

4/18/96 Spartan Meeting

EPA options RCRA 3008(h)

- 1) admin order (briefs + hearing before EPA officer; RA decides) N
- 2) " " RCRA 7003 imminent danger; no hearing but conference before EPA officer 1-2 mos
- 3) " " SDWA 1431 imminent danger to underground DW source; appeal to 10th Appeals Court directly

102 appeal to fed District Court

4) CERCLA

NMED options

74-6-10 in state court

RCRA 7002

state RCRA

nuisance  
SDWA

City / County options

RCRA 7002

intervene in any state action

common law damages

Trustee options

see cleanup enacted then seek to recover costs

RCRA 7002

natural resources damage claim (CERCLA 107)

Dunn & Bradstreet \$50 x 10<sup>6</sup> net worth Spartan ~~Corp~~ Corp  
of which Spartan Tech is subsidiary

4/18/96 Spartan

(2)

EPA leaning toward RCRA 3008(h) + 7003

3008(h) less resource intensive & better chance of winning

" has no intervention for other parties

7002 action; 90 days <sup>notice</sup>; EPA can intervene by 7063

if we allege violations of RCRA subtitle C 90 days does not apply

A

Possibility: EPA does 3008(h)

everyone else does 7002 afterwards

Paradise Hills & Ken Johns cars have hired attys

Spartan CMS 5/6 due date

5/17 order termination & remedy selection

**ATTENDANCE SHEET**

**EPA/STATE/CITY COORDINATION MEETING  
SPARTON TECHNOLOGY, INC.  
THURSDAY, APRIL 17 - 1:00 P.M.**

	<u>NAME</u>	<u>ORGANIZATION</u>	<u>PHONE</u>
1.	Evan Pearson	EPA-Region 6	(214) 665-8074
2.	Vincent Malott	EPA	(214) 465-8313
3.	Dennis McQuillan	NMENA	(505) 827-2831
4.	Curt Montman		(505) 768-2626
5.	Marcy Lezwith		505 827-2919
6.	Ana Marie City		(505) 827-2987
7.	Rob Pine	NMED	827-0178
8.	GARY O'DEA	City of ABB/Legal	(505) 768-4674
9.	Norm Goume	City of Albuquerque	505 768-3631
10.	Richard Brusuelas		505 768 4390
11.	Baivel Swanson		505-841-9458
12.	John J Pfend	(ONRT)	505 827-1033
13.	Charlie de Saillan	NM Ath Gen Off	505-827-6939
14.	Steve Cary	NM ONRT	505 827-1035
15.	RONALD KERN	NMED / HRMB	505-827-1560