



State of New Mexico
Office of the Natural Resources Trustee

To Navajo, Denny

GARY E. JOHNSON
Governor

Dr. William M. Turner, Trustee
Steven Cary, Deputy Director
Charles de Saillan, Counsel

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 26, 1998

RECEIVED

MAR 27 1998

Carol Browner, Administrator
U.S. Environmental Protection Agency
401 M Street, SW (A-100)
Washington, D.C. 20460

NM ENVIRONMENT DEPARTMENT
OFFICE OF THE SECRETARY

Mark Weidler, Secretary
New Mexico Environment Department
P.O. Box 26110
Santa Fe, NM 87502

Richard D. Mico
Sparton Technology, Inc.
4901 Rockaway Boulevard, SE
Rio Rancho, NM 87124-5300

RECEIVED

APR 06 1998

GROUND WATER DIVISION

Registered Agent
Sparton Technology, Inc.
c/o CT Corporation System
217 West Manhattan Avenue
Santa Fe, NM 87501

John J. Smith
Sparton Corporation
2400 East Ganson Street
Jackson, MI 49202

Registered Agent
Sparton Corporation
c/o CT Corporation System
815 Superior Avenue, N.E.
Cleveland, OH 44114

Re: Notice of Violation Pursuant to Section 7002 of RCRA

Dear Ms. and Messrs.:

This letter is to provide you with formal notice that Sparton Technology, Inc., ("Sparton") is in violation of an order that has become effective pursuant to section 3008(h) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6928(h). This notice is provided in accordance with section 7002 (b) (1) (A) of

Phone: (505) 827-1045
FAX: (505) 827-1049

1190 St. Francis Dr.
P.O. Box 26110
Santa Fe, NM 87502

Violation Notice
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RCRA, 42 U.S.C. § 6972 (b) (1) (A), and 40 C.F.R. Part 254.

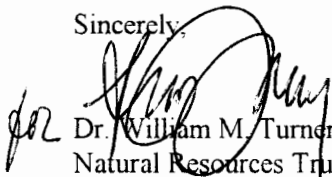
On February 9, 1998, after affording Sparton a hearing, the U.S. Environmental Protection Agency ("EPA") issued a Final Administrative Order (EPA Docket No. RCRA-VI-001(h)-96-H) pursuant to section 3008(h) of RCRA ordering Sparton to implement a cleanup of soil and groundwater contamination at and migrating from Sparton's facility located at 9621 Coors Road, City of Albuquerque, Bernalillo County, New Mexico. Section XIV, Paragraph 1 of the Order requires Sparton to submit to EPA assurance of its financial ability to complete the cleanup. The Order requires such assurance to be submitted within thirty days of the effective date of the Order. The effective date of the Order was February 13, 1998.

To date, Sparton has failed to submit the assurance of its financial ability to complete the cleanup as required by the Final Administrative Order. Thus Sparton is in violation of the Order.

Legal counsel representing the New Mexico Office of the Natural Resources Trustee is:

Charles de Saillan
Office of the Attorney General
Environmental Enforcement Division
P.O. Drawer 1508
Santa Fe, NM 87504
Telephone: (505) 827-6939

Sincerely,


Dr. William M. Turner
Natural Resources Trustee

cc: Governor Gary E. Johnson
Robert E. Gurule, Director, Albuquerque Public Works Department
Sarah Kotchian, Director, Albuquerque Environmental Health Department
Richard Brusuelas, Director, Bernalillo County Environmental Health Department
Gerald Clifford, Acting Regional Administrator, U.S. Environmental Protection Agency,
Region VI
Charles de Saillan, Office of the Attorney General
Ana Marie Ortiz, Assistant General Counsel, Environment Department
Gary O'Dea, Assistant City Attorney, City of Albuquerque
Patrick Trujillo, Assistant County Attorney, Bernalillo County
Michael Donnellan, U.S. Department of Justice
Arnold Rosenthal, U.S. Department of Justice
Gloria Moran, Assistant Regional Counsel, EPA Region VI
James B. Harris, Thompson & Knight



U.S. Department of Justice
Environment and Natural Resources Division
Environmental Enforcement Section

90-7-1-875

P.O. Box 7611
Washington, DC 20044-7611

Telephone (202) 514-4226
Facsimile (202) 514-8395

March 23, 1998

By telefax and first class U.S. mail

James B. Harris
Thompson & Knight
1700 Pacific Ave, Suite 3300
Dallas, Texas 75201-4693
(214) 969-1102
Fax: (214) 969-1751

Re: Albuquerque v. Sparton Technology, Inc., No. CV-97-0206 (D.N.M.)

Dear Jim:

I write with regard to the Final RCRA Section 3008(h) Administrative Order issued by EPA on February 10, 1998. Section XVI, Paragraph 1 of the order requires submission of financial assurances. This submission is overdue and Sparton is currently in violation of the Administrative Order. Please notify the United States in writing immediately if you intend to comply with the Administrative Order. If you do submit the required financial assurances or notify the United States that you intend to comply with the Administrative Order, it is the United States' intention to amend the complaint in the above referenced civil action to add a claim for civil penalties and enforcement of the order. Please feel free to call me if you have any questions.

Sincerely,

Michael T. Donnellan

c: Counsel of record

March 27, 1998

Mr. Dennis McQuillan
Geologist
New Mexico Environment Dept.
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, New Mexico 87502-6110

RE: U.S. v. Sparton

Dear Dennis:

R. Morrison & Associates, Inc. wish to congratulate you and your staff on the successful resolution of the preliminary injunction. Thank you for the opportunity to assist the New Mexico Environmental Department in this case.

If we can be of service to you in the future, please don't hesitate to call.

Best regards,



Robert D. Morrison, Ph.D.
Soils Physicist

RDM/kc

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