



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

April 20, 2000



Mr. James Baerzi, Chief
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
P.O. Box 26110
Sante Fe, NM 87502-6110

RE: Agreement to Modify Schedules for Completion of Work
under the March 3, 2000 Consent Decree

Dear Mr. Baerzi:

Pursuant to the March 3, 2000 Consent Decree, the United States Environmental Protection Agency ("EPA"), the New Mexico Environment Department ("NMED"), and Sparton Technology, Inc. ("Sparton") have agreed to modify two schedules for completion of Work. Specifically, agreement has been reached to modify the schedules for the completion of a public meeting pursuant to the Public Involvement Plan for Corrective Action Activities (Attachment B to the Consent Decree) and the submittal of the Annual Report pursuant to the Work Plan for the Off-Site Containment System (Attachment C to the Consent Decree).

Enclosed is the modification which documents the above agreement. Please affix your signature to the appropriate page and return it to EPA. Upon receipt of the completed signature pages, EPA will distribute copies to NMED and Sparton. Thank you for your attention to this matter. If there are any questions, please do not hesitate to contact me at (214) 665-8315 or by email at hebert.michael@epa.gov.

Sincerely yours,

A handwritten signature in cursive script that reads "Michael A. Hebert".

Michael A. Hebert
Project Manager
U.S. EPA Region 6

Enclosure - Modification for Completion of Work
under the 3/3/00 Consent Decree

cc: Tony Hurst - General Civil Engineering Resource
Secretary - Sparton Technology, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

_____)	
THE CITY OF ALBUQUERQUE and)	
THE BOARD OF COUNTY)	
COMMISSIONERS OF THE COUNTY)	
OF BERNALILLO,)	
)	
Plaintiffs,)	Civil Action No.
)	CIV 97 0206 LH/JHG
v.)	
)	Consolidated with:
SPARTON TECHNOLOGY, INC.,)	CIV 97 0208 JC/RLP
)	CIV 97 0210 M/DJS
Defendant.)	CIV 97 0981 LH/JHG
_____)	

**AGREEMENT TO MODIFY SCHEDULES FOR COMPLETION OF THE WORK
UNDER THE MARCH 3, 2000 CONSENT DECREE**

Pursuant to Paragraph 104 of the March 3, 2000 Consent Decree, the United States

Environmental Protection Agency ("EPA"), the New Mexico Environment Department ("NMED"), and Sparton Technology, Inc. ("Sparton") hereby agree to the following modifications to the schedules for completion of Work.

1. Deadline for holding Public Information Meeting

Paragraph 2 of Section IV (Notification) of the Public Involvement Plan for Corrective Action Activities (Attachment B to the Consent Decree) requires Sparton to hold "a public information meeting on the corrective measure activities that Sparton will conduct within 60 to 90 days after the effective date of the Consent Decree." EPA, NMED, and Sparton, agree that

the deadline for holding this public meeting shall be extended to one-hundred thirty-five (135) days after the effective date of the Consent Decree.”

2. Deadline for submission of Annual Reports

Section 3.6 of the Work Plan for the Off-Site Containment System (Attachment C to the Consent Decree) requires Sparton to submit an Annual Report “within four months after the anniversary date of the startup of the continuous system operation.” For the year 2000, EPA, NMED, and Sparton agree that, the deadline for submitting the Annual Report will be June 1, 2000. For all years after 2000, EPA, NMED, and Sparton agree that the deadline for submitting the Annual Report will be May 1. Further, EPA, NMED, and Sparton agree that each Annual Report will include all data collected through December of the previous year.

The undersigned representative of Sparton certifies that he is fully authorized to execute and legally bind Sparton to the conditions in this document.

FOR SPARTON TECHNOLOGY, INC.:

Tony Hurst, P.E.
General Civil Engineering Resource
P.O. Box 220
Bosque, New Mexico 87006

Date: _____

FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY:

Date: _____

Michael A. Hebert
Project Manager
United States Environmental Protection Agency,
Region 6
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Dallas, Texas 75202
214/665-8315