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State of New Mexico
ENVIRONMENT DEPARTMENT

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MARK E. WEIDLER
SECRETARY

Carl

February 17, 1998

Robert M. Marsh
United States District Clerk
District of New Mexico
United States Courthouse 10th Floor
500 Gold Avenue SW
Albuquerque, NM 87102

Dear Mr. Marsh:

In accordance with D.N.M.LR-Civ 26.2 the New Mexico Environment Department (NMED) is serving you with its initial disclosures under Fed. R. Civ. P. 26(a)(1). NMED has already filed its certificate regarding such initial disclosures.

Sincerely,

Ana Marie Ortiz

ANA MARIE ORTIZ
Assistant General Counsel

cc: All counsel of record

Enclosure



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SECRETARY

February 17, 1998

Mr. James B. Harris
Thompson & Knight
1700 Pacific Avenue, Suite 3300
Dallas Texas 75201-4693

RE: The City of Albuquerque et al. v. Sparton Technology, Inc.,
Civil Action 97-0206 LH/JHG.

Dear Jim:

Pursuant to Magistrate Judge Galvan's Initial Scheduling Order, Plaintiff, New Mexico Environment Department (the "NMED"), provides Defendant Sparton Technology, Inc. ("Sparton") with its initial disclosures under Fed. R. Civ. P. 26(a)(1).

Fed. R. Civ. P. 26(a)(1)(A)

Dennis McQuillan is a geologist and New Mexico Groundwater Remediation Specialist with the Ground Water and Remediation Bureau of the NMED. His address is 1190 St Francis Drive, P.O. Box 26110, Santa Fe, New Mexico 87502-6110. His phone number is (505) 827-2831. Mr. McQuillan has information regarding the site and site data provided to NMED. Dennis McQuillan also has information on the penalty amount and calculations that NMED proposes against Sparton pursuant to the New Mexico Water Quality Act NMSA 1978, 74-6-1 et seq.

Rob Pine is a hydrologist formerly with the NMED. Rob Pine's is presently working for the New Mexico Energy, Mineral & Natural Resources Department at 2040 South Pacheco Street, Santa Fe, New Mexico 87505. Mr. Pine had information regarding the Sparton site which consists of data collected and reports provided to NMED.

John Tymkowych is a geologist with the NMED Hazardous Material and Radioactive Bureau ("HRMB"). Mr. Tymkowych has information on previous enforcement activity and penalty calculations that the HRMB proposes against Sparton.

Carl Will and Jerry Bober also have custody and control over documents contained at the HRMB.

Mr. James B. Harris
Page -2-
February 17, 1998

Fed. R. Civ. P. 26(a)(1)(B)

The following described documents are in the custody of the Hazardous and Radioactive Materials Bureau ("HRMB") of NMED and are relevant to disputed facts alleged in the pleadings in this case:

EPA Administrative Records: Volume 1 through volume 19, pages 1-8982.

- Jul.24,1987 Corrective Measure Study Report:
TO: NMED/HRMB, FROM: Sparton.
- Oct.22,1987 Offsite Investigation Report:
TO: NMED/GWB, FROM: Sparton.
- Mar. 3,1988 Definition of Groundwater Contaminant Plume. TO:
(No cover Letter), FROM: Harding Lawson Associates.
- Oct.16,1989 NMEID Comprehensive Groundwater Monitoring
Evaluation Report (CME):
TO: EPA, FROM: NMED/HRMB.
- Oct.2,1989 Effectiveness of the Groundwater Recovery Well
System:
TO: EPA, FROM: Harding Lawson Associates.
- May 14,1992 Revisions for the Final RFI Report:
TO: EPA, FROM: Sparton
- Jul.29,1992 Report on the Effectiveness of the Ground Water
Recovery Well System (Upper Flow Zone):
TO: EPA, FROM: Sparton.
- Nov. 5,1992 Draft Corrective Measures Study Report:
TO: EPA, FROM: Sparton.
- Feb.15,1995 Preliminary RCRA Post-Closure Permit Application:
TO: NMED/HRMB, FROM: Metric Corp.

