

COLORADO RIVER INDIAN TRIBES

Colorado River Indian Reservation

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April 25, 2016

United States Environmental Protection Agency
Region IX
Jeff Scott, Land Division Director
75 Hawthorne Street
San Francisco, CA 94105-3901

RE: Evoqua Water Technologies, LLC RCRA Hazardous Waste Permit

Dear Mr. Scott:

The Colorado River Indian Tribes (CRIT) writes to inform the U.S. Environmental Protection Agency (EPA or Agency) that it has approved the endorsement of its 2009 signature on the RCRA Hazardous Waste Part B Permit Application Certification for the Evoqua Water Technologies, LLC facility in Parker, AZ. The resolution of Tribal Council endorsing the prior signature is attached along with a copy of the original Part B Permit Application Certification signature page. CRIT expects the EPA to continue to maintain regular communications and government-to-government consultation with CRIT regarding the status of the RCRA permit as outlined in your letter of March 7, 2016. If you have any questions regarding this letter please contact Rebecca A. Loudbear, Attorney General, at (928) 669-1271.

Sincerely,

COLORADO RIVER INDIAN TRIBES

A handwritten signature in black ink, appearing to read "Dennis Patch", is written over a faint, illegible printed name.

Dennis Patch
Chairman

cc: CRIT Tribal Council
Rebecca A. Loudbear, CRIT Attorney General
Wilfred Nabahe, CRIT EPO Director
MimiNewton, EPA Region 9 Assistant Regional Counsel (via email)

RESOLUTION
COLORADO RIVER TRIBAL COUNCIL

A Resolution to Endorse Previous Signature on Evoqua Water Technologies, LLC RCRA Part B Permit Application

Be it resolved by the Tribal Council of the Colorado River Indian Tribes, in *special* meeting assembled on April 8, 2016

WHEREAS, the Colorado River Indian Tribes (hereinafter "CRIT" or "Tribe") is a federally recognized Indian Tribe, duly organized with a tribal governing body known as the Tribal Council according to the provisions contained in the Indian Reorganization Act of June 18, 1934; and

WHEREAS, Article VI, Section 1(e) of the Constitution of the Colorado River Indian Tribes authorizes the Tribal Council to negotiate and enter into business contracts and ventures for the economic benefit of the Tribe; and

WHEREAS, On October 26, 2009, the Tribal Council adopted Resolution No. 303-09 approving an Indemnification Agreement with Siemens Water Technologies Corporation, now Evoqua Water Technologies, LLC ("Evoqua"), through its predecessors, and the Tribes have previously entered into a business lease under which Evoqua has leased a parcel of land in the Tribe's Industrial Park for the purpose of operating a carbon reactivation plant ("Facility") that reactivates spent carbon; and

WHEREAS, the Facility is subject to regulation by the United States under the Resources Conservation and Recovery Act and its implementing regulations ("RCRA"); and

WHEREAS, the Facility has been operating in interim status under RCRA and pursuant to those requirements, Evoqua has completed and is prepared to submit a permit application under Part B of the RCRA; and

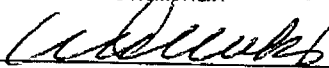
The foregoing resolution was on April 8, 2016 duly approved by a vote of 6 for, 0 against and 0 abstaining, by the Tribal Council of the Colorado River Indian Tribes, pursuant to authority vested in it by Sections 1.e., Article VI of the Constitution and By laws of the Tribes, ratified by the Tribes on March 1, 1975 and approved by the Secretary of the Interior on May 29, 1975, pursuant to Section 16 of the Act of June 18, 1934, (46 Stat. 984). This resolution is effective as of the date of its adoption.

COLORADO RIVER TRIBAL COUNCIL

By



Chairman Acting



Secretary Acting

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WHEREAS, the Tribe as landowner, must certify the permit application before it can be submitted to the United States Environmental Protection Agency ("EPA"); and

WHEREAS, the Facility is subject to concurrent regulation under the federal RCRA and the Tribes' Environmental Protection Agency ("EPA"); and

WHEREAS, the Tribal Council has executed an Indemnification Agreement with Evoqua and Agreement By and Between Evoqua Water Technologies LLC and CRIT as authorized by Resolution No. 92-16.

NOW, THEREFORE, BE IT RESOLVED by the Tribal Council of the Colorado River Indian Tribes to endorse the previous December 9, 2009 signature on the Evoqua Water Technologies, LLC RCRA Part B Permit Application; and

BE IT FURTHER RESOLVED Evoqua has executed an Indemnification Agreement, to defend and hold harmless the Tribes against certain legal actions that may be brought by the EPA; and

BE IT FURTHER AND FINALLY RESOLVED the Tribal Council Chairman or Secretary, or their designated representatives, are hereby authorized and directed to execute any and all documents necessary to implement this Resolution.