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**Environment Department Files Court Documents Pursuing Cleanup for
Former Circuit Board Manufacturing Site in Albuquerque**

Department Contends Contamination from Site May Spread, City Well Nearby

(Santa Fe, N.M.) The New Mexico Environment Department recently filed a counterclaim with a New York bankruptcy court contending it will continue to require the former owner of a circuit board manufacturing facility in Albuquerque to clean up contaminated groundwater at the company's site. The company, Mark IV Industries, filed for bankruptcy in a New York court in April.

The department required Mark IV Industries, the former owner and operator of the Gulton Industries site, to clean up groundwater contamination that is above state standards.

"We will continue to fight to protect groundwater that became contaminated with toxic pollutants as a result of the company's operations," said New Mexico Environment Department Secretary Ron Curry. "The business must take responsibility to continue to clean up contamination that we believe will spread if no action is taken."

Mark IV had been injecting hydrogen releasing compound into groundwater through four injection wells to facilitate microbial degradation of the contamination but recently discontinued that treatment due to its pending bankruptcy. Groundwater contamination, including trichloroethylene, dichloroethylene and vinyl chloride, remains beneath the site and is above state groundwater standards. NMED required the remediation under the state's ground water quality abatement regulations.

Mark IV operated a circuit board manufacturing facility on the property from 1956 until 1970. The operation generated chlorinated solvents, which were discharged through a septic system and leach field, and surface impoundments. Mark IV Industries sold the property in 1978.

Although it no longer owned the property, in 1995 Mark IV agreed to conduct the necessary site remediation. Mark IV removed the source areas and contaminated soil in 1995 under Environment Department oversight.

Mark IV Industries on April 30 filed for bankruptcy protection under Chapter 11 of the Bankruptcy Code in the Bankruptcy Court for the Southern District of New York. Mark IV notified the department in May that it had filed for bankruptcy and would no longer implement the remediation. The scheduled injections for March and Sept. 2009 were not performed at the site.

Mark IV filed a complaint against the Environment Department on October 5 seeking a declaration from the court that the department's claims for cleanup of the site should be dropped in the bankruptcy proceeding and that they could not be pursued once the reorganization plan is adopted.

The department filed documents with the court November 12 seeking a declaration from the court that the department's claims should stand. In addition, the department is seeking injunctive relief for cleanup of the site.

For more information, call Marissa Stone Bardino at (505) 827-0314.

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