Monthly Reports: Addressed to EPA Technical Section (6H-CD) directly from Sparton except for the three reports with an * which were sent by the Metric Corp.

- | | | |
|-------------|----------|------|
| Jan.12,1990 | December | 1989 |
| Feb.14,1990 | January | 1990 |
| Mar.13,1990 | February | 1990 |
| Apr.10,1990 | March | 1990 |
| Jun. 8,1990 | May | 1990 |
| Jul.11,1990 | June | 1990 |
| Sep.14,1990 | August | 1990 |

Mr. James B. Harris
Page -3-
February 17, 1998

Oct.10,1990	September 1990
Nov. 8,1990	October 1990
Dec.11,1990	November 1990
Jan.14,1991	December 1990
Feb.14,1991	January 1991
Jul. 8,1991	June 1991
Nov.13,1991	October 1991
Apr.16,1993	March 1993
May 6,1993	April 1993
Jul.27,1993	June 1993
Aug.25,1993	July 1993
Sep.28,1993	August 1993
Sep.29,1993	August 1993 (Attachment) *
Oct.22,1993	September 1993
Nov.11,1993	October 1993
Dec.16,1993	November 1993
May 16,1994	April 1994
Jun.15,1994	May 1994 *
Jun.23,1994	May 1994 (Replacement) *
Aug. 9,1994	July 1994
Sep.12,1994	August 1994
Nov. 1,1994	September 1994
Nov.29,1994	October 1994
Jan. 4,1995	November 1994
Jan. 4,1995	December 1995
Mar. 1,1995	January 1995
Mar.31,1995	February 1995
Apr.28,1995	March 1995
Jun. 5,1995	May 1995
Jul.21,1995	June 1995
Aug.24,1995	July 1995
Sep.28,1995	August 1995
Nov. 7,1995	September 1995
Nov.14,1995	October 1995
Dec.20,1995	November 1995
Jan. 8,1996	December 1995
Feb.22,1996	January 1996
Mar.27,1996	February 1996
Apr.25,1996	March 1996
May 24,1996	April 1996

Annual Ground Water Monitoring Reports sent to HRMB directly from
Sparton:

Mar.10,1992	1991 Annual Groundwater Monitoring Report.
Feb.26,1993	1992 Annual Groundwater Monitoring Report.
Jan.18,1994	1993 Annual Groundwater Monitoring Report.
Feb.21,1995	1994 Annual Groundwater Monitoring Report.
Feb.26,1996	1995 Annual Groundwater Monitoring Report.

Mr. James B. Harris
Page -4-
February 17, 1998

Jan.30,1997 1996 Annual Groundwater Monitoring Report.
Jan. 6,1998 1997 Annual Groundwater Monitoring Report.

Alternate Ground Water Monitoring Program Reports sent to HRMB
directly from Sparton:

Apr. 1,1992	1st Quarter 1992
Jul. 1,1992	2nd Quarter 1992
Oct. 6,1992	3rd Quarter 1992
Jan. 8,1993	4th Quarter 1992
May 3,1993	1st Quarter 1993
Jul 8,1993	2nd Quarter 1993
Oct.26,1993	3rd Quarter 1993
Jan. 5,1994	4th Quarter 1993
Apr.14,1994	1st Quarter 1994
Jul. 1,1994	2nd Quarter 1994
Oct.13,1994	3rd Quarter 1994
Jan. 2,1994	4th Quarter 1994
Apr. 5,1995	1st Quarter 1995
Jul. 5,1995	2nd Quarter 1995
Oct.24,1995	3rd Quarter 1995
Jan. 2,1996	4th Quarter 1995
Apr.16,1996	1st Quarter 1996
Oct. 1,1996	3rd Quarter 1996
Dec.10,1996	3rd Quarter 1996
Apr.14,1997	1st Quarter 1997
Oct. 9,1997	3rd Quarter 1997
Dec.12,1997	3rd Quarter 1997

