
☐ ☐ ☐ 313. Metering-operable
☐ ☐ ☐ 314. Pump piping condition
☐ ☐ ☐ 315. Other _____

- ☒ NA Finished Water Pumping
C ok NA
☐ ☐ ☐ 316. Pressure _____ psi
☐ ☐ ☐ 317. Flow _____ gpm
☐ ☐ ☐ 318. HP _____; Phase 3 _____ or 1 _____
☐ ☐ ☐ 319. Other _____

ITEM #4 STORAGE

- ☐ NA Unpressurized Storage
C ok NA
☐ ☒ ☐ 401. 10CSR60-4.080(7) Storage covered & vented
☐ ☒ ☐ 402. 10CSR60-4.080(8) Approved chemicals, materials, & coatings
☐ ☒ ☐ 403. Adequate capacity
☐ ☒ ☐ 404. Overflow
"12" to 24" above ground
"Screened or flap valve"
☐ ☐ ☐ 405. Vent screened
☐ ☐ ☐ 406. Access hatch locked
2" overlap, 4" to 6" curbing
☐ ☒ ☐ 407. Manway
☐ ☒ ☐ 408. Access ladder & appurtenances condition
☐ ☒ ☐ 409. Exterior paint condition
☐ ☒ ☐ 410. Unsealed openings
☐ ☒ ☐ 411. Security
☐ ☒ ☐ 412. Isolation for maintenance
☐ ☐ ☐ 413. Roof watertight & properly drained
☐ ☒ ☐ 414. Adequate drain
☐ ☐ ☐ 415. Inspection Program
☐ ☒ ☐ 416. Protection-vandalism, cattle, etc.
☐ ☒ ☐ 417. Condition of valve vault
☐ ☐ ☐ 418. Other _____

- ☒ NA Large Pressure Tanks
≥1,000 gal
C ok NA
☐ ☐ ☐ 419. Drain
☐ ☐ ☐ 420. Water sight glass
☐ ☐ ☐ 421. Manway
☐ ☐ ☐ 422. Pressure Gauge
☐ ☐ ☐ 423. Compressor
☐ ☐ ☐ 424. Air blow off
☐ ☐ ☐ 425. Controls
☐ ☐ ☐ 426. Exterior paint condition
☐ ☐ ☐ 427. Capacity Dia. _____, L _____
☐ ☐ ☐ 428. Other _____

- ☒ NA Small Pressure Tanks
<1,000 gal
C ok NA
☐ ☐ ☐ 429. Capacity
No. of Tanks _____, Dia. _____,
Circ. _____, Ht/Length _____,
Volume Ea. _____ gal
☐ ☐ ☐ 430. Water logged
☐ ☐ ☐ 431. Exterior paint condition
☐ ☐ ☐ 432. Bladder tank drawdown
Capacity _____ ea. _____ gal
Capacity _____ ea. _____ gal
Capacity _____ ea. _____ gal
☐ ☐ ☐ 433. Other _____

- ☐ NA ITEM #5 DISTRIBUTION
C ok NA
☐ ☐ ☐ 501. 10CSR60-4.055(4) Minimum residual - system
☐ ☐ ☐ 502. 10CSR60-4.055(4)(E)Cl₂ Monitoring - Dist. system
☐ ☐ ☐ 503. 10CSR60-4.080(9) Minimum pressure
☐ ☐ ☐ 504. 10CSR60-4.080(6) New main & repairs disinfected
☐ ☐ ☐ 505. 10CSR60-4.010(2) Main & sewer separation
☐ ☐ ☐ 506. 10CSR60-4.080(8) Approved Chemicals, materials, & coatings

- ☐ ☐ ☐ 507. Water loss ≤ 10%
☐ ☐ ☐ 508. Adequate cleanouts, valves, and hydrants to flush system
☐ ☐ ☐ 509. Individual customer meter
☐ ☐ ☐ 510. Other _____

