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APR - 3 2019

April 30, 2019

**Via CMRRR 9314 8699 0430 0058 6995 64**

Dave Cobrain  
Program Manager, Hazardous Waste Bureau  
State of New Mexico  
Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6313

**Via CMRRR 9314 8699 0430 0058 6996 56**

Chuck Hendrickson  
Project Coordinator  
United States Environmental Protection Agency  
Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

Re: Notice of Dispute

Gentlemen:

I write on behalf of Sparton Technology, Inc. ("Sparton") in response to an April 8, 2019, letter from Dave Cobrain and Chuck Hendrickson requesting sampling for 1,4-Dioxane as part of the approved monitoring plan for the Sparton Site beginning in the third quarter of this year. As provided for in paragraph forty-eight (48) of the Consent Decree entered in *Albuquerque v. Sparton Technology, Inc.*, No. CV-97-0206 (D.N.M.), this letter is notice that Sparton is disputing the need to analyze for 1,4-dioxane as proposed. Sparton recognizes that the New Mexico Environment Department has recently amended its regulations to add 1,4-dioxane as a toxic constituent of concern. Sparton does not agree that the screening level developed by NMED for 1,4-Dioxane, as a matter of policy, represents an appropriate state ground water standard. In Sparton's view, the appropriate standard for 1,4-dioxane is a higher number. To date, the analytical results for 1,4-Dioxane for samples from select monitor wells, as previously requested by NMED and EPA, are below the number that we understand to be protective of human health for drinking water at the tap obtained from groundwater that is being withdrawn for present or reasonably foreseeable future use. As a result, Sparton questions the necessity of adding 1,4-dioxane as a routinely monitored constituent of concern. We believe it would be helpful to have a face-to-face meeting sometime in the next two to three weeks to see if this matter cannot be resolved through the informal negotiations called for in paragraph forty-nine (49) of the Consent Decree.

Very truly yours,

James B. Harris

April 30, 2019

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cc: **CMRRR 9314 8699 0430 0058 6998 30**

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