Analytical Technologies Aqueous Samples Reports:

Aug.13,1993	307356	TO: NMED,	FROM: ATI
Aug.13,1993	307357	TO: Sparton,	FROM: ATI
Aug.18,1993	307359	TO: NMED,	FROM: ATI
Aug.19,1993	307360	TO: Sparton,	FROM: ATI
Sep.27,1993	307309	TO: Sparton,	FROM: ATI
May 3,1995	504384	TO: Sparton,	FROM: ATI

ATI Laboratory Reports:

Aug.26,1993 Copies of ATI's 307357 and 307360.
TO: HRMB, FROM: Sparton

Jan.12,1994 Copies of ATI's 311382, 311384, 312302,
312307, 312317 and 312322.
TO: HRMB, FROM: Sparton

Weston Laboratory Reports listing the client as M&E Sparton:

Mr. James B. Harris
Page -5-
February 17, 1998

Oct.25,1994 Report RFW 9410L737: CLP Metals
TO: (No cover letter) FROM: Roy F.
Weston, Inc. (RFW)

Oct.26,1994 Report RFW 9410L747: CLP Metals
TO: (No cover letter) FROM: RFW

Nov.30,1994 Report RFW 9410L737: Inorganic
TO: Metcalf and Eddy FROM: RFW

HRMB Inspection and Enforcement Program Blue Files 1990-1997.
The files contain a variety of documents, letters, and reports,
generated by NMED, EPA, and Sparton which include the following
types of information:

90 blue file ST 1

1/2/90-5/1/89

approval of well perforation
Quarterly Groundwater Analyses Reports
disapproval of extension for submission of draft RFI Report
draft RFI Report schedule
disapproval of Groundwater Recovery System Report
Monthly Reports
RFI Interim Report
Deed Restriction
Contingency Plan
surface impoundments Certification of Closure
material safety data sheets
hazardous waste characterizations
Land Disposal Restricted Waste Notifications
manifests
brochures
Effectiveness of Recovery Well System Report and disapproval with
comments
RFI Report due dates
sampling notification

90 blue file ST 2

7/9/90-11/28/90

memos
RFI Report comments
inspection report and list of violations
Monthly Reports
summary of correspondence regarding Effectiveness of Groundwater
Recovery System Report
surface impoundments and old drum storage area Closure
certification and related letters
NOV, response, and response to response
training list Inspection Report

Mr. James B. Harris
Page -6-
February 17, 1998

Quarterly Groundwater analyses Report
review of proposed monitoring well installations and response
meeting summary
notice of personnel change
extension of submittal date for Effectiveness of Groundwater
Recovery System Report
sampling notice
scheduling dispute resolution conference
submittal draft RFI Report

91 blue file ST

4/3/91-10/1/91

Quarterly Groundwater Analysis Reports
Monthly Reports

91 blue file ST 2

3/8/91-11/13/91

Monthly Reports

92 blue file ST 1

9/10/92-3/27/92

sampling notifications
draft RFI Report revisions
remediation status request and response
Certifications of Treatment of Characteristic Waste
manifests
NOV's, response, and response to response
notification of non-compliance
Inspection Report

92 blue file ST 2

1/2/92-1/22/93

Monthly Reports
Quarterly Groundwater Analysis Report

93 blue file ST

7/29/92-7/15/93

CME comments
Monthly Reports
Notification of Repair to Pond Closure Cap
Request for RFI Report
Notification of groundwater sampling
Submission of Annual Groundwater Monitoring Report and Report on
Effectiveness of Groundwater Recovery Well System
Certification of Treatment of Characteristic Waste

Mr. James B. Harris
Page -7-
February 17, 1998

94 blue file ST

4/20/94-6/23/94

Inspection Report

Notice of requirement for Post-Closure Permit

95 blue file ST

1/6/95, Notification of Regulated Waste Activity
(Document/File Request Form)