ITEM #6 MCL/MONITORING

- ☐ NA
C ok NA
☐ ☒ ☐ 601. 10CSR60-4.020(7) Microbiological MCL
☒ ☒ ☐ 602. 10CSR60-4.020 Total Coliform Monitoring
☐ ☒ ☐ 603. 10CSR60-4.030 Inorganic chemicals
☐ ☒ ☐ 604. 10CSR60-4.030(2)(C) & (D) Nitrates/Nitrites
☐ ☒ ☐ 605. 10CSR60-4.040 Synthetic organic chemicals
☐ ☐ ☒ 606. 10CSR60-4.050(1)(A) Monthly turbidity MCL
☐ ☐ ☒ 607. 10CSR60-4.050(1)(B) Acute turbidity MCL
☐ ☐ ☒ 608. 10CSR60-4.050(3) Report acute turbidity MCL
☐ ☒ ☐ 609. 10CSR60-4.060 Radio-nuclides
☐ ☒ ☐ 610. 10CSR60-4.070 Secondary contaminants
☐ ☐ ☒ 611. 10CSR60-4.080 Fluoride supplementation
☐ ☒ ☐ 612. 10CSR60-4.090 Trihalomethanes (>10,000)
☐ ☒ ☐ 613. 10CSR60-4.100 Volatile organic chemicals
☐ ☒ ☐ 614. 10CSR60-4.110 Unregulated chemicals
☐ ☒ ☐ 615. 10CSR60-15.020-15.050 Exceed Pb/Cu levels
☐ ☒ ☐ 616. 10CSR60-4.080(3) Operational Monitoring
☐ ☐ ☐ 617. Other _____



STATE OF MISSOURI
OFFICE INFORMATION MEMO

DATE

TIME ☐ AM ☐ PM

9/22/97

TO

Don Daugherty

DEPARTMENT OR DIVISION

SLRO

COPY

FROM

Deana Cash

DEPARTMENT

MDWR

RE

Warren Co. Water & Sewer

- ☐ TAKE NECESSARY ACTION
- ☐ FOR YOUR APPROVAL
- ☐ REPLY
- ☐ FOR YOUR COMMENTS
- ☐ FOR YOUR INFORMATION

- ☐ PER YOUR REQUEST
- ☐ RETURN
- ☐ FILE
- ☐ FOR YOUR SIGNATURE
- ☐ PREPARE FOR MY SIGNATURE

This came to us as part of a package from Senator House. I selected this info. for you to view to determine if more complaint visit followups are necessary. I didn't know if you knew about all this or just the one complaint already investigated. Please let me know if you find anymore on this. Thanks.

De

MO 899-9003 (8-85)

WARREN COUNTY WATER & SEWER COMPANY

2615 FAIRWAY DR., • FORISTELL, MISSOURI 63348 • Telephone (314) 463 1441

November 8, 1996

TO: DONALD CARTER, 2715 MAHOGANY
RICK KOLODIE, 2717 MAHOGANY

FROM: Gary L. Smith 

RE: Unauthorized/Improper Connections

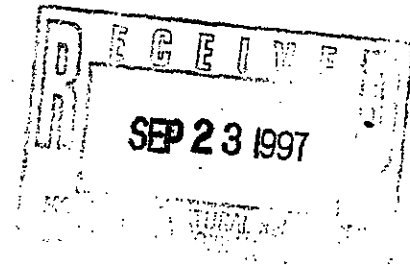
Because of the unauthorized and improper connections that you, your contractor, and/or your subcontractors, have made to the water and sewer system, this is to advise you that, as we have explained verbally as construction was in progress, we will not be responsible for the operation of your systems from the main at the street into your home.

Missouri Public Service Commission Tariffs provide for certain construction standards and provide that where those are not followed, as in your situations, we are not responsible for maintenance. Your accounts have been flagged to that effect, and, in the event of calls for service that are not our responsibility, we will bill appropriately.

Incline Trustees have been repeatedly advised, and have been provided with details of specific standards, that certain construction standards must be followed or the Company will not be responsible for maintenance of individual systems.

cc: Missouri Public Service Commission

 Incline Trustees

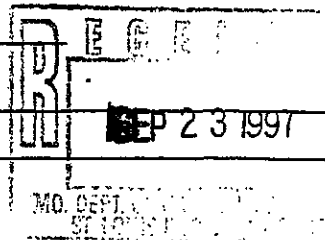


NAME: HOERSCHMEER, STEVE E Jan 673-2919

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____



ADDITIONAL COMMENTS/PROBLEMS

NAME: HOFF, RANDY - MONICA 463-2022

ADDRESS: _____

SMELL Real Bad
TASTE Real Bad

COLOR Real - BAD
PRESSURE OK

ADDITIONAL COMMENTS/PROBLEMS
#5100 mo.

NAME: HOPKINS, William - FRAN 673-2354

ADDRESS: _____

SMELL BAD
TASTE BAD

COLOR _____
PRESSURE OK

ADDITIONAL COMMENTS/PROBLEMS
Said They Should Put in Acreage 51FT Smr, Auction went out
he would not put them implied that it really was not needed.

