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FACSIMILE COVER LETTER

TO: All Counsel of Record

FROM: James B. Harris, Esq.

SUBJECT: Sparton's Description of Deliverables

DATE: September 25, 1998

CLIENT/FILE NO.: 40310.00001

FAX NO. (See Fax Nos. Below)

ATTY PHONE EXT: 1102**NO. OF PAGES:** 8 (including cover page)**PRIVILEGED AND CONFIDENTIAL**

As promised in our conference call on Thursday, September 24, I am sending attached to this fax coversheet a document describing what Sparton understands to be the deliverables necessary to effectuate the conceptual agreements we have reached regarding further activities to address impacts to groundwater.

We are in the process of developing a comprehensive schedule that will graphically demonstrate how all of these pieces fit together temporally.

It is my understanding that if Mike Hebert has any major reservation about our approach, he will contact me through Arnold Rosenthal immediately. Otherwise, we understand that the attached document will be discussed and finalized at our pre-meeting Thursday morning. For those of you who may not have heard, that meeting will be held at the Rodey law firm beginning at 10:00 a.m.

I also understand that Gary Richardson has sent out a drawing describing how we propose to recomplete Monitor Well 71. If he does not hear from the plaintiffs by 1:00 p.m. on Monday, September 28, we understand that we have the green light to precede with his approach, if that is what we decide to do.

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**RESPONSE TO DOJ's
SEPTEMBER 4, 1998 COMMENTS ON
OFF-SITE CONTAINMENT AND SOIL VAPOR EXTRACTION
AND SEPTEMBER 9, 1998 COMMENTS ON
SOURCE CONTAINMENT AND RESTORATION**

I. Ground Water Extraction Corrective Measure - Off-Site Containment

A. Ground Water Investigation Workplan

We agree that the PI Workplan satisfies the requirements of this section.

B. Ground Water Extraction and Treatment Project

1. Ground Water Investigation Report

Within 10 days of the completion of the "step drawdown test" and the "constant rate test" (including the recovery period of the test) Sparton will submit an "Interim Report on Off-Site Containment Well Pumping Rate". This report will present the results of the analysis of the test data, a water-level contour map, the direction of ground-water flow and the hydraulic gradient calculated from these contours, a map showing the extent of ground-water contamination (5 µg/L TCE contour) based on the most recent available data, and the containment well pumping rate required to provide capture, as calculated from these data. After consultation with the Plaintiffs, the "containment feasibility test" will be conducted at this pumping rate. Within four weeks after the completion of the feasibility test, Sparton will submit a "Ground Water Investigation and Off-Site Containment System Design Report". In addition to presenting the results of all tests in greater detail, this report will present information on the horizontal and vertical extent of contamination and on the conceptual model of the site, including water level contour maps and prevailing hydraulic gradients, rates of ground-water movement, maps showing the capture zone of the containment well at the end of the feasibility test, as indicated by water level data at the end of the test, and adjustments, if any, to the pumping rate of the containment well. Data that forms the basis for the design of the Air Stripper and of the Infiltration Gallery, and state permits associated with these facilities, will also be included in this report. This report should satisfy the requirements of both this section and of the PI Workplan

2. Design Plans and Specifications

Site Plans, architectural plans (where appropriate) for the Air Stripper and the Infiltration Gallery, and specifications for equipment and materials as needed for the construction of

these facilities, will be submitted for approval prior to construction. Appendices will include design data (tabulations of significant data used in the design effort), equations (sources for major equations used in the design process will be listed and described), sample calculations, and laboratory or field test results. EPA shall within seven days of submission of plans and specifications for an Air Stripper and an Infiltration Gallery that have a capacity to handle the pumping rate identified in the "Interim Report On Off-Site Containment Well Pumping Rate," approve such plans and specifications subject to issuance of all permits necessary for such work.

3. Construction Workplan

A Construction Workplan will be submitted prior to the commencement of the construction of the Air Stripper and the Infiltration Gallery. This Workplan will identify the Project Manager, present the Project Schedule, and discuss construction contingency procedures.

4. Health and Safety Plan

The existing Health and Safety Plan will be appropriately revised to address all activities involving potential exposure to hazardous substances as required by OSHA 29CFR1910.120.

