

April 26, 2016

Via Email [rios.gerardo@epa.gov]

Mr. Gerardo Rios
Chief, Air Permits Program
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, California 94105

Re: Evoqua Water Technologies, LLC
Parker Facility Potential to Emit Calculation

Dear Mr. Rios:

Thank you for your time recently to discuss the potential to emit calculation for our carbon reactivation facility in Parker, Arizona. Among other things, we discussed our understanding that the facility is required by current federal rules to operate various pieces of equipment that act to reduce potential to emit, and you asked that we provide that understanding to you in a follow up letter.

The Evoqua facility operates in interim status under the Resource Conservation and Recovery Act, and therefore is subject to the requirements of 40 C.F.R. Parts 265 and 270. The Part A application for the facility, which was initially submitted to EPA to secure interim status and has been updated over time, clearly identifies in a process flow diagram an afterburner, a venturi scrubber, a packed scrubber and a wet electrostatic precipitator (ESP), all in series, as components of the facility's reactivation process. A copy of that process flow diagram is attached for your information.

There are several reasons why EPA's current RCRA regulations require Evoqua to maintain and operate this equipment. Each of these reasons independently establishes that maintenance and operation of the equipment is required; we cite to multiple rationales simply to underscore the several different reasons why we believe EPA rules require continued maintenance and operation.

First, under 40 C.F.R. 272.72(a)(3), while a facility is in interim status, Evoqua may not change the hazardous waste treatment or disposal process without EPA approval. With its current hazardous waste treatment process, the facility has demonstrated that it continuously meets key emissions parameters for hazardous waste combustion facilities as set forth in 40 C.F.R. 63, Subpart EEE. While Subpart EEE does not apply directly to the

facility, the emissions parameters establish a benchmark that demonstrates facility emissions under its current operational design.

Operation of the facility without its afterburner, venturi scrubber, packed scrubber or wet ESP would result in an immediate adverse change in the facility's emission profile, such that emissions would substantially deviate from the emissions parameters established in Subpart EEE. This would be clear evidence of a change in process that would require EPA's advance approval. To be clear, Evoqua has not sought and is not asking for such approval; we are simply stating our understanding of why EPA's existing rules require operation of this equipment.

Second, EPA's interim status rules require immediate operational corrections if emission control equipment is not operating at steady state or appropriate condition. Under 40 C.F.R. 265.377(a)(1), Evoqua must continuously monitor emission control equipment and make immediate corrections to maintain steady state condition or other appropriate thermal treatment condition. The afterburner, venturi scrubber, packed scrubber and wet ESP were clearly identified as facility equipment in the Part A and turning that equipment off would certainly cause the facility to deviate from steady state operation and cause a condition that would not be considered an appropriate thermal treatment condition, and would therefore be prohibited by this provision.

Third, EPA's interim status rules require immediate operational corrections if the stack plume changes. Under 40 C.F.R. 265.377(a)(2), Evoqua must continuously monitor its stack and immediately make operating corrections if the stack plume changes to return visible emissions to their normal appearance. In the event that the facility were to operate without the afterburner, venturi scrubber, packed scrubber or wet ESP, there would be a change in the visible plume and immediate corrective action would be required.

Fourth, as we have discussed, we believe that the equipment in question is inherent to our process. While it certainly serves a pollution control function, the grouping of devices was not initially installed simply for pollution control purposes; the scrubbers in particular serve an important function of preventing the degradation of the back end of the plant by balancing the pH of exhaust gases to limit corrosion. In the absence of any other considerations, we would not operate the facility without the scrubbers functioning simply as a process issue. Using EPA's three-factor test for inherent to the process equipment, we would also note that the equipment does not recover product, and it was installed initially in the absence of air pollution control requirements. We understand from our discussion that you are not initially inclined to agree with this one point about 'inherent to the process', but we include it here in the interest of providing a complete list of different rationales.



We hope that the above explains our conclusion that for many separate reasons existing EPA rules require Evoqua to continue to operate its operate afterburner, venturi scrubber, packed scrubber and wet ESP. Please feel free to call if you would like to discuss this subject further.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Monte McCue".