NAME: May NARO, John & Mona 463-7117

ADDRESS: _____

SMELL _____ COLOR _____
TASTE _____ PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: _____

ADDRESS: _____

SMELL _____ COLOR _____
TASTE _____ PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: _____

ADDRESS: _____

SMELL _____ COLOR _____
TASTE _____ PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: HAMBACH

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

✓ NAME: HAWKINS - Robert & JOANN 673-1125

ADDRESS: _____

SMELL VERY BAD
TASTE VERY BAD

COLOR _____
PRESSURE VERY BAD

ADDITIONAL COMMENTS/PROBLEMS

✓ NAME: HILL, GARY SUE 673-2828

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: SIANSKI WICK

ADDRESS: _____

SMELL BAD
TASTE BAD

COLOR ORANGE
PRESSURE FINE

ADDITIONAL COMMENTS/PROBLEMS

SEWER (NO PROB)
WATER (NO PROB)
WOULD LIKE TO GET OWN WATER (WLTGWB)

NAME: ARNET

ADDRESS: _____

SMELL BAD
TASTE OK

COLOR _____
PRESSURE BELOW AVERAGE

ADDITIONAL COMMENTS/PROBLEMS

SEWER NONE

NAME: ASHBURN, MICHAEL 463-1704 ✓

ADDRESS: _____

SMELL BAD
TASTE BAD

COLOR OK
PRESSURE Very low

ADDITIONAL COMMENTS/PROBLEMS

He (GARY SMITH) stated that your put in new water
system
He could put in a unit 'cause' But did not have
the money
Water 3.4 inch diameter 27.55 °C 10.0 °C

NAME: BAKER, JOE, ANN 463-2991

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: BALLEWA, GEORGE, MARY WINE NO. 673-2060

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: BENDEL, ^{Robert} Bob, SHERLEY 463-1105

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: BEESON, Charles - Juoy

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: BESSELMAN, JERRY - CARRIE 673-2042

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: BEINE, Jim 463-1000

ADDRESS: _____

SMELL OK
TASTE OK

COLOR OK
PRESSURE OK

ADDITIONAL COMMENTS/PROBLEMS -

HAS ~~FE~~ SUGAR ONLY, -
POSSIBLE ODER OF SEWAGE at Dam area

NAME: Bohler, Ed & Helen 673-2661

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NOT ON WATER -
LOW SEWER -

NAME: Bowser, David & Brenda 673-1508

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: Baum, Lou & Kathy 463-1217

ADDRESS: 1248 Fairway Dr.

SMELL BAD
TASTE BAD

COLOR OK
PRESSURE OK

ADDITIONAL COMMENTS/PROBLEMS

WATER - Bills Average \$7

NAME: Budd, Kelly & Donna 763-1037

ADDRESS: _____

SMELL Not Good

COLOR BAD -

TASTE Not Good

PRESSURE OK

ADDITIONAL COMMENTS/PROBLEMS

Not Back Washing Hydrants -

Sewer NO PROBLEM - ^{BT} POSSIBLE LEAKAGE @ POND

" @ Dam area

NAME: CHANDLER, MARVIN & JENNETTE 463-2542

ADDRESS: _____

SMELL BAD

COLOR OK

TASTE BAD

PRESSURE Not Real Good

ADDITIONAL COMMENTS/PROBLEMS

NAME: Coe, ~~Kevin~~ KEVIN & BONNIE 673-1263

ADDRESS: _____

SMELL _____

COLOR _____

TASTE _____

PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: COLE, Bob & Fran 463-1119

ADDRESS: _____

SMELL NOT GOOD

COLOR DISCOLOR

TASTE NOT GOOD

PRESSURE LOW

ADDITIONAL COMMENTS/PROBLEMS

HAS W.S.

NO - SEWER PROBLEMS -

DOES NOT WHAT IS SOLD OUTSIDE OF INCLINE

NAME: COLEMAN, JERRY & DONNA 673-1304

ADDRESS: _____

SMELL _____

COLOR _____

TASTE _____

PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: COOGAN, CHAD

ADDRESS: _____

SMELL _____

COLOR _____

TASTE _____

PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: CUSUMANO, LEONARD. Rose 463-7672

ADDRESS: 2435 FAIRWAY DR

SMELL OK - WITH FILTER

COLOR

OK - WITH FILTER

TASTE OK

PRESSURE

NOT GOOD

ADDITIONAL COMMENTS/PROBLEMS

SEWER OK.