5. Commencement of Construction

Construction of the Air Stripper and the Infiltration Gallery will commence upon EPA approval of the design plan and specifications.

C. Construction Completion Report

Upon completion of the construction, we will provide a certification that the system has been constructed in substantial compliance with the design plans and specifications.

D. Operation and Maintenance Plan

We will prepare an Operation and Maintenance Plan which will cover all operations associated with remedial activities at the site (off-site and on-site containment and SVE), describing operation and maintenance management (including a ten day notice of any change by Sparton of personnel assigned to this matter), a complete set of "as built" drawings, normal operation and maintenance procedures, replacement schedules, waste management practices, and contingency plans in the event of breakdowns or operational failures.

E. Corrective Measure Assessment Reports

The "Workplan for the Evaluation of the Off-Site Containment System Performance" revised to state that (a) chemical data will also be evaluated to determine whether it provides useful information in evaluating the system performance, and (b) no more than one additional monitoring well may be required in the leading edge of the plume (regardless of the design pumping rate) will satisfy this requirement.

F. Corrective Measure Completion Report

We agree that no submission is required at this time.

II. Soil Vapor Extraction Corrective Measure

A. Vadose Zone Investigation Workplan

Sparton's May 18, 1998, SVE Workplan will be revised in accordance with Sparton's August 5, 1998, correspondence. This workplan will be used to supplement existing soil gas characterization and refine the 10 PPM_v soil gas limits. The revised workplan will satisfy the requirements of this section.

B. Soil Vapor Extraction Project

1. Vadose Zone Investigation Report

After completing the additional Vadose Zone Investigation, Sparton will submit a report with maps describing the nature and extent, both horizontally and vertically, of contamination in the Vadose Zone above the 10 PPM_v level and data for the design and implementation of the soil vapor extraction system.

2. Design Plans and Specifications

Site plans, architectural plans (where appropriate) and specifications of equipment and material for a "robust SVE system," to be run concurrently with the Acuvac System as needed for the construction of this robust system by licensed contractors, will be submitted for approval prior to construction. Appendices will include design data (tabulations of significant data used in the design effort), equations (sources for major equations used in the design process will be listed and described), sample calculations, and laboratory or field test results. EPA shall within thirty days of submission of plans and specifications for a "robust system" with a maximum flow capacity of 500 cfm and a maximum vacuum of 3 inches of mercury, to be run concurrently with the Acuvac System, together with all permits

authorizing such work, approve such plans and specifications or provide specific reasons for any non-approval, consisting of identification of applicable missing permits.

3. Construction Work Plan

A Construction Workplan will be submitted prior to the commencement of the construction of the Robust System. This Workplan will identify the project manager, present the project schedule, and discuss construction contingency procedures.

4. Health and Safety Plan

Existing health and safety plan will be appropriately revised to address all activities involving potential exposure to hazardous substances required by OSHA 29 C.F.R. § 1910.120.

5. Commencement of Construction

Construction of the "Robust System" will commence upon EPA approval of the design plans and specifications.

C. Construction Completion Report

Upon completion of the construction of the Robust System, Sparton will provide a certification that the system has been constructed in substantial compliance with the design plan and specifications.

D. Operation and Maintenance Plan

Sparton will prepare an Operation and Maintenance Plan which will cover all operations associated with remedial activities at the site (off-site and on-site containment in SVE), describing operation and maintenance management (including a thirty day notice of any change by Sparton of personnel assigned to this matter), a complete set of "as built" drawings, normal operation and maintenance procedures, replacement schedules, waste management practices, and contingency plans in event of breakdowns or operational failures.

E. Corrective Measure Completion Report

Sparton will furnish quarterly reports for the SVE System and an annual summary report. When the 10 PPM_v remediation goal is reached (or long-term operation establishes a higher equilibrium concentration), a corrective measures completion report document on the performance of the SVE System will be submitted.

