



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

May 3, 1996

VIA FACSIMILE AT (517) 787-1822 AND  
CERTIFIED MAIL - RETURN RECEIPT REQUESTED Z 698 454 831



Mr. R. Jan Appel  
Secretary  
Sparton Technology, Inc.  
2400 E. Ganson St.  
Jackson, Michigan 49202

Dear Mr. Appel:

This letter is in response to the Sparton Technology, Inc. (Sparton) letter dated May 1, 1996, requesting a seven (7) day extension for submission of the Final Corrective Measures Study (CMS) Report with hand delivery to the EPA Region 6 office on or before Monday, May 13, 1996. Sparton's extension request also indicated that the dispute resolution conference requested pursuant to Section IV.F.1. of the Administrative Order on Consent (Order) by letter dated April 25, 1996, and received by EPA on April 26, 1996, was no longer necessary if EPA is willing to grant the extension. The conference was scheduled for May 3, 1996, at 10:00 a.m. in the EPA Region 6 offices in Dallas, Texas for final resolution of the dispute concerning Sparton's position that a force majeure event existed regarding the due date for the CMS Report.

EPA has always been willing to work with Sparton to resolve obstacles in completing the tasks outlined in the Order. EPA demonstrated this commitment by granting Sparton a 30-day extension by letter dated March 29, 1996, for submission of the Final CMS Report. Since Sparton has committed to a firm delivery date for the Final CMS Report, EPA will allow Sparton to hand deliver the Final CMS Report on or before May 13, 1996, to the EPA Region 6 offices in Dallas, Texas. In addition, the dispute resolution conference scheduled for May 3, 1996, is cancelled. In this same spirit of cooperation, and pursuant to Section IV.C. of the Order, EPA also expects Sparton to provide the New Mexico Environment Department (NMED) with a copy of the Final CMS Report on or before May 14, 1996, so that NMED can also commence their review as expeditiously as possible.

In the letter of May 1, 1996, you also alluded to the "usual problems" that Sparton has encountered in completing the CMS Report by the requested date. Sparton's description of these "usual problems" appear to be misleading. Sparton alluded to inefficiencies in obtaining clarification from EPA about what was being requested in the CMS Report and difficulties in obtaining

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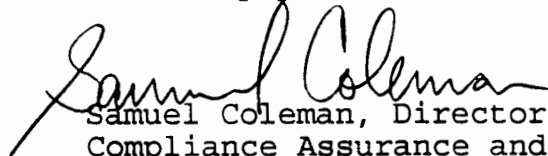
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outside sources of information. EPA has repeatedly expressed a willingness to conduct conference calls and meetings with Sparton to clarify any issues or facilitate any meetings with other stakeholders involved in, or affected by, this matter.

EPA understands that Sparton is gathering information and considering other alternatives suggested by NMED and the City of Albuquerque. However, with regard to negotiating a remedy for the site, EPA will select a remedy as part of the existing Order, taking into account several selection criteria which includes State and Community acceptance. In addition, EPA has worked with the City of Albuquerque and State of New Mexico in the past and will continue to do so in the future to ensure that the environmental problems at the Sparton facility are appropriately addressed.

EPA remains willing to work with Sparton to address the site as expeditiously as possible. EPA is looking forward to receiving the CMS Report and completing the remedy selection process.

Sincerely yours,

  
Samuel Coleman, Director  
Compliance Assurance and  
and Enforcement Division

cc:

Mr. Richard Mico, Sparton Technology  
Mr. Ron Kern, HRMB, New Mexico Environment Department  
Mr. Dennis McQuillan, GWPRB, New Mexico Environment Dept.  
Mr. Norman Gaume, Albuquerque Public Works Department  
Mr. Kurt Montman, Albuquerque Environmental Health Dept.  
Mr. Steve Cary, New Mexico Office of Natural Resource  
Trustee