NAME: CYPRET KATHY 1-314 673-1127

ADDRESS: _____

SMELL _____

COLOR _____

TASTE _____

PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: ETTER, DON & KAREN 463-2313

ADDRESS: * 22 GOLF VIEW

SMELL BAD

COLOR BAD

TASTE BAD

PRESSURE BAD

ADDITIONAL COMMENTS/PROBLEMS

SEWER IN FRONT @ END OF GOLF VIEW COURT

NEEDS REPAIR NOT FLOWING DOWN

NAME: FREB BORN, RANDALL & PENNY 463-1501

ADDRESS: _____

SMELL NO GOOD / BAD
TASTE BAD

COLOR COLOR BAD
PRESSURE OK

ADDITIONAL COMMENTS/PROBLEMS

Buy WATER
SEWER NO PROB -

NAME: FADER, Jim & Sue

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: FURMAN, ART & JUNE

673-2291

ADDRESS: _____

SMELL _____
TASTE _____

COLOR _____
PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: GATEWOOD, Bill & Nancy 463-1510

ADDRESS: _____

SMELL Good & BAD

COLOR Good & BAD

TASTE Good & BAD

PRESSURE Low Read

ADDITIONAL COMMENTS/PROBLEMS

COST IS HIGH — NO QUANTITY —

BAD METER WILL NOT FIX —

Hearn 91⁹⁶ 94 - 54⁵⁴ 58-104

NAME: GOSPEL, Scott & Taylor

ADDRESS: _____

SMELL _____

COLOR _____

TASTE _____

PRESSURE _____

ADDITIONAL COMMENTS/PROBLEMS

NAME: HAACK John

673-2030

ADDRESS: _____

SMELL BAD

COLOR _____

TASTE OK. HAV. SODAS

PRESSURE OK

ADDITIONAL COMMENTS/PROBLEMS

SEWER — NEVER READS 50%

Direct Testimony of
Kimberly K. Bolin
Case No. WC-2001-155

August 21, 2001

Carla Gude
1277 Mimosa Ct.
Foristell, MO 63348

Missouri Public Service Commission
Water and Sewer Department
PO Box 360
Jefferson City, MO 65102

Office of Public Counsel
Attn: Ruth O'Neil
PO Box 7800
Jefferson City, MO 65102

Dear Sir(s),

This letter is in response to a letter dated August 1, 2001 from Warren County Water and Sewer Co regarding a Permanent rate increase. I feel this request is very unfair and should be investigated in depth.

Being a resident of Incline Village subdivision for over 2 years now, I have noticed the quality of our water itself and our service of Warren County decline on a weekly basis. Our rates increase as the quality of our water decreases. I feel that our water is unsanitary and should definitely be analyzed soon.

My fiancé and myself do not drink the water from the tap nor do many of our neighbors and friends. We will not even feed it to our dog. In fact, we have two friends that have recently invested \$4,000 - \$5,000 for a water purification system so that their clothes are no longer stained brown and their toilets and showers continuously stained brown. No to mention the awful smell from the water itself.

We feel that it is really ridiculous to have to even think about investing so much money to clean our water so that it is clean and safe for consumption and bathing. I am basically spending the same on bottled water to drink and cook with but I am still showering in the nasty water that I may have to spend additional money to avoid.

On behalf of many residents of Incline Village and Warren County, we would appreciate a full investigation and a demanded clean up of our water and sewage system. I would be happy to help in any way or answer any questions you may have. I would love to send you water to sample straight from my tap so you can see for yourself how terrible it really is. I do feel it is very unhealthy and there definitely needs to be some drastic changes. Then I may consider this increase fair.

Thank you for your attention to this matter.

Regards,
Concerned Resident,


Carla Gude

Direct Testimony of
Kimberly K. Bolin
Case No. WC-2001-155

Michael & Cindy Hinson

1451 Fairway Dr. North
Forest Hill, MO 63348
636-673-1322

COPYCO

August 6, 2001

ATTN: Ruth O'Neill

Dear Sir or Madam:

I am writing this letter in regards to the upcoming rate increase that Warren County Water & Sewer Co. has proposed. We received a letter dated August 1, 2001 stating that our water and sewer rates will be raised approximately 48%.

