

 ENTERED



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
DALLAS, TEXAS

00 JUL 15 2000
REGIONAL HEARING CLERK
EPA REGION 6

IN THE MATTER OF :)
)
SPARTON TECHNOLOGY, INC.)
)
9621 COORS ROAD NW)
ALBUQUERQUE, NM 87114)
)
EPA I.D. NO. NMD083212332)
)
RESPONDENT)

U.S. EPA DOCKET NO.
RCRA-VI-001(h)-96-H

ORDER OF WITHDRAWAL OF FINAL ADMINISTRATIVE ORDER

Preliminary Statement

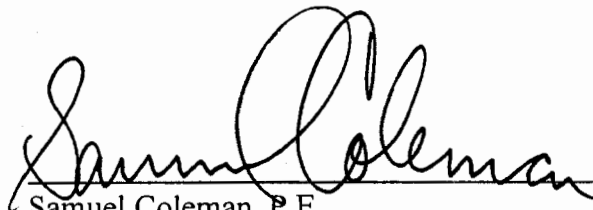
1. On February 9, 1998, EPA issued the *Final Administrative Order Under Section 3008(H) of the Resource Conservation and Recovery Act, as amended 42 U.S.C. § 6928(H)*, U.S. EPA Docket No. RCRA-VI-001(h)- 96-H, (“Final Administrative Order”), to Sparton Technology, Inc., 9621 Coors Road NW, Albuquerque, New Mexico (“Sparton”). The Final Administrative Order was filed with the Regional Hearing Clerk, EPA Region 6, on February 10, 1998.
2. On February 19, 1997, EPA, the City of Albuquerque, the Board of County Commissioners of the County of Bernalillo, the State of New Mexico, the New Mexico Environment Department, and the New Mexico Office of the Natural Resources Trustee filed civil actions against Sparton in federal district court, Northern District of New Mexico, which collectively alleged violations of RCRA 7002, 7003 (42 U.S.C. §§ 6972, 6973), Section 1431 of the Safe Drinking Water Act (42 U.S.C. § 300i), and various state laws. These civil actions were consolidated under the caption of City of Albuquerque et al. v. Sparton Technology, Inc. CIV 97 0206 LH/JHG (D.N.M).
3. On March 3, 2000, the parties entered into a Consent Decree which settled the consolidated federal judicial action identified in paragraph two (2) above.

4. Under Section XXIII of the March 3, 2000 Consent Decree, titled WITHDRAWAL OF ADMINISTRATIVE ORDER, paragraph 89, EPA agrees to withdraw the February 10, 1998 Final Administrative Order within sixty (60) days after payment is made to the United States pursuant to paragraph 74 (d) of the Consent Decree. Paragraph 74 (d) of the Consent Decree specifies that upon receipt of payment from Sparton of 1,675,000.00 to the United States, the sum shall be transferred in accordance with the amounts due each governmental party. Sparton has made the payment in accordance with the requirement of paragraph 74 (d) of the Consent Decree.

Order

1. Pursuant to the completion of the requirements described in paragraph four (4) above, EPA withdraws the Final Administrative Order.
2. This Order is effective upon filing with the Regional Hearing Clerk, Region 6.

Dated: 6/27/00



Samuel Coleman, P.E.

Director

Compliance Assurance and
Enforcement Division

U.S. Environmental Protection Agency Region 6
Dallas, Texas 75202-2733

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of July,
2000, the original of the foregoing ORDER OF WITHDRAWAL OF FINAL
ADMINISTRATIVE ORDER (U.S. EPA Docket No. RCRA-VI-001(h)-96-H)
was hand delivered to the Regional Hearing Clerk, U.S.
Environmental Protection Agency, Region 6, 1445 Ross Avenue,
Dallas, Texas 75202-2733, and that a true and correct copy was
transmitted to the following:

Certified Mail/ Return Receipt Requested:

As to the United States:

Chief
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20044-7611
Re: DJ # 90-7-1-875

Director
Compliance Assurance and Enforcement Division
United States Environmental Protection Agency
Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

As to EPA:

Director
Compliance Assurance and Enforcement Division
United States Environmental Protection Agency
Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Regional Counsel
Office of Regional Counsel
United States Environmental Protection Agency
Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

As to the City of Albuquerque:

Albuquerque City Attorney
Legal Department
P.O. box 2248
Albuquerque, New Mexico 87103

As to the Board of County Commissioners of the County of Bernalillo:

County Attorney
One Civic Plaza, N.W., Tenth Floor
Albuquerque, New Mexico 87103

As to the New Mexico Environment Department:

Director
Water and Waste Management Division
New Mexico Environment Department
P.O. Box 26110
Santa Fe, New Mexico 87502-6110

As to the State of New Mexico and the Office of Natural Resources Trustee:

Director, Environmental Enforcement Division
New Mexico Attorney General's Office
P.O. Drawer 1508
Santa Fe, New Mexico 87504

As to Sparton:

Tony Hurst, P.,E.
General Civil Engineering Resource
153 Camino de Sabinal -- P.O. Box 220
Bosque, New Mexico 87006

Secretary
Sparton Technology, Inc.
2400 Ganson Street
Jackson, Michigan 49202