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July 23, 2001

Via Facsimile and Regular Mail

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Chief, Hazardous & Radioactive Materials Bureau New Mexico Environment Department P. O. Box 26110 Santa Fe, New Mexico 87502-6110

Re: Sparton's Post-Closure Permit Application

Dear Mr. Bearzi:

I write on behalf of Sparton Technology, Inc. about a June 22, 2001, letter from Robert Warder of NMED to Richard Mico of Sparton. That letter requested certain supplemental information in connection with Sparton's post-closure care permit application. It appears that much of the information this letter asks Sparton to provide relates to corrective action, which Sparton and NMED agreed would not be addressed in the post-closure care permit. Perhaps we are not correctly understanding what is being requested and why it is sought. If our understanding is correct, then it would appear that the request is inconsistent with the Consent Decree. In order to resolve any possible confusion about what you want and why you want it, Sparton asks that we informally resolve any differences we may have, as allowed under Paragraph 49 of the Consent Decree.

The items in the June 22, 2001, letter that we believe involve correction action, and therefore, are unrelated to the post-closure care permit by the terms of the Consent Decree are 3, 4, 6, 8, that portion of 11 relating to and including corrective action areas in the inspection checklist, 12, 13, 14, 15, and 16. I would hope that we could resolve this issue easily and quickly in a conference call. Please contact me to arrange such a call.

The other information requested in the June 22, 2001, letter should be provided to NMED within two weeks of this letter.

James B. Harris

Yours very truly

JBH/tks Encls. ce: Chief, Environmental Enforcement Section Environment and Natural Resources Division

U.S. Department of Justice

P. O. Box 7611

Washington, D.C. 20044-7611

cc: Director, Compliance Assurance and Enforcement Division

U.S. Environmental Protection Agency

Region 6

1445 Ross Avenue, Suite 1200

Dallas, TX 75202-2733

cc: Regional Counsel

Office of Regional Counsel

U.S. Environmental Protection Agency

Region 6

1445 Ross Avenue, Suite 1200

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cc: Albuquerque City Attorney

Legal Department

P. O. Box 2248

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cc: County Attorney

Board of County Commissioners

County of Bernallilo

One Civic Plaza, N.W., Tenth Floor

Albuquerque, NM 87103

cc: Director, Environmental Enforcement Division

New Mexico Attorney General's Office

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