The owner of this company has made several promises since we moved to Incline Village in 1996 and he has not followed through on one. First, we have very little water pressure at our home. Gary Smith has said for the last 4 years that he would be correcting this problem, however we still have extremely low pressure. In addition, we have had several instances where we have not had water for eight + hours.

The 43% increase he is seeking for sewer is absurd. I am a boater on our lake that we have at Incline Village and I have personally seen raw sewage being dumped into our lake. I also read recently where the EPA has filed charges against this company for dumping sewage into the lake. We have small children and find this alarming. Other words this guy just don't care.

At this time we are not willing to pay the proposed increase until he can first correct the water pressure issue, secondly have a service that is as reliable as our other utilities.

This rate increase should be denied!

Sincerely,

Michael Hinson
Cindy Hinson

Michael & Cindy Hinson
636-673-1322

CC: State Representative

Schedule KKB-4

4.2

AUG 06 2001

Direct Testimony of
Kimberly K. Bolin
Case No. WC-2001-155

COPY
FILE COPY

August 20, 2001

Office of Public Counsel
Attn: Ruth O'Neill
P.O. Box 7800
Jefferson City, MO 65102

Re: Warren County Water & Sewer request for rate hike

Dear Ms. O'Neill:

With respect to the above referenced. I am a homeowner at Incline Village. I do not have a problem with a rate hike BUT ONLY under the condition that prior to any increases that the new well, that has been promised to us for years, is installed and operating. Our water pressure is steadily decreasing. I have concerns, being a walker, many times I will pass manholes that are not properly covered. I'm concerned about the safety of children playing in the area.

Sincerely,



Ann Schermann
2684 Village Drive
Foristell, MO 63348

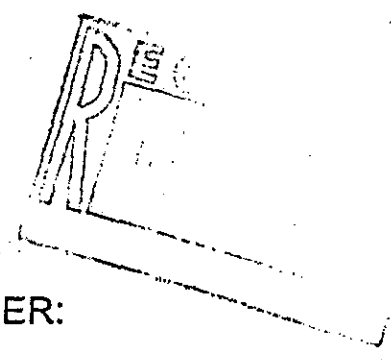
636-463-2003

COPY

Warren Co Water & Sewer Co

Direct Testimony of
Kimberly K. Bolin
Case No. WC-2001-155

PRELIMINARY ENGINEERING REPORT
FOR
WATER FACILITY STUDY



OWNER:

WARREN COUNTY WATER AND SEWER COMPANY

MECO PROJECT NO. 339-001
SEPTEMBER, 1996

John Riedel 3-27-97 Plan 9 61124-97
Public Drinking Water Program
Division of Environmental Quality



MECO ENGINEERING COMPANY, INC.
ENGINEERS - SURVEYORS

P.O. BOX 917
HANNIBAL, MO 63401

3120 PALMYRA ROAD
573-221-4048

Schedule KKB-5
5.1

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MISSOURI PUBLIC SERVICE COMMISSION CORRESPONDENCE DATED 7-3-96	

BACKGROUND

The Warren County Water and Sewer Company, a private company franchised by the Missouri Public Service Commission, is owned and operated by Gary Smith, and is located in the Incline Village area north of Foristell, Missouri. This area is situated in the north eastern corner of Warren County, Missouri approximately three miles north of Interstate 70 and Foristell, Missouri and along Highway 'WW'. The development also extends into western St. Charles County and South Eastern Lincoln County.

Ingress and egress to Incline Village is controlled at various locations by gates and security guards. Incline Village is situated on a rolling topography with ridge lines radiating from a point at the northwest corner of the development in directions east, southeast and south. The drainage is predominantly to the southeast where the watershed is impounded by a manmade reservoir covering approximately 108 acres.

Incline Village is also served by sanitary sewers owned by the Warren County Water and Sewer Company. The sewers are primarily gravity, but utilize lift station where necessary to overcome topographical restrictions. The collected waste stream is transmitted to one of two mechanical wastewater treatment plants located adjacent to the main lake. The Warren County Water and Sewer Company currently provides water service to approximately 170 homes.

The currently proposed growth area for the Warren County Water and Sewer Company service area and Incline Village is indicated on ***Exhibit 1 - Existing and Future Boundaries*** in the appendix of this report.

It is felt that the adequacy of the current organizational structure is sufficient for managing, maintaining and operating any proposed improvements.

When properly designed and applied for certain applications, standpipe storage systems are economical alternatives to elevated storage facilities on small water systems. However, the Warren County Water and Sewer Company's standpipe storage tank is not adequately designed to meet the Company's needs due to its lack of sufficient height and elevated storage volume.