Monte McCue
Plant Manager

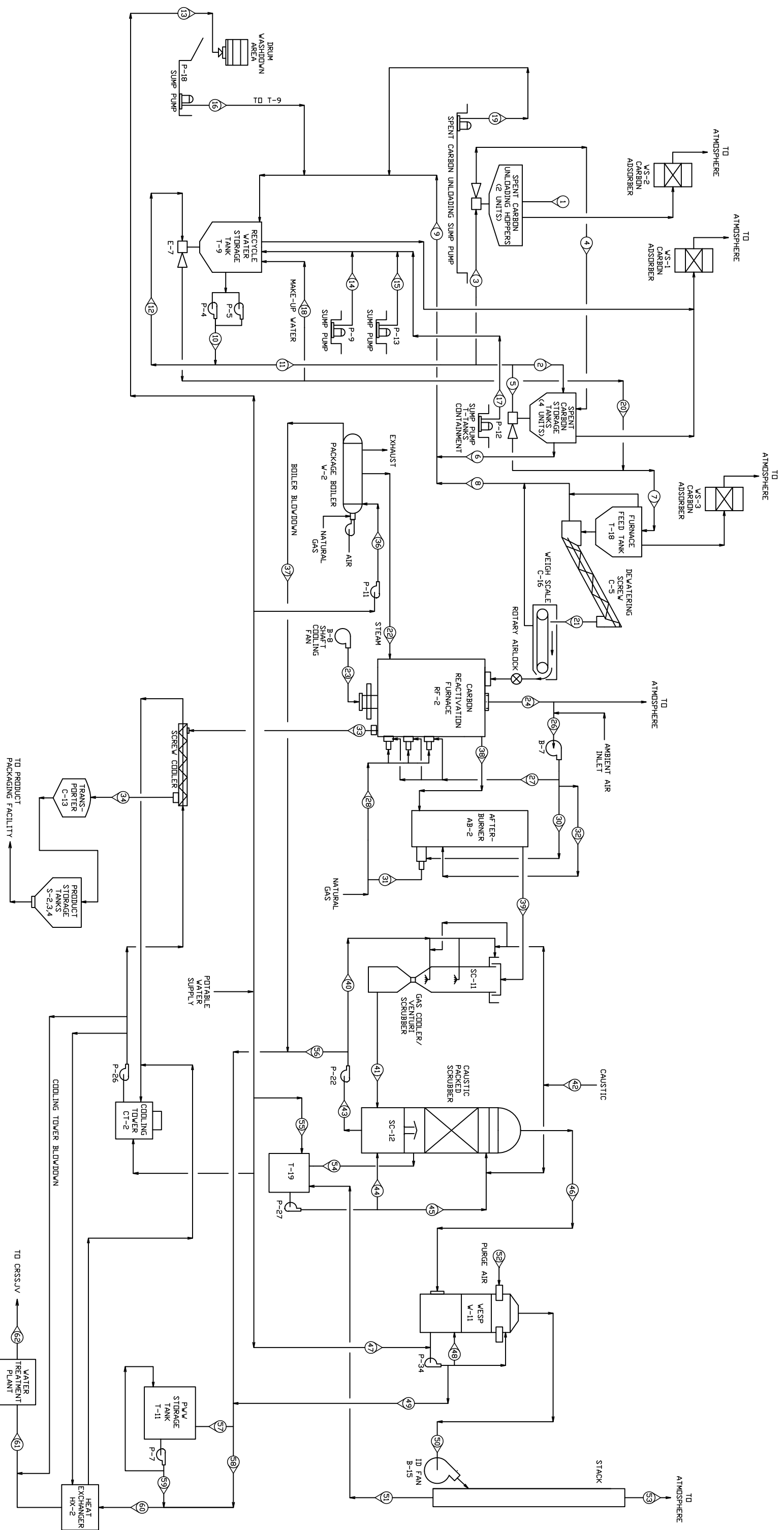
Attachment: RCRA Part A process flow diagram

ATTACHMENT C – Item 12 – Facility Drawing

SCALE DRAWING OF PROPERTY LAYOUT

SCALE DRAWING OF FACILITY LAYOUT (EQUIPMENT LOCATION)

SCHEMATIC PROCESS FLOW DIAGRAM



NOTES

- THIS DRAWING INCLUDES COMPONENTS OF THE FACILITY THAT ARE EXEMPT FROM PERMITTING UNDER VARIOUS PROVISIONS OF RCRA. THE EXEMPTION IS BASED ON THE INFORMATION PROVIDED BY THE OWNER AND THESE COMPONENTS ARE NOT INTENDED TO BECOME REGULATED COMPONENTS OF THE HAZARDOUS WASTE FACILITY.

2	JBE	KEM	NAME CHANGED TO SIEMENS INDUSTRY	3-15-12
1	JBE	KEM	UPDATED FOR PERMIT SUBMITTAL	2-8-07
NO	DWN	CK'D	REVISIONS	DATE
CBE CHAYOND - BARRY ENGINEERING CORP.				
400 Route 518 • P.O. Box 205 • Bloerburg, New Jersey 08504				
SIEMENS INDUSTRY, INC.				
2523 MUTAHAR STREET, PARKER, AZ 85344				
FACILITY PROCESS FLOW DIAGRAM				
DRAWN	DATE	CHECKED	DATE	APPROVED
AJV	11/27/96	KEM	11/27/96	
SCALE	DWG. NO.			REV.
NONE				2

LEE, COLIN

From: Zabaneh, Mahfouz
Sent: Tuesday, May 24, 2016 7:58 AM
To: LEE, COLIN; Danner, Ward
Subject: FW: Evoqua PTE Follow-up Letter
Attachments: Evoqua Letter Dated April 26, 2016.pdf

Hi Colin and Ward,
Please file email and attachment in the Evoqua records.
Thanks,

Mike Zabaneh, P.E.
Environmental Engineer/Project Manager
RCRA Permits Office
Lands Division
US EPA Region 9
Mail Code LND-4-2
75 Hawthorne Street
San Francisco, CA 94105
Email address: zabaneh.mahfouz@epa.gov
415-972-3348
415-947-3530 (fax)

From: McCue, Monte W [mailto:monte.mccue@evoqua.com]
Sent: Tuesday, April 26, 2016 8:37 AM
To: rios.gerald@epa.gov
Cc: Zabaneh, Mahfouz <Zabaneh.Mahfouz@epa.gov>; Gross, Barbara <Gross.Barbara@epa.gov>; Provins, James R <james.r.provins@evoqua.com>; Bailey, William N <william.bailey@evoqua.com>
Subject: Evoqua PTE Follow-up Letter

Mr. Rios

Attached is a follow-up letter that addresses the questions regarding Evoqua's PTE calculation contained in the August 2012 Registration of Existing Sources under 40 CFR Part 49.

We have had a follow-up conversation with the EPA Region 9 RCRA permitting group and they are in agreement we are required to operate our air pollution control equipment.

Please let me know if you have any questions or need further information.

Thanks.

Monte McCue
Plant Manager

Evoqua Water Technologies LLC
Mailing: P.O. Box 3308
Physical: 2523 Mutahar Street
Parker, AZ 85344

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