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



AUG 17 2000

Carl

Mr. Lawrence Rael
Chief Administrative Officer
City of Albuquerque
P.O. Box 2248
One Civic Plaza
Albuquerque, NM 87103

Re: City of Albuquerque Property Interests and Authorizations related to the Sparton Technology Inc. site, Coors Road, Albuquerque, NM

Dear Mr. Rael:

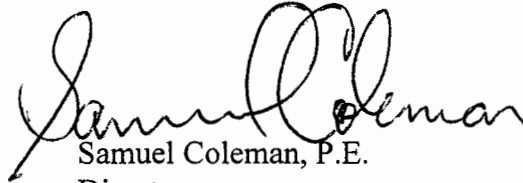
I am writing with regard to the City of Albuquerque (City) and the status of its property interests and authorizations in connection with the soil and groundwater remediation at the former Sparton Technology, Inc (Sparton) site, Coors Road, Albuquerque, New Mexico. As you are aware, the City was a co-plaintiff with the United States Environmental Protection Agency (EPA), several New Mexico state agencies, and Bernalillo County in a consolidated civil enforcement action against Sparton captioned *City of Albuquerque, et al. v. Sparton Technology, Inc.*, CIV 97-0208 LH/JHG. The case was settled pursuant to a March 3, 2000, Consent Decree which requires Sparton to perform investigative and remedial work specified in different work plans which are incorporated into the Consent Decree.

It is EPA's understanding that work pursuant to the Consent Decree will require Sparton to obtain specific authorizations from the City by virtue of the City's local regulatory authority and its property interests. The City owns a utility easement near an area where Sparton is required to install and operate a source area containment well. EPA understands that the Albuquerque Metropolitan Flood Control Agency desires to convey to the City a drainage easement in the same area, and that certain authorizations from the City are required by Sparton for construction of the source area containment well and associated piping and encroachment on the impacted easements.

In the unlikely event that Sparton's field activities under the Consent Decree exacerbate existing contamination, EPA will require Sparton to address it. As long as the City does nothing to contribute to the contamination, EPA would not anticipate taking action against the City in a civil administrative or judicial action arising solely out of the City's property interests and authorizations related to the Sparton site. Nothing in this correspondence, however, is intended to waive any rights the United States has at law or equity against any party that may be responsible for releasing contaminants into the environment at or near the Sparton site.

EPA thanks the City for its ongoing work in facilitating Sparton's work under the Consent Decree. If you have any questions, please do not hesitate to contact Michael Hebert, EPA Project Manager, at (214) 665-8315.

Sincerely yours,



Samuel Coleman, P.E.
Director
Compliance Assurance and
Enforcement Division

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

Regional Counsel
Office of Regional Counsel
United States Environmental Protection Agency
Region 6

County Attorney
Board of County Commissioners of the County of Bernalillo

Director
Water and Waste Management Division
New Mexico Environment Department

Director, Environmental Enforcement Division
New Mexico Attorney General's Office

Tony Hurst, P.,E.
Sparton Technology, Inc.

Secretary
Sparton Technology, Inc.