



May 22, 2023

Via Email to [R9LandSubmit@epa.gov](mailto:R9LandSubmit@epa.gov)

Acting Director, Land Division  
US Environmental Protection Agency, Region 9  
75 Hawthorne Street (LND-1)  
San Francisco, CA 94105

**Re: Evoqua Water Technologies – Parker, Arizona Facility**  
**USEPA ID No.: AZD 982 441 263**  
**Third Supplement to Modification No. 010 – Class 1 With Director Approval:**  
**Transfer of Ownership And Operational Control from Evoqua Water**  
**Technologies LLC to Desotec US LLC**

Dear Ms. Trombadore:

Evoqua Water Technologies LLC (“Evoqua”) and Desotec US LLC (“Desotec”) hereby provide an update to the previous Class 1 permit modification notification (the “Application”) to the Environmental Protection Agency, Region 9, for the Hazardous Waste Permit (the “Permit”) issued to the carbon reactivation facility located at 2523 Mutahar Street on the Colorado River Indian Reservation in Parker, Arizona (the “Facility”).

Per communication with both CRIT and USEPA during both the pre-application meeting as well as recent communication, both Desotec and Evoqua are preparing to close on June 15, 2023. Enclosed is the updated written agreement for transfer of permit responsibility that memorializes the updated date. We are therefore requesting to receive USEPA’s approval of Modification No. 010 with an effective date of June 15, 2023.

If you have any questions or require additional information, please contact Russell Smith at Evoqua at (724) 761-6998 or [russell.smith@evoqua.com](mailto:russell.smith@evoqua.com).

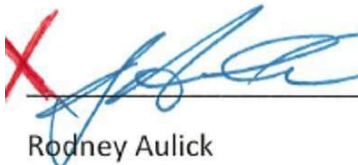


Each of the undersigned certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Permittee

[Current]

**EVOQUA WATER TECHNOLOGIES LLC**


A handwritten signature in blue ink, appearing to read "Rodney Aulick", is written over a horizontal line. A red 'X' is drawn over the left side of the signature.

Rodney Aulick

EVP & Segment President  
Evoqua Integrated Solutions & Services

[New]

**DESOTEC US LLC**

A handwritten signature in black ink, appearing to read "Mathias Meersseman", is written over a horizontal line.

By: \_\_\_\_\_  
Mathias Meersseman  
President

cc: Director, CRIT Environmental Protection Office

**AGREEMENT FOR TRANSFER OF  
PERMIT RESPONSIBILITY**

WHEREAS, Evoqua Water Technologies LLC (“Current Permittee”) is the owner or current lessee of certain facilities at the locations identified on Attachment A to this Agreement (the “Facilities”).

WHEREAS, Current Permittee has obtained or has entered into environmental permits, licenses and approvals issued by federal, state, tribal, county or municipal governmental authorities (the “Permits”) related to its ownership or operation of the Facilities.

WHEREAS, Current Permittee has entered into an Asset Purchase Agreement with Desotec US LLC (“New Permittee”), dated as of February 14, 2023, under the terms of which Current Permittee intends to sell, and New Permittee intends to purchase and assume, the ownership rights and obligations in certain purchased assets that comprise or are related to the operation of the Facilities.

WHEREAS, Current Permittee and New Permittee intend for such transfer of ownership to occur on or about June 15, 2023 and New Permittee has agreed to assume the responsibilities and obligations of the Permits as of the date of transfer.

NOW THEREFORE, by their signatures below, the Current Permittee and New Permittee agree as follows:

1. Current Permittee and New Permittee hereby agree, to the extent permitted by law, to the transfer from Current Permittee to New Permittee of all of the Permits for the Facilities and the operation of the business at the Facilities.
2. Current Permittee and New Permittee agree to execute and submit all necessary applications to the appropriate regulatory authorities to accomplish the Permit transfers contemplated herein.
3. Pending any required regulatory approvals, Current Permittee and New Permittee intend that the transfer of responsibility, coverage and liability for the Permits shall be effective upon transfer of ownership or leasehold interest of the Facilities, expected to occur on or about June 15, 2023.
4. New Permittee has no immediate intent to change the operations and processes at the Facilities.

IN WITNESS WHEREOF, the undersigned have executed this Agreement on behalf of Current Permittee and New Permittee as of the 22 day of May, 2023.

