



GARY E. JOHNSON  
GOVERNOR

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**  
*Hazardous & Radioactive Materials Bureau*  
2044 Galisteo Street  
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Santa Fe, New Mexico 87502  
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PETER MAGGIORE  
SECRETARY

**By Certified Mail**  
**Return Receipt Requested**

May 8, 2000

Michael A. Hebert  
Project Manager  
United States Environmental Protection Agency  
Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

**RE: AGREEMENT TO MODIFY SCHEDULES FOR COMPLETION OF  
WORK  
SPARTON TECHNOLOGY, INC. CONSENT DECREE**

Dear Mr. Hebert:

Enclosed is a signature page signed by James Bearzi, to be attached to the above-referenced Sparton Consent Decree modification, as revised by fax from you to me dated April 27, 2000. Please affix the signature page to the modification and send a copy of the final modification to HRMB.

If you have any questions or need additional information please contact me at 505-827-1561, ex. 1031.

Sincerely,

A handwritten signature in cursive script that reads "Carl Will".

Carl Will  
Project Leader

cc: James Bearzi, Chief, HRMB  
John Kieling, HRMB

file: red/PNMPS/99 and reading

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

THE CITY OF ALBUQUERQUE and  
THE BOARD OF COUNTY  
COMMISSIONERS OF THE COUNTY  
OF BERNALILLO,

Plaintiffs,

v.

SPARTON TECHNOLOGY, INC.,

Defendant.

Civil Action No.  
CIV 97 0206 LH/JHG

Consolidated with:  
CIV 97 0208 JC/RLP  
CIV 97 0210 M/DJS  
CIV 97 0981 LH/JHG

**AGREEMENT TO MODIFY SCHEDULES FOR COMPLETION OF THE WORK  
UNDER THE MARCH 3, 2000 CONSENT DECREE**

Pursuant to Paragraph 104 of the March 3, 2000 Consent Decree, the United States Environmental Protection Agency ("EPA"), the New Mexico Environment Department ("NMED"), and Sparton Technology, Inc. ("Sparton") hereby agree to the following modifications to the schedules for completion of Work.

**1. Deadline for holding Public Information Meeting**

Paragraph 2 of Section IV (Notification) of the Public Involvement Plan for Corrective Action Activities (Attachment B to the Consent Decree) requires Sparton to hold "a public information meeting on the corrective measure activities that Sparton will conduct within 60 to 90 days after the effective date of the Consent Decree." EPA, NMED, and Sparton, agree that

the deadline for holding this public meeting shall be extended to one-hundred thirty-five (135) days after the effective date of the Consent Decree.”

**2. Deadline for submission of Annual Reports**

Section 3.6 of the Work Plan for the Off-Site Containment System (Attachment C to the Consent Decree) requires Sparton to submit an Annual Report “within four months after the anniversary date of the startup of the continuous system operation.” For the year 2000, EPA, NMED, and Sparton agree that, the deadline for submitting the Annual Report will be June 1, 2000. For all years after 2000, EPA, NMED, and Sparton agree that the deadline for submitting the Annual Report will be May 1. Further, EPA, NMED, and Sparton agree that each Annual Report will include all data collected through December of the previous year.

**This document is not intended for filing in the United States District Court but the requirements specified within are enforceable under the Consent Decree.** The undersigned representative of Sparton certifies that he is fully authorized to execute and legally bind Sparton to the conditions in this document.

**FOR THE NEW MEXICO ENVIRONMENT DEPARTMENT:**



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James Bearzi

Chief

Hazardous and Radioactive Materials Bureau

New Mexico Environment Department

P.O. Box 26110

Santa Fe, New Mexico 87502-6110

505/827-1567

Date: 5/8/2K