

MEMORANDUM

TO: File: ST/Red/95

FROM: Ron Kern, RCRA Technical Compliance Program *RK*

DATE: May 12, 1995

SUBJECT: **WWMD Director Phone Call to Allyn Davis (EPA VI) to Address Concerns of NMED about Sparton Technology (ST)**

Marc Sides and Ron Kern of the Hazardous and Radioactive Materials Bureau (HRMB), plus Dennis McQuillan and Rob Pine of the Groundwater Protection and Remediation Bureau (GWPRB), met with Tracy Hughes (Office of General Counsel) and Ed Kelley (WWMD Director) at 11:00 AM on the above date. The purpose of this meeting was to bring Mr. Kelley up to date on the ongoing regulatory investigation at Sparton Technology (Albuquerque) and to determine an appropriate response to ST's May 5, 1995 response to GWPRB. GWPRB had cited NM WQCC 1-203 in a formal March 31, 1995 request to ST to obtain a plan to characterize fully the groundwater contamination both on-site and off-site at the ST facility. In ST's May 5, 1995 response to NMED, ST questioned NMED's authority to cite NMWQCC regulations. Mr. Kelley indicated that he wanted to make sure that, in the "spirit of partnership", EPA would listen to New Mexico's concerns in the regulatory process.

At 1:30 PM, Ed Kelley and Ron Kern telephoned Allyn Davis (Multimedia Planning and Permitting Division Director at EPA Region VI) to express NMED's desire to have input to the ST regulatory process. Specifically Mr. Kelley requested a meeting between the pertinent personnel of EPA and NMED to express our concerns verbally to EPA before the draft HSWA Statement of Basis is finalized and provided to the public for comments. Mr. Davis agreed.