III. Ground Water Extraction Corrective Measure - Source Containment

A. Additional Ground Water Investigation Workplan

The July 23, 1998 "Alternative Proposal to Install a Recovery Well Pumping at Fifty Gallons per Minute" revised to include the installation of a monitoring well, or piezometer, between MW-15 and MW-42/43, and a description of sampling from this new monitoring well, and actions to be taken based on the sampling results, reissued and renamed "Workplan for the Installation of a Source Containment System," will satisfy the requirements of this section.

B. Ground Water Extraction and Treatment Project

1. Ground Water Investigation Report

The basis for the design of the on-site containment well and the infiltration ponds has been included in the July 23, 1998 "Alternative Proposal to Install a Recovery Well Pumping at Fifty Gallons per Minute" and will remain in the revised submittal. State permits associated with the operation of the on-site treatment facility and of the infiltration ponds will either be included in this workplan or submitted separately. We do not believe that any other additional submittals are needed.

2. Design Plans and Specifications

The design of the source containment well and of the new monitoring well will be presented in the Workplan for the Installation of a Source Containment System. Site plans and architectural plans (where appropriate) for the Air Stripper and the Infiltration Ponds, and specifications for equipment and materials, as needed for the construction of these facilities by licensed contractors, will be submitted for approval prior to construction. Appendices will include design data (tabulations of significant data used in the design effort), equations (sources for major equations used in the design process will be listed and described), sample calculations and laboratory or field test results. EPA shall within thirty days of submission of plans and specifications for the Air Stripper and the Infiltration Ponds that have a capacity to handle a pumping rate of fifty gallons per minute, together with all permits authorizing such work, approve such plans and specifications or provide specific reasons for non-approval, consisting of an identification of applicable missing permits.

3. Construction Workplan

A Construction Workplan will be submitted prior to the installation of the source containment well and of the new monitoring well and the commencement of the construction of the Air Stripper and the Infiltration Ponds. This Workplan will identify the Project Manager, present the Project Schedule, and discuss construction contingency procedures.

4. Health and Safety Plan

As stated in item (I)(B)(5) above, the existing Health and Safety Plan will be appropriately revised to address all activities involving potential exposure to hazardous substances as required by OSHA 29CFR1910.120.

5. Commencement of Construction

Construction of the Air Stripper and the Infiltration Ponds will commence upon EPA approval of the design plans and specifications.

C. Construction Completion Report

Upon completion of the construction, we will provide a certification that the system has been constructed in substantial compliance with the design plans and specifications.

D. Operation and Maintenance Plan

As stated in item (I)(B)(4) above, Sparton will prepare an Operation and Maintenance Plan which will cover all operations associated with remedial activities at the site (off-site and on-site containment and SVE), describing operation and maintenance management (including a thirty day notice of any change by Sparton of personnel assigned to this matter), a complete set of "as built" drawings, normal operation and maintenance procedures, replacement schedules, waste management practices, and contingency plans in event of breakdowns or operational failures.

E. Corrective Measure Assessment Reports

The revised workplan (see item (III)(A) above) will state that annual assessments of the performance of the source containment system will be included in the site's Annual Report (see Workplan for the Evaluation of the Off-Site Containment System Performance), thereby satisfying this requirement.

F. Corrective Measure Completion Report

Future on-site conditions will determine whether such a report will be needed.

IV. Ground Water Extraction Corrective Measure - Restoration

The July 20, 1998 "Workplan for the Assessment of Off-Site Aquifer Restoration" will be revised and re-issued as "Workplan for the Assessment of Corrective Measures" to reflect

that it applies to both the off-site and on-site ground water extraction, and to the soil vapor extraction. As stated and provided in the July 20, 1998 workplan, the revised workplan will also state that the initial flow and transport model will be developed during the first year and will also provide for annual assessments of progress in aquifer restoration. The model will be updated annually; however, we strongly believe that an evaluation of whether additional cleanup measures should be implemented cannot be made before the model has gone through several annual updates and has reached a point when prediction of future conditions and evaluation of alternative, or additional, cleanup measures can be made with some degree of confidence. The revised workplan will also state that the annual assessments will include an evaluation of any additional data needs, and that if additional data are needed, a Ground Water Investigation Workplan, and any other needed documents, will be submitted at that time. As revised and reissued the "Workplan for the Assessment of Corrective Measures" will satisfy this requirement.