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FROM: Michael T. Donnellan (202) 514-4226
DATE: August 13, 1998
NUMBER OF PAGES (including cover sheet): 3
SUBJECT: Albuquerque v. Sparton Technology, Inc., No CIV 97 0206 (D.N.M.)

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MESSAGE: August 13, 1998 letter from Donnellan to Harris



U.S. Department of Justice
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13 August 1998

By telefax

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

Dear Jim:

Enclosed please find Co-Plaintiffs written list of major outstanding issues as per the schedule attached to the August 10, 1998 Joint Status Report. I hope that this will provide a useful foundation for our telephone conference tomorrow.

Sincerely,

Michael T. Donnellan

c: counsel of record

Co-Plaintiff's List of Major Outstanding Issues

Soil Vapor Extraction Workplan

- Complete Characterization (i.e., bottom of vadose zone) vs. Implementation of more robust SVE system
 - Co-Plaintiff's position described in 8/7/98 SVE Design Issue paper

Off-Site Containment Evaluation Plan

- Workplan needs to provide for an evaluation of whether additional monitoring points are needed to verify performance of the containment system
- Chemical data should be utilized in evaluation of containment system performance

Restoration Workplan

- Restoration applies to the entire contaminant plume

On-Site Proposal

- Proposal does not contain all on-site ground water with high TCE concentrations
- Proposal will likely result in contaminating areas which are currently not contaminated
- Proposal does not aid the process of off-site restoration
- Other preliminary model scenario's indicate that the 50 gpm proposal can be optimized to enhance the area of capture and facilitate the process of off-site plume restoration
 - Co-Plaintiff's position described in 8/12/98 Response to 50 GPM Proposal