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November 13, 2001

Sent via facsimile (214)969-1751

Mr. James B. Harris
Thompson & Knight
1700 Pacific Ave., Suite 3300
Dallas, Texas 76201-4693



RE: Resolution of Request for Supplemental Information On Sparton's Post-Closure Care Permit Application.

Dear Jim:

This letter serves to confirm our phone conversation of the week of October 29, 2001 wherein you agreed that the issues in dispute and that arose from the Hazardous Waste Bureau's June 22, 2001 Request for Supplemental Information ("RSI") are resolved.

My understanding is that Sparton Technology, Inc ("Sparton") is in agreement with what the Department set forth and clarified in its letter to you dated October 11, 2001. A summary of what additional information under the RSI will be required to be submitted by Sparton is as follows:

- 1) NMED will not require Sparton to respond to items 3, 4, 8, that portion of item 11 relating to corrective action, 12, 13, and 14; but
- 2) Sparton will be required to respond to items 6, 15, and 16.

With respect to item 15, it will be necessary for Sparton to respond to item 15 on the anniversary date of the financial assurance approval. With respect to item 16, the list of applicable maps and design drawings must be drawn from all applicable references, including the Operation and Maintenance Manuals for the off site and source containment systems, Attached Workplans under the Consent Decree, design plans and the annual reports. It is NMED's understanding that Gary Richardson is in the process of supplementing items 6, and 16.

If you are not in agreement with the position that is set forth in this letter, please contact me immediately in writing.

Mr. James B. Harris

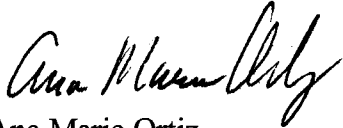
October 11, 2001

Page 2 of 2

Once the HWB receives Sparton's responses to items 6 and 16 of the RSI, the HWB can continue with its technical review of Sparton's permit application. Pursuant to 20.4.2.201.3.3NMAC, the technical review period of a permit application is tolled while the HSB is awaiting a response from a RSI. Therefore, the period tolled is from June 22, 2001 until the HWB receives Sparton's outstanding RSI responses.

Please call me if further clarification or discussion is needed on any matter raised in this letter.

Very truly yours,



Ana Marie Ortiz

cc: James Bearzi, Bureau Chief, HWB
Greg Lewis, Director, Water and Waste Management Division
Robert Warder, HWB