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**PRESTO**

National Presto Industries, Inc.  
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July 16, 1992

Mr. Michael A. Gifford  
Remedial Project Manager  
UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY  
77 West Jackson, HSRW-6J  
Chicago, Illinois 60604-3590

40711  
**RECEIVED**  
JUL 17 1992

Re: Section 106(a) Unilateral Administrative Order  
National Presto Industries, Inc. Superfund Site  
Eau Claire, Wisconsin  
U.S. EPA Docket No. V-W-92-C-156

Dear Mr. Gifford:

Pursuant to the letter from National Presto Industries, Inc. (NPI) to your attention dated July 15, 1992, the purpose of this correspondence is to reserve for the Administrative Record the "sufficient cause" defenses of NPI as required by the Section 106 Unilateral Administrative Order dated July 2, 1992 (the Order) and provide comments, corrections or additions to the determinations as listed in Section IV of that Order.

The Order provides in Section XXIII, Paragraph 101 that the respondent shall describe, using facts that exist on or prior to the effective date of the Order, any "sufficient cause" defenses asserted by respondent pursuant to Sections 106(b) and 107(c)(3) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA). NPI expressly and fully reserves all "sufficient cause" defenses along with any other defenses and constitutional challenges to the Order.

In addition to reserving its defenses and constitutional rights, NPI hereby identifies for the record the following comments, corrections and/or additions to the determinations set forth in the Order under Section IV, Paragraphs 6 through 48:

(A) In Paragraph 6, the third sentence should be changed to read as follows: "NPI established Martin Motors, which was moved to the Site during 1947-48."

(B) In Paragraph 16, the second sentence should be changed to read as follows: "The spent forge compound also contained volatile organic compounds (VOCs) primarily 1,1,1-Trichloroethane, a solvent used in the manufacturing process and as an equipment cleaning agent."

(C) In Paragraph 25, the description of the August 15, 1990, NPI and NDC communication to the EPA does not mention that NPI and NDC did advise of their willingness to affirm what the Army had proposed in its August 14, 1990, letter.

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(D) In Section IV, there is no reference to the NPI and NDC August 16, 1990, letter and attached response to the August 1, 1990, EPA Record of Decision.

(E) In Paragraph 27, the second sentence should be deleted in its entirety and replaced with the following: "A potential threat remains to human health by means of direct contact with waste materials at the Site, however, that threat is minimized by restricted access to the Site and the minimal risk associated with direct contact to the waste materials."

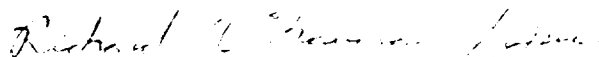
(F) Paragraph 40 should be changed to read as follows: "The remedy selected in the Interim Action ROD reduces potential risks from groundwater ingestion at on-Site sources and prevents off-Site movement by means of plume containment."

As stated in its July 15, 1992 letter, NPI intends to comply with the Order. Notwithstanding this intention, NPI expressly and fully reserves any and all "sufficient cause" defenses along with any other defenses or constitutional challenges to the Order. Further, NPI expressly reserves any and all rights or claims against any person, group or entity (including, without limitation, the Superfund) for contribution, indemnity and/or reimbursement of any cost, expense or liability related in any way to the Order.

We hereby request that this letter be included in the Administrative Record for the NPI Superfund Site, Eau Claire, Wisconsin. In addition, we hereby request that the additional copy of this letter enclosed be filed in the Administrative Record for the Eau Claire Municipal Well Field Superfund Site.

Sincerely,

NATIONAL PRESTO INDUSTRIES, INC.



Richard A. Nauman  
Project Coordinator

RAN/dn  
Enclosure

cc.: Linda Nachowicz, Alternate Remedial Project Mgr.  
U.S. Environmental Protection Agency  
Eileen Furey, Asst. Regional Counsel, U.S. EPA  
James F. Bartl, NPI  
Len Eder, Eder Associates  
Peter Peshek, DeWitt Porter