96 blue file ST

6/19/96-1/14/97

memos

Monthly Reports

characterization of drill cuttings

CME Report

Inspection Report

97 blue file ST

1/3/97-5/23/97

Monthly Reports

HRMB Red Files from 1986-1997. These files contain predominantly letters but also contain a few reports and memos as described below:

ST red file 1986-1990: Series of documents and letters sent by: Sparton to EPA and NMED; Sparton consultants to and EPA and NMED; and EPA to Sparton and NMED. Documents are dated as follows: March 26, 1986 cover letter and Preliminary Assessment Report from Kearney Management Consultants to EPA; February 27, 1987 cover letter and Certification of Closure of the three hazardous waste units from Sparton to HRMB; August 17, 1987 letter from Sparton to HRMB; December 8, 1988 cover letter and information from Metric Corporation to HRMB; February 22, 1989 letter from Sparton to NMED; March 22, 1989 letter from EPA to NMED; May 23, 1989 letter from NMED to Sparton; August 7, 1989 letter to EPA from Harding Lawson Associates; August 31, 1989 letter and Comprehensive Ground Water Monitoring Evaluation from EPA to HRMB; November 22, 1989 letter from EPA to Sparton summarizing October 17, 1989 meeting; December 18, 1989 letter from EPA to Sparton regarding time extension of RFI Report; cover page of Harding Lawson report on the Effectiveness of the Groundwater Recovery Well System Feb. 23, 1990 - Revised: and September 24, 1990; letter from EPA to Sparton.

ST red file 1991: contains the following letters: April 3, 1991 letter from Sparton to NMED; May 10, 1991 letter from U.S. New Mexico Federal Credit Union (NMFCU) to NMED; May 21, 1991 letter from NMED to NMFCU; June 24, 1991 letter from NMFCU to NMED; July 26, 1991 letter from NMED to Rio Rancho; July 26, 1991 letter from

Mr. James B. Harris
Page -8-
February 17, 1998

HRMB to Concerned Citizens; August 6, 1991 Public Information sign in sheet and two newspaper articles; August 8, 1991 letter from New Mexico Utilities to NMED; and August 13, 1991 letter from NMED to EPA

ST red file 1992: February 18, 1992 letter from NMED to Sparton; May 14, 1992 letter to Perma-Fix; from NMED; June 15, 1992 cover letter and Final RFI Report from Sparton to EPA; June 19, 1992 letter from Sparton to NMED; June 26, 1992 letter from EPA to Sparton; July 1, 1992 letter from EPA to Sparton; July 16, 1992 letter from Sparton to NMED; July 23, 1992 letter from NMED to Sparton; August 25, 1992 letter from NMED to EPA; August 28, 1992 letter from Sparton to NMED; September 3, 1992 letter from Sparton to NMED; September 10, 1992 letter from NMED to Sparton; and September 25, 1992 letter from Priscilla Remke to NMED.

ST red file 1993: March 4, 1993 letter from Sparton to NMED; March 8, 1993 letter from Sparton to NMED; March 31, 1993 letter from NMED to Sparton; April 6, 1993 letter from Sparton to NMED; April 16, 1993 letter from NMED to Sparton; April 21, 1993 letter from NMED to EPA; June 22, 1993 letter from NMED to sparton; July 8, 1993 letter from Sparton to NMED; July 15, 1993 from NMED to Sparton; September 17, 1993 letter from Sparton to NMED; August 23, 1993 letter from NMED to Sparton; October 20, 1993 letter from Sparton to NMED; November 18, 1993 letter from Sparton to NMED;

