



State of New Mexico  
Office of the Natural Resources Trustee

RECEIVED

*James H. Koch*  
*Dennis*

James H. Koch, Trustee  
Steven Cary, Deputy Director  
Charles de Saillan, Chief Counsel

BRUCE KING  
Governor

MAY 0 7 1994

GROUND WATER BUREAU

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CERTIFIED MAIL -- RETURN RECEIPT REQUESTED

May 3, 1994

Richard D. Mico  
Vice President and General Manager  
Sparton Technology, Inc.  
4901 Rockaway Blvd., SE  
Rio Rancho, NM 87124

000120

Re: NATURAL RESOURCE DAMAGES AT SPARTON TECHNOLOGY FACILITY,  
ALBUQUERQUE, NEW MEXICO

Dear Mr. Mico:

The New Mexico Office of the Natural Resources Trustee (ONRT) has reason to believe that Sparton Technology, Inc., may be responsible for damages to natural resources at or near its facility at 9621 Coors Road, NW, Albuquerque, New Mexico, pursuant to section 107(a)(4)(C) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(a)(4)(C), section 1002(b)(2)(A) of the Oil Pollution Act, 33 U.S.C. 2702(b)(2)(A), or both. ONRT formally requests your voluntary cooperation in funding a comprehensive natural resource damage assessment at this facility.

Discussions with staff of the New Mexico Environment Department and our own review of site conditions give us reason to believe that:

1. there has been a release of CERCLA hazardous substances into the environment or a discharge of oil into waters of the United States, or both;
2. natural resources for which the State of New Mexico is Trustee have been injured by the release or discharge; and
3. natural resources have sustained damages as a direct result of these injuries.

ONRT has responsibility under state and federal law to seek restoration of, and restitution for damages to, New Mexico's natural resources. To carry out this responsibility, ONRT has authority to investigate and assess damages to natural resources and to file claims for such damages in appropriate courts of law.



GWB-00018-SPARTON

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Sparton Technology, Inc.  
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ONRT desires to restore damaged natural resources and resolve damage claims at the Sparton Technology facility in an expeditious and cost-effective manner. Toward that end, we would like to discuss development of a consent agreement for funding a natural resource damage assessment and restoring damaged resources. Such an agreement, although formal, can be structured to allow Sparton Technology, Inc., to play a meaningful role in the process, while still fulfilling ONRT's statutory responsibility.

Please provide a written response to this request within 30 days. If you wish to discuss the issues prior to that date, I can be reached at (505) 474-3293.

Sincerely,



Steven J. Cary  
Deputy Director

cc: James H. Koch, Trustee  
Charles de Saillan, NM Office of the Attorney General  
Judith M. Espinosa, NM Environment Department  
Tracy M. Hughes, NM Environment Department  
Kathleen M. Sisneros, NM Environment Department  
Allyn M. Davis, US Environmental Protection Agency  
Glenn M. Sekavec, US Department of Interior

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