EVOQUA WATER TECHNOLOGIES LLC  
(Current Permittee)



Rodney Aulick  
Title: President ISS Segment

DESOTEC US LLC  
(New Permittee)



Name: Mathias Meersseman  
Title: President

**ATTACHMENT A**

2523 Mutahar Street  
Parker, AZ 85344-6431

118 Park Road  
Darlington, PA 16115

11711 Reading Road  
Red Bluff, CA 96080-9745



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Russell Smith  
Evoqua Water Technologies  
2523 Mutahar St.  
Parker, Arizona 85344  
Sent Via Email: [russell.smith@evoqua.com](mailto:russell.smith@evoqua.com)

**Subject: Amendment to Approval of the Class 1 Permit Modification No. 010 for Evoqua Water Technologies LLC, Parker, Arizona Facility [USEPA ID No: AZD 982 441 263]: Transfer of Operational Control from Evoqua Water Technologies LLC to Desotec US LLC – Modification No. 010 dated March 14, 2023, Supplement to Modification No. 010 dated March 29, 2023, Second Supplement to Modification No. 010 dated May 4, 2023, and Third Supplement to Modification No. 010 dated May 22, 2023**

Dear Russell Smith:

The United States Environmental Protection Agency, Region 9 (EPA) reviewed the **Third Supplement** to Permit Modification Request No. 010 from Evoqua Water Technologies LLC (Evoqua), dated May 22, 2023, that was submitted in accordance with Permit Condition I.G.9.a of the Final RCRA Permit. EPA also received the original Permit Modification Request No. 010 dated March 14, 2023; the Supplement to Modification No. 010 dated March 29, 2023; and the Second Supplement to Modification No. 010 dated May 4, 2023.

Modification Request No. 010, which requests the facility operator change, is a RCRA Class 1 permit modification request that requires prior Director approval in accordance with 40 CFR §§ 270.40 and 270.42.

EPA's understanding from the **Third Supplement** to Permit Modification No. 010 is that Evoqua intends to transfer its operational control of the facility to Desotec US LLC (Desotec) effective on or about **June 15, 2023**. This Amendment to the EPA approval dated May 12, 2023, is to amend the transfer date to on or about June 15, 2023, at which time Evoqua's responsibility for the operation of the facility will transfer to Desotec. This transaction does not affect the position of the Colorado River Indian Tribes, which will remain a co-permittee as the facility owner under the Permit.

Evoqua will continue to comply with the requirements of 40 CFR Part 264, Subpart H (financial assurance) until Desotec has demonstrated its compliance with the applicable financial assurance requirements for the facility in accordance with the requirements of 40 CFR § 270.40(b).

The Permittees must send a notice to the facility mailing list within 90 days of the date of the Director approval of this permit modification, in accordance with 40 CFR § 270.42(a)(1)(ii). In addition, the Permit modification will be posted at the follow electronic address:

<http://www.evoqua.com/en/about/service-locations/Pages/Parker-AZ-Permits.aspx>.

This electronic address should continue to be made accessible to the public until Desotec makes publicly available its own website to replace this website as the Desotec Information Repository as is required by the RCRA Permit Condition I.J.

Evoqua asked EPA to replace all references to Evoqua in the Permit with references to Desotec, as of June 15, 2023, the effective date of this change. However, these changes should be deemed made upon the effective date of the change in operator without necessitating a “re-printing” of the permit, just like all other permit modifications.

This permit modification request was reviewed, is acceptable and is hereby approved. Please note that the notification required by 40 CFR § 270.42(a)(1)(ii) must be completed within 90 calendar days after the date of this letter.

If you have questions about this letter, please feel free to contact Sharon Lin, Permit Section Supervisor, at (415) 972-3446 or via email at [lin.sharon@epa.gov](mailto:lin.sharon@epa.gov) or Mike Zabaneh, EPA’s Project Manager for the Evoqua RCRA Permit, at (415) 972-3348 or via email at [zabaneh.mike@epa.gov](mailto:zabaneh.mike@epa.gov).

Sincerely,

**CLAIRE  
TROMBAD  
ORE** Digitally signed by  
CLAIRE  
TROMBADO  
Date: 2023.06.02  
17:51:37 -07'00'

Claire Trombadore  
Acting Director  
Land, Chemicals and Redevelopment Division

cc: Amelia Flores, Chairwoman, CRIT Tribal Council (via email)  
Dwight Lomayesva, Vice Chairman, CRIT Tribal Council (via email)  
Josephine Tahbo, Treasurer, CRIT Tribal Council (via email)  
Johnson Fisher, Secretary, CRIT Tribal Council (via email)  
Robert “Bobby” Page, Council Member, CRIT Tribal Council (via email)  
Tommy Drennan, Council Member, CRIT Tribal Council (via email)  
Jaymee Moore, Council Member, CRIT Tribal Council (via email)  
Anisa Patch, Council Member, CRIT Tribal Council (via email)  
Billy Beeson, Council Member, CRIT Tribal Council (via email)  
Guthrie Dick, Director, CRIT Environmental Protection Office (via email)  
Rebecca Loudbear, Esq. Attorney General, CRIT (via email)  
Tashina Harper, Executive Secretary to CRIT Chairwoman (via email)  
Josephina Rivera, CRIT Environmental Protection Office (via email)  
Koen Dewaelsche, Desotec US, LLC  
Mathias Meersseman, Desotec US, LLC