It is generally recommended that a community potable water supply system have a finished water storage capacity between one and three peak day's water consumption. Since the Warren County Water and Sewer Company's water system has only one well, whenever the well requires repair, the water system is without usable (greater than 20 psi) water instantly. This undesirable situation also occurs if electrical power to the well supply fails for any reason.

Whenever the pressure in a water distribution system lowers to less than 20 psi (a condition prohibited by the Missouri Department of Natural Resources), the possibility of contamination entering the water distribution system increases. When a water outage occurs, a vacuum could be placed upon the mains which might cause contaminants to be drawn into the distribution system through loose joints, cross connections, small cracks, etc. This possibility of contamination presents a hazardous condition to the Warren County Water and Sewer Company's water system, particularly since the water is not chlorinated. The Warren County Water and Sewer Company's existing distribution system, by design, allows the water pressure to lower below 20 psi on a fairly regular basis at several homes.

Maximum daily usage of the residential and small commercial users is based upon experience and judgment. Flow tests on small water supply systems seem to indicate that most of the water produced each day is consumed within a period of twelve hours. Thus, in calculating the maximum hourly rate of demand, it must be assumed that all water used in a day will be produced within a twelve-hour period. The maximum daily rate of consumption is about 1.5 times the average daily rate and the maximum hourly rate is approximately 2.0 times the maximum daily rate, or 300% of the average daily rate.

Based upon the predicted year 2016 user base derived from growth expectations provided by the owner, approximately 450 users will require water service from the Warren County Water and Sewer Company. The design water use trends for Warren County Water and Sewer Company would be as follows:

Design Year Average Daily Water Demand

450 homes x 3.5 persons per home x 100 gallons per person per day =

157,500 gallons per day

Design Year Maximum Daily Water Demand

= 157,500 gpd x 1.5 =

236,250 gallons per day

Design Year Maximum Hourly Water Demand

= 157,500 x 1.5 x 2.0 x 24/12 = 945,000 gpd =

656 gallons per minute

The design treated water requirements are based upon the maximum day consumption of 236,500 gallons. Allowing a production time of 12 hours results in a design requirement of approximately 328 gpm. Based upon this design requirement, the existing facilities shall be evaluated and a recommendation for the improvements presented.

RECOMMENDED IMPROVEMENTS - TREATMENT

Communications with Missouri Department of Natural Resources' officials have indicated that chlorination of all public water supplies will be mandatory in the near future. We, therefore, recommend that chlorination equipment be included into any water system improvements project for the Warren County Water and Sewer Company.

It is required by various agencies having jurisdiction over the construction of such treatment facilities that they be constructed utilizing an isolated and dedicated room for chlorination equipment. Such requirements have been considered in the preparation of the costs associated with the recommended chlorination equipment.

We recommend that the hydrogen sulphide concentrations attempt to be stripped off by utilizing an aeration effect. This effect can be created with the implementation of a simple modification to the proposed elevated water tower. The inlet pipe for the water tower should extend above the high waterline of the proposed tank in order that any water introduced into the tank be subject to a cascading effect as it is discharged from the pipe.

A secondary effect of this modification is the provision for forced chlorine contact time prior to human contact. All newly produced water must first enter the elevated tank before being introduced into the water distribution system.

pressure at the tank site (640 feet + / - USGS) and provide sufficient pressures throughout the proposed growth area. With a high waterline or Hydraulic Grade Line of 750 feet, the Incline Village area would experience maximum pressures in the range of 108 psi. This is within the accepted limits of the class 160 PVC pipe utilized in the distribution network but may require the installation of individual pressure regulators on customers services that cannot withstand the increased pressures.

As an interim solution to existing low pressures affecting approximately four existing and several proposed homes in the vicinity of the standpipe and well house, we recommend that a pair of booster pumps and bladder tanks be installed on a dedicated waterline serving only these homes. This temporary solution will provide acceptable pressures and insure that a minimum 20 psi pressure residual is provided to all customers of the Warren County Water & Sewer Company.

It is also recommended that the existing standpipe storage tank be taken out of service and retained for emergency use in the future or for intermediate storage.

Cost predictions for the proposed elevated water tank and the temporary booster pumps are included in this report.