ST red file 1994: January 3, 1995 letter from NMED to EPA; December 27, 1994 letter from EPA to Sparton; January 13, 1994 letter from Sparton to NMED; April 11, 1994 letter from Sparton to NMED; April 14, 1994 letter from Sparton to NMED; April 14, 1994 letter from NMED to Sparton; April 20, 1994 letter from NMED to Sparton; June 6, 1994 letter from Jan Appel to NMED; July 11, 1994 letter from Sparton to NMED; July 11, 1994 letter from NMED to Sparton; August 4, 1994 letter from City of Albuquerque to Sparton consultant; September 21, 1994 letter from Sparton consultant to NMED; September 22, letter from Sparton to NMED; September 28, 1994 letter from Sparton to NMED; September 29, 1994 letter from NMED to Sparton; October 13, 1994 letter from Sparton to NMED; October 17, 1994 letter from Sparton to NMED; October 20, 1994 letter from NMED to Sparton; November 3, 1994 letter from NMED to EPA; March 31, 1993 letter from NMED to Sparton; March 8, 1993 letter from Sparton to NMED; February 8, 1989 letter from NMED to Sparton; January 11, 1989 letter from sparton to NMED; July 10, 1986 letter from Harding Lawson to Sparton; July 31, 1989 letter from Sparton to NMED; November 14, 1994 letter from Sparton to NMED with Groundwater Monitoring Program Report of June 29, 1983; November 30, 1994 letter from Sparton to NMED; December 15 1994 letter from Sparton to NMED; letter from EPA to Sparton; and December 22, 1994 letter from Sparton to NMED.

Mr. James B. Harris
Page -9-
February 17, 1998

ST red file 1995: January 6, 1995 letter from NMED to Sparton; January 11, 1995 letter from NMED to Sparton; January 13, 1995 letter from Sparton to EPA; January 23, 1995 letter from Sparton to NMED; January 24, and 30, 1995 letters from Sparton rep. to NMED; February 28, 1995 letter from Sparton consultant to EPA; March 10, 1995 letter from Sparton rep. to NMED; March 31, 1995 letter from NMED to Sparton; March 31, 1995 letter from NMED to Sparton; April 4, 1995 letter from Sparton to NMED; April 4, 1995 letter from ONRT to Sparton; May 5, 1995 letter from Sparton rep. to NMED; May 9, 1995 Sparton's Post Closure Permit Application; June 7, 1995 letter from NMED to Sparton; June 14, 1995 letter from NMED to Sparton; Statement of Basis; June 14, 1995 letters from EPA to NMED, City of Albuquerque & ONRT; July 18, 1995 letter from ONRT to Sparton; July 20, 1995 letter from City of Albuquerque to EPA; July 20, 1995 letter from Sparton to NMED; August 7, 1995 letter from EPA to Sparton; Declaration of Pierce Chandler; August 22, 1995 letter from NMED to EPA; August 22, 1995 letter from Sparton to EPA; September 7, 1995 letter from EPA to Sparton; September 12, 1995 letter from City to EPA; October 2, 1995 letter from Sparton to NMED; October 3, 1995 letter from EPA to Sparton and EPA comments of Draft CMS Report; October 10, 1995 letter from Jim Harris to NMED; October 5, 1995 letter from Sparton rep. to NMED; October 12, 1995 letter from NMED to Sparton rep.; October 12, 1995 letter from NMED to Sparton rep.; October 17, 1995 letter from EPA to City; November 6, 1995 letter from Sparton rep. to EPA with Sparton's enclosure to issues at September 13, 1995 meeting; November 28, 1995 letter from sparton consultant to NMED; December 1, 1995 letter from NMED to ONRT; December 8, 1995 letter from NMED to David Clarke; and December 18, 1995 letter from EPA to Sparton.

ST red file 1996 vol. 2: Correspondence from various entities first document in file is Dated December 17, 1996 and last item of correspondence is dated June 4, 1996.

ST red file 1996 vol. 1: correspondence file containing correspondence from various entities. First letter in file is dated May 30, 1997 and last letter in file is dated May 30, 1997.

ST red file 1998: correspondence file containing correspondence from and to various entities first letter dated May 22, 1997 and last letter dated January 3, 1997.

Penalty calculations from HRMB.

