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

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30 June 1998

By telefax and first class U.S. mail
James B. Harris
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Re: Albuquerque v. Sparton Technology, Inc., No. CV-97-0206 (D.N.M.)

Dear Jim:

Enclosed please find EPA's comments on Section 2 of the June 22, 1998 "Work Plan for the Evaluation of Containment System Performance and for the Assessment of Aquifer Restoration." After you have had an opportunity to review these comments, a conference call may be beneficial. I would be happy to organize such a call at a mutually convenient time. Please feel free to contact me if you have any questions.

Sincerely,

Michael

Michael T. Donnellan

c: Counsel of record

ATTORNEY-CLIENT PRIVILEGED
Prepared for Counsel
Confidential Settlement Document-Not for Public Release
Inadmissible Under Federal Rules of Evidence
Prepared in Anticipation for Litigation

COMMENTS
Regarding Work Plan for the Evaluation of Containment System Performance and for the Assessment of Aquifer Restoration, June 22, 1998, prepared by S.S. Papadopulos & Associates, Inc.

SPARTON TECHNOLOGIES, INC.
COORS ROAD FACILITY

June 30, 1998

The following comments only pertain to the containment system performance portion of the *Work Plan For the Evaluation of Containment System Performance and for the Assessment of Aquifer Restoration.*

1. The work plan should specifically state that it addresses off-site containment only.

2. Revise the work plan to indicate that the work conducted in Sparton's Containment Plan will comply with both the *Ground Water Monitoring Program Plan*, to be finalized in July 1998, and the United States Department of Justice's, *Work Plan For The Installation of Additional Wells and Conducting a Pump Test In The Area of The Leading Edge of The Contaminant Plume Originating From The Sparton Technology, Inc. Coors Road Facility*, dated June 10, 1998.

3. Sparton shall provide a written timeline for those specific events identified in the work plan.

4. Hydraulic capture of contamination is defined by both hydrogeologic and chemical data. The work plan shall state that capture will be determined utilizing both the hydrogeologic data (potentiometric surface, flow lines, particle tracking paths, etc.) and chemical data (stabilization or no increase in contaminant concentrations at the plume boundaries). The work plan shall state that capture has been achieved when the hydrogeologic data indicates that all flow lines encompassing the plume are being intersected by the recovery well(s) and when chemical data indicates that there are no increases in contaminant concentrations at the plume boundaries. The work plan shall be revised to state that the extent of the plume shall be defined by where contaminant concentrations do not exceed the more stringent of the Maximum Contaminant Levels (MCLs) for drinking water established under the Safe Drinking Water Act or the maximum allowable contaminant concentrations in ground water set by the State of New Mexico Water Quality Control Commission (WQCC).

5. Revise the work plan to clearly state the objectives of any monitoring. The work plan shall also specify the type and accuracy of measurements (e.g., pumping rates, hydraulic heads, contaminant concentrations, and ground water chemistry) needed to meet the monitoring objectives. In addition, the revised work plan should include or reference all the requirements specified in the *Ground Water Monitoring Plan*, to be finalized in July 1998.

6. The work plan shall specify that if the pumping rate for the containment system implemented in the containment plan differs than the pumping rate utilized in the containment feasibility test (i.e., Section C.4) of the United States Department of Justice's, *Work Plan For The Installation of Additional Wells and Conducting a Pump Test In The Area of The Leading Edge of The Contaminant Plume Originating From The Sparton Technology, Inc. Coors Road Facility*, dated June 10, 1998, then a performance evaluation of the system to meet the containment criteria will be performed within six months after initiation of the system. Revise the work plan to indicate that this six month evaluation of the system's success in meeting the containment criteria will be documented in a detailed written report. The report shall assess the system performance by presenting performance data, chemical and hydrogeologic data, calculations, data evaluations, maps, and conclusions. The completed report shall be distributed to the party representatives listed in the United States Department of Justice's, *Work Plan For The Installation of Additional Wells and Conducting a Pump Test In The Area of The Leading Edge of The Contaminant Plume Originating From The Sparton Technology, Inc. Coors Road Facility*, dated June 10, 1998, within one month after the initial six months of system operation is completed.

7. Revise the work plan to indicate that the annual evaluations of the system's success in meeting the containment criteria will be documented in a detailed written report. The report shall assess the system performance by presenting performance data, chemical and hydrogeologic data, calculations, data evaluations, maps, and conclusions. The completed report shall be distributed to the party representatives listed in the United States Department of Justice's, *Work Plan For The Installation of Additional Wells and Conducting a Pump Test In The Area of The Leading Edge of The Contaminant Plume Originating From The Sparton Technology, Inc. Coors Road Facility*, dated June 10, 1998, within one month after the anniversary date of startup of the system.

8. Revise the work plan to indicate water level measurements shall be obtained on a quarterly basis, as per both the *Ground Water Monitoring Program Plan*, to be finalized in July 1998, and the United States Department of Justice, *Work Plan For The Installation of Additional Wells and Conducting a Pump Test In The Area of The Leading Edge of The Contaminant Plume Originating From The Sparton Technology, Inc. Coors Road Facility*, dated June 10, 1998.

9. The work plan shall indicate monitoring locations involving paired wells/piezometers that will be utilized to verify the boundary streamline (i.e., streamline that contains stagnation point) of the capture zone. These monitoring locations will have two wells/piezometers with one well/piezometer inside and one well/piezometer outside of the boundary streamline that will provide hydraulic head measurements that will be utilized to verify the existence of the calculated boundary streamline.

10. The work plan shall indicate that discharges from the containment system will be addressed in the Ground Water Discharge Permit recently issued by the State of New Mexico.