MECO ENGINEERING COMPANY

OPINION OF PROBABLE COSTS WORKSHEET

name of client : Warren County Water & Sewer Company
name of project : Incline Village Water System Study
MECO job number : 339-001
MECO file name : CALCS.WK4
date of form : 05-Sep-96

ESTIMATE OF QUANTITIES AND CONSTRUCTION COSTS FOR Incline Village PHASE ONE

#	Q'TY	UNIT		SIZE	DESCRIPTION		UNIT COST		TOTAL
1	100	L.F.	of	4"	CL 160 PVC Waterline	@	\$10	=	\$1,000
2	1	L.S.	of	4"	Gate valve	@	\$500	=	\$500
3	2	L.S.	of	1.5hp	Booster Pumps	@	\$2,500	=	\$5,000
4	1	L.S.	of		Controls, Installation & Start-Up	@	\$1,000	=	\$1,000
5	1	L.S.	of	119 gal	Bladder Tank & Piping (Optional)	@	\$1,500	=	\$1,500

TOTAL ESTIMATED CONSTRUCTION COST = \$9,000

ESTIMATED PHASE ONE PROJECT COSTS

CONSTRUCTION..... \$9,000
 ENGINEERING \$1,600
 CONTINGENCIES..... \$900

ESTIMATED TOTAL PROJECT COST : \$11,500

CONCLUSIONS

The Warren County Water and Sewer Company presently owns and operates a waterworks system which contains certain undesirable and unacceptable features. Realizing the need for improvements, the Company has authorized this engineering study of the waterworks system.

Using an accepted design period of 20 years, certain recommendations have been made for improvements to Warren County Water and Sewer Company's waterworks system. These recommendations include an additional raw water supply, water treatment in the form of chlorination and aeration facilities, elevated water storage, standpipe storage abandonment, and temporary booster pumps and bladder tanks.

RECOMMENDATIONS

The following recommendations are hereby presented to the Warren County Water and Sewer Company for their consideration:

1. The financial abilities of the Company be determined, from which the scope of the improvements can be established.
2. Any prospective financial institutions which may serve to provide financial assistance for this project be contacted and all pre-applications for assistance be filed with the proper agencies.
3. The construction of the recommended improvements be attempted as soon as possible. The rising cost of construction and other inflationary items will only result in more difficulty in financing at a later date.
4. Approval of this report be given and the issuance of this report be made to the Missouri Department of Natural Resources and all possible funding agencies.



MECO ENGINEERING COMPANY

HYDRAULIC LOADINGS WORKSHEET

name of client : Warren County Water & Sewer Company
name of project : Incline Village Water System Study
MECO job number : 339-001
MECO file name : CALCS.WK4
date of form : 05-Sep-96

Design Calculations for Water Facilities serving Incline Village

EXISTING CONDITIONS

Design Population Loadings for : Incline Village

$$170 \text{ - Single Family Homes} \times 3.7 \text{ People per Home} = 629$$

Peaking Factor based upon Population Loadings Incline Village

$$P = \text{Population in thousands} = 629 / 1000 = 0.629$$

$$\frac{Q_{max}}{Q_{avg}} = \frac{18.7 P}{4 + \sqrt{P}}$$

$$\frac{Q_m}{Q_a} = \frac{18.7931}{4.7931} = 3.9209 \text{ peak factor}$$

Peak Flow, Qmax Combined for : Incline Village

$$Q_{avg} = \text{Population} \times 100 \text{ Gallons per Capita per Day} = 629 \times 100 = 62,900 \text{ gallons per day}$$

$$Q_{avg} = \text{gallons per day (gpd)} / (60 \times 24) = \text{gallons per minute (gpm)} = 62,900 / 1,440 = 43.68 \text{ gpm}$$

$$Q_{max} = Q_{avg} \times \text{peak factor} = 43.68 \times 3.9209 = 171.3 \text{ gpm}$$

Well Capacity for: Incline Village



Existing Peak Well Productio 260 gpm

Current Peak Demand : 171 gpm

Daily Pump Run Time : 15.8 hours / day

Storage Capacity for: Incline Village



Existing Storage Capacity : 32,000 gallons

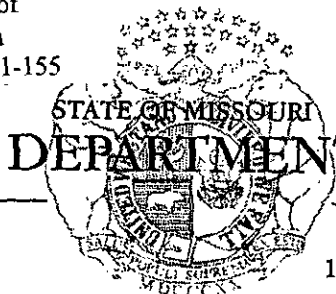
Current Storage Requirements = 62,900 gallons

