

US EPA ARCHIVE DOCUMENT



U.S. Environmental Protection Agency  
Pacific Southwest / Region 9



*Serving Arizona, California, Hawaii, Nevada, the Pacific Islands and 148 Tribes*

Land Division  
Permits Office • June 2016

75 Hawthorne Street, San Francisco, CA 94105  
866-EPA-WEST • [www.epa.gov/region9](http://www.epa.gov/region9)

## National Historic Preservation Act Determination at Evoqua Water Technologies

### Introduction

EPA is in the process of reviewing an application for a hazardous waste Resource Conservation and Recovery Act (RCRA) permit relating to the Evoqua Water Technologies facility in Parker, Arizona. As part of that review, EPA has conducted a number of studies considering various possible impacts of the facility on the surrounding community. One of these is a National Historic Preservation Act (NHPA) review, in which EPA assesses potential impacts of the permit decision on historic or culturally significant properties. Please see EPA's general fact sheet for discussion of other studies done as part of this permit process. The public will have the opportunity to see and comment on EPA's proposed permit decision before a final permit decision is made.

This fact sheet summarizes EPA's NHPA review. Please note that due to several changes of ownership for this facility, older documents may reflect previous facility names including Siemens, U.S. Filter, and Westates.

### NHPA Review Process

Section 106 of the NHPA mandates federal entities make a determination as to whether an "undertaking" may have an adverse effect on any historic or culturally significant properties before taking such action. Because EPA's permit decision constitutes an undertaking within the meaning of 36 CFR § 800.16(y), EPA identified an Area of Potential Effect (APE), identified historic and culturally significant properties within the APE, and evaluated the potential effect on these properties from the EPA permit decision, either to grant or deny the hazardous waste permit.



*Evoqua Facility in Parker, AZ*

### Permit Background

Evoqua Water Technologies operates a spent carbon storage and treatment facility on the Colorado River Indian Tribes (CRIT) reservation, near Parker, Arizona. There, spent carbon is treated in a regeneration furnace to purify it and turn it into a reusable filter material. EPA is responsible under RCRA law for permitting facilities that manage regulated wastes on tribal lands. The Evoqua facility has been operating under RCRA "interim status" regulations while EPA reviews the facility's RCRA permit application. It is important to note that both the interim status and permit regulations require that the facility be operated safely, so as to protect human health and the environment.

### Overview of the NHPA Process

EPA conducted a review of potential impacts to historic properties in accordance with Section 106 of the NHPA. As part of the NHPA review, EPA carried out the following steps:

- Initiated formal consultation with CRIT, the Arizona State Historic Preservation Office, the Town of Parker, and the facility;
- Sought public comment on and then designated a one-mile radius APE;

- Sought public comment on and then identified historic or culturally significant properties within the APE; and
- Made a final determination of No Adverse Effects of the permit decision on historic or culturally significant properties

A more detailed report documenting the steps taken in making this finding of no adverse effects was sent to the consulting parties listed above.

## Search for Historic Properties

EPA searched for historic properties within the APE by conducting the following activities:

- Reviewing historical records with assistance from the CRIT Museum Director and Attorney General's office;
- Reviewing site archaeological walkover records;
- Reaching out to the public via public notice; and
- Searching national and state databases for historical sites.



*Area of Potential Effect and nearby identified historic or culturally significant properties*

Two sites were identified as potential historic properties under NHPA. One was Parker Cemetery, which lies within the APE and is a location where Navajo Code Talkers are interred. In addition, public comments revealed some concerns about the proximity of the facility to Black Peak, a sacred mountain approximately 3 miles away. Because prayers directed towards Black Peak could be made from anywhere within the APE, EPA considered the entire APE as a potentially culturally significant property.

## Conclusion

EPA considered potential effects of facility operations on historic properties, including visual and auditory impacts, and impacts stemming from the presence of chemicals in the facility's emissions generally. However, the Evoqua facility could continue operating whether or not a permit is issued, and EPA has made a finding that neither visual or auditory impacts from the facility nor the presence of chemicals in the facility's emissions will be affected by the permit decision. EPA has also assessed potential impacts of facility emissions at the Parker Cemetery from sulfur and nitrogen oxide compounds. After reviewing stack emissions data from the facility, EPA decided that deposition of those compounds at the Parker Cemetery due to facility emissions is insignificant when compared to other local sources.

In summary, EPA does not believe the permit decision will significantly affect facility operations, and has made a determination that a permit decision relating to Evoqua's management of RCRA hazardous waste will have no adverse effect on historic or culturally significant properties.

## Contacts

You can find more information on Evoqua (formerly Siemens) on EPA's website:

[www.epa.gov/region9/waste/evoqua](http://www.epa.gov/region9/waste/evoqua)

### For further information, please contact:

“Mike” Mahfouz Zabaneh, P.E.

Environmental Engineer/Project Manager

Phone: (415) 972-3348

Fax: (415) 947-3533

[zabaneh.mahfouz@epa.gov](mailto:zabaneh.mahfouz@epa.gov)

### Mailing Address:

U.S. EPA Region 9 (LND-4-2)

75 Hawthorne Street

San Francisco, CA 94105

### For media inquiries, please contact:

Margot Perez-Sullivan

Phone: (415) 947-4149

[perezsullivan.margot@epa.gov](mailto:perezsullivan.margot@epa.gov)