



Sparton Technology, Inc.
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SPARTON
TECHNOLOGY, INC.

Mr. Chuck Hendrickson
Project Coordinator
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Mr. John E. Kieling
Project Coordinator
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building I
Santa Fe, New Mexico 87505-6303

Re: Notice of Dispute – Resolution and Extension Request for the Receipt of the 2009 Annual Report
Sparton Technology, Inc.
EPA ID No. NMD083212332

Dear Mr. Hendrickson and Mr. Kieling:

Sparton Technology, Inc. agrees that the disputes about the content of the 2003-2007 Annual Reports have been resolved subject to finalizing the location of a “sentinel well, as stated in your letters of April 1, 2009, and April 17, 2009.

I want to make it clear, however, that Sparton’s agreement to install the “sentinel well” is based solely on Sparton’s desire to avoid the additional cost and expense of continuing with the dispute resolution process and not because Sparton agrees that either USEPA or NEMD can, under the Consent Decree, require that well. In particular, Sparton’s position is that under the terms of the Consent Decree the approval of the Groundwater Investigation Report that assessed the performance of the off-site containment well and of the first Annual Report issued under the terms of the Consent Decree resolved any concerns about whether the offsite well was containing any constituents of concern in ground water that originated from the land and improvements located at 9621 Coors Road. All subsequent Annual Reports have concluded, and as Sparton and its technical consultants continue to believe existing data demonstrate, that the offsite well has attained containment of, and continues to contain, any plume that originated at 9621 Coors Road. To the extent the “sentinel well” identifies any constituents of concern, those substances will not have originated from the land and improvements at 9621 Coors Road and, therefore, cannot be addressed under the current Consent Decree.

We are still in the process of trying to locate available land for the installation of the “sentinel well.” We may need some assistance from EPA, NEMD or the City of Albuquerque in securing an appropriate location. We will be in touch with you shortly to discuss that issue.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

Joseph S. Lertzak
Secretary, Sparton Technology