



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

VIA CERTIFIED US MAIL
7000 0520 0021 6106 0693

SEP 26 2007

Mr. Monte McCue
Director of Plant Operations
Siemens Water Technologies Corporation, Inc.
P.O. Box 3308
Parker, AZ 85344

Re: Landowner signature and certification of Hazardous Waste Permit Application
Siemens Water Technologies Corporation, Inc., Parker, Arizona
EPA ID# AZD982441263

Dear Mr. McCue:

This letter is being sent to bring to your attention an important issue in connection with the above-referenced facility: the need for Siemens to complete the permit application by obtaining the landowner signature and certification from the Colorado River Indian Tribes (CRIT).

The U.S. Environmental Protection Agency (USEPA) has completed its review of Siemens' Hazardous Waste Permit Application dated February 28, 2007, and has determined that the application appears to be administratively complete (*i.e.*, main components to the application are included) with the exception of the landowner's signature on the certification required by 40 CFR 270.10(b) and 40 CFR 270.11(d). USEPA regulations require that both the owner and operator sign the permit application to ensure that both the owner and the operator understand their joint responsibility for compliance with a hazardous waste permit.

USEPA has provided CRIT with the tribal owner certification language that was approved by the Office of General Counsel (OGC) but has not heard the Tribe's opinion on the certification language. Because OGC has already approved the certification language, any changes CRIT or Siemens may wish to make will require OGC concurrence and may result in significant delays in the permit decision. The certification language which was approved by OGC is as follows:

"I certify under penalty of law that I understand that this application is being submitted for the purpose of obtaining a permit to operate a facility to receive, store, and treat hazardous waste. I understand fully that the Colorado River Indian Tribes, as the landowner, and Siemens Water

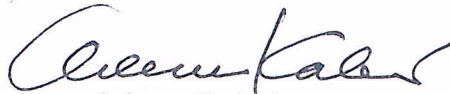
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Technologies Corporation, Inc., the lessee of the land and owner of certain fixtures located thereon, are jointly and severally responsible for compliance with applicable provisions of RCRA, its implementing regulations and any permit issued pursuant to the application and those regulations.”

Within 30 days of your receipt of this letter, please provide USEPA with a report detailing the steps that Siemens has taken to obtain the signature and certification from the Tribe. If you have not obtained the signature by that time, please provide USEPA with a schedule of the steps Siemens will be taking to obtain the signature, including any arrangements to make presentations to the Tribal Council. USEPA is available to consult with you and/or the Tribe on this issue, if necessary.

If you have any questions regarding this letter, please contact Mary Blevins at (415) 972-3357, Cheryl Nelson at (415) 972-3291, or have your counsel contact Mimi Newton at (415) 972-3941.

Sincerely,



Arlene Kabei
Associate Director
Waste Management Division

cc: Hon. Daniel Eddy, Jr.
Chairman
Colorado River Indian Tribes
Route 1, Box 23-B
Parker, AZ 85344

Mr. Eric Shepard, Esq.
Attorney General's Office
Colorado River Indian Tribes
Route 1, Box 23-B
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Mr. Cheyenne Garcia
Director
CRIT Environmental Protection Office
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Dr. Michael Tsosie
Director
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Mary Blevins, USEPA, WST-4
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Loren Henning, USEPA, WST-3
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RCRA Records Center Siemens Administrative File