DNR recommends 2 days storage 125,800 gallons

Current Storage Deficit : 93,800 gallons

Warren County (PDWP)
Incline Village

Direct Testimony of
Kimberly K. Bolin
Case No. WC-2001-155



Mei Carnahan, Governor • David A. Shorr, Director

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL QUALITY

St. Louis Regional Office

10805 Sunset Office Drive, Suite 100 St. Louis, MO 63127-1017

(314)822-0101

FAX (314)822-0943

August 29, 1997

Mr. Gary Smith
Warren County Water & Sewer Company
1248 Mimosa Court
Foristell, MO 63348

Dear Mr. Smith:

This office has reviewed the most recent water usage information for the Warren County Water & Sewer Company's public water system (ID# 6036149). We are also in receipt of a copy of correspondence from Mr. Vogler of MECO Engineering (dated August 11, 1997) concerning options for additional storage for the system. Based on the data for current water use, your existing storage is now only 78% of the average daily demand, a 22% shortfall. During peak demand the storage is less than half of one day's use.

Currently, with 188 active service connections, the average daily demand is approximately 41,000 gallons per day. If all the lots in Incline Village are sold, there could be at least 800, possibly 900 total customers, which may mean a fourfold increase in demand.

I agree with Mr. Vogler's assessment that elevated storage is your best option. This can provide storage, pressure and chlorine contact time without additional pumps and mechanical devices. If sized appropriately it will also provide sufficient water flow for fire flow demand. This of course could be of benefit for your customers in a more satisfactory insurance rating, and decreased premiums. Mr. Vogler's letter did not mention if his calculations included the fire flow requirements. You may wish to discuss this with your engineer to be certain that fire flow requirements are included in the design.

We recommend that you proceed as quickly as possible with the plans for additional storage for the water system.

If you have any questions, please feel free to contact me at the St. Louis Regional Office, at 314-822-0101.

Sincerely

ST. LOUIS REGIONAL OFFICE

A handwritten signature in cursive script, reading "Daniel Daugherty", is written over a horizontal line.

Daniel Daugherty
Environmental Specialist

DJD/bkk

C: Public Drinking Water Program
Public Service Commission
Mr. John Kelly, Incline Village Homeowners Assoc.

Schedule KKB-6

COPY

INCLINE.
VILLAGE

FILE COPY



1226 Fairway Drive
Foristell, MO 63348
636-673-2047
636-673-1106 (fax)

August 23, 2001

Ms. M. Ruth O'Neill
Assistant Public Counsel
Department of Economic Development
PO Box 7800
Jefferson City MO 65102

Mr. James Merciel
Missouri Public Service Commission (PSC)
PO Box 360
Jefferson City MO 65102

Re: Warren County Water & Sewer Company (WCWSC)

Dear Ruth and Jim:

As you know, in some of the discussions that we have had beginning in January of this year regarding Mr. Gary L. Smith and the Warren County Water & Sewer Company, a potential scenario could result in the Incline Village Board of Trustees being named in a receivership through the Missouri Public Service Commission.

I can assure both of you, also to include the Public Counsel and the PSC, that the Incline Village Trustees have the determination, financial resources and the technical and managerial skills to purchase and execute the various functions required to properly operate the Warren County Water & Sewer Company. You can be assured that the level of safety, environmental protection, technical skills and fiscal responsibility that we will require and achieve, should we be able to purchase WCWSC, will be orders of magnitude better than Mr. Smith's current operation(s).

Of course, since we have limited resources, the purchase price of the WCWSC will need to be a reasonable price along the lines that Jim detailed in our meeting on January 31, 2001, in Jefferson City on this and other topics. My understanding of what Jim detailed is that a reasonable approach to get to the current value (purchase price) of the WCWSC is to utilize the Rate Case formula, utilizing the original cost of plant, less depreciation, and factoring in contributions and liabilities. The purchase price will be the first step in the Trustee's analyses as to the short and long term financial viability of the WCWSC, which we will require.

Schedule KKB-7

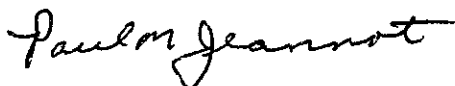
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As to the technical skills required to operate WCWSC, we have a very well qualified and interested individual who both of you have met, John Maynard, who lives in Incline Village and is ready to lead the WCWSC operations reporting to the Trustees, again should we be fortunate to properly purchase that business entity. As I recall, each of you have copies of his resume. If not, please let me know and I will send copies.

If you require further commitment and/or information, please call me at 636-463-1066. My FAX number is 636-463-3066.

Best Regards,



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