



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733



May 31, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED P 110 337 051

Mr. Tony Hurst, P.E.  
Hurst Engineering Services  
153 Camino de Sabinal  
P.O. Box 220  
Bosque, NM 87006

RE: Agreement to Modify Schedules for Completion of Work  
Sparton Technology, Inc., Consent Decree  
Civil Action No. CIV 97 0206 LH/JHG

Dear Mr. Hurst:

Enclosed is a copy of the completed agreement between the United States Environmental Protection Agency ("EPA"), the New Mexico Environment Department ("NMED"), and Sparton Technology, Inc., (Sparton), concerning modifications to schedules pursuant to Section XXVIII, Paragraph 104, of the subject Consent Decree regarding the deadline for holding a public information meeting and the deadline for submission of Annual Reports. Pursuant to Section VII of the subject Consent Decree, Sparton shall implement the applicable requirements according to the agreed schedules contained within the enclosed modification.

If you have any questions, please contact Michael A. Hebert (EPA) at 214-665-8315 or James Bearzi (NMED) at 505-827-1567.

Sincerely yours,

Michael A. Hebert  
Project Coordinator  
U.S. EPA Region 6

Enclosure - EPA/NMED/Sparton Schedules Modification

cc: James Bearzi - New Mexico Environment Department  
Secretary - Sparton Technology, Inc.

Agreement to Modify Schedules for Completion  
of the Work under the 03/03/00 Consent Decree

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

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.

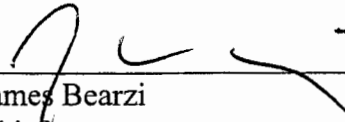
**FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY:**

Michael A. Hebert

Michael A. Hebert  
Project Manager  
United States Environmental Protection Agency,  
Region 6  
1445 Ross Avenue, Ste. 1200  
Dallas, Texas 75202  
214/665-8315

Date: 5-31-00

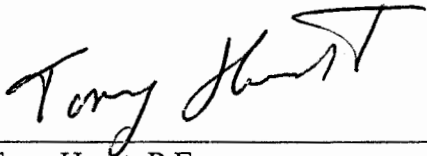
**FOR THE NEW MEXICO ENVIRONMENT DEPARTMENT:**

  
\_\_\_\_\_  
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: 5/23/20

**FOR SPARTON TECHNOLOGY, INC.:**

A handwritten signature in cursive script, reading "Tony Hurst". The signature is written in dark ink and is positioned above a horizontal line.

Tony Hurst, P.E.  
General Civil Engineering Resource  
P.O. Box 220  
Bosque, New Mexico 87006

Date: 4/26/2000