Mr. James B. Harris
Page -10-
February 17, 1998

The following described documents are in the custody of the Ground Water and Remediation Bureau ("GWB"), and may also be located at HRMB:

Surface Impoundment Closure Plan, Harding Lawson Associates, September 16, 1983

Recommendation for Investigations of Soil and Groundwater Contamination at the Sparton Technology Coors Road Facility, Harding Lawson Associates, September 23, 1983

Discharge Plan, Harding Lawson Associates, 1983

Investigation of Soil and Groundwater Contamination, Harding Lawson Associates, March 19, 1984

Hydrogeologic Characterization and Remedial Investigation; Harding Lawson Associates, March 13, 1985

Hazardous Waste Facility Closure Plan, Harding Lawson Associates, May 7, 1985

Pond and Drum Storage Areas Closure Plan, Harding Lawson Associates, December 19, 1985

RCRA Post-Closure Permit Application, Harding Lawson Associates, March 1986

Soil Investigation of the Unsaturated and Upper Saturated Zones, Harding Lawson Associates, June 30, 1986

Collected ground water monitoring reports, January 11, 1984 - February 5, 1987

Monthly Progress Report, Harding Lawson Associates; November 14, 1988

Contamination Assessment Plan, RCRA Facility Investigation - Task I; Harding Lawson Associates, November 29, 1988

RCRA Facility Investigation Workplan; Harding Lawson Associates, December 1988

Effectiveness of the Groundwater Recovery Well System; Harding Lawson Associates, February 1990

RCRA Facility Investigation Interim Report; Harding Lawson Associates, April 4, 1990

Mr. James B. Harris
Page -11-
February 17, 1998

Draft RCRA Facility Investigation; Harding Lawson Associates,
December 1990

Draft Corrective Measures Study; Black & Veatch, November 6, 1992

Preliminary RCRA Post-Closure Permit Application for Administrative
Review; Metric Corp., February 1995

Report on the Effectiveness of the Groundwater Recovery Well System
in the Upper Flow Zone; Black & Veatch, February, 1995

Draft Final Corrective Measures Study; Black & Veatch, May 6, 1996

Evaluation of Remedial Options for Sparton's Coors Road Facility;
Battelee, May 22, 1996

Conceptual Process Designs, Treatment of Produced Groundwater;
Black & Veatch, June 6, 1996

Corrective Action Proposals, September 18, 1996

Proposal: Revised Vapor Extraction System Pilot Testing, December
6, 1996

Proposal: Revised Aquifer Testing/Extraction
Demonstration/Additions to Monitoring Network, December 6, 1996

Proposal: Expansion of Interim Measures, December 6, 1996

Report of Gary L. Richardson, P.E. on the Use of Injection Wells at
Groundwater Remediation Sites, February 3, 1997

Report of Pierce L. Chandler, Jr., on Geology/Hydrogeology
Characterization, Contaminant Plume Characterization, Risk
Assessment, and Aquifer Restoration, Sparton Technology Coors Road
Facility, February 4, 1997

Other Documents Submitted by EPA

Comments on Requirements Found in Tasks VII-X of the Scope of Work
for the Corrective Measures Study; March 1, 1996

Review of the Final Corrective Measures Study Report; June, 1996

Documents Submitted by the City of Albuquerque

Ground-Water Protection and Action Plan; January, 1995

Mr. James B. Harris
Page -12-
February 17, 1998

Albuquerque Water Resources Management Strategy, San Juan Diversion
Project Options, Vols 1, 2 & 3; CH2MHILL, July, 1995

Review of Ground-Water Contamination at Sparton Technology Inc.'s
Coors Road Facility; CH2MHILL, January, . 1996

Penalty Calculation for Water Quality Act violations

NMED reserves the right to supplement these disclosures in
accordance with Rule 26. NMED does not waive any privilege in
making its initial disclosures.

Very truly yours,



ANA MARIE ORTIZ
Assistant General Counsel

cc: Gary O'Dea
Patrick Trujillo
Charles DeSaillan
Gloria Moran
Michael Donnellan
Arnold Rosenthal
John Zavitz
Wendy Blake
Johnathan Hewes