UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 06 2017

REPLY TO THE ATTENTION OF:

VIA EXPRESS MAIL AND EMAIL

Mses. Rose Joy Sundberg and Lisa Sundberg
Post Office Box 399
Trinidad, California 95570

Dear Mses. Rose Joy Sundberg and Lisa Sundberg:

I am writing as a follow-up to my letter to you of September 26, 2017, regarding EPA's request for access to your property located at Parcels 12-8 and 12-13, HWY 70 West, Lac Du Flambeau, WI 54538. The purpose for access is to conduct work related to a pilot study for excavation, the results of which will inform EPA's decision on how to best remediate the Tower Standard/Haskell Lake Petroleum Contamination site ("the Site"). We have not heard from you in response to our letter and the timing of EPA's access to your property is now critical. If we do not obtain access to your property by October 13, 2017, we will not be able to proceed with any work on your property.

As I explained in my September 26 letter, EPA's current consent to access with you is only for limited monitoring work and because of this, we are seeking your consent to expand federal access to your property to conduct the pilot study of the potential use of excavation as part of the Site cleanup. The pilot test would include a scaled-down version of an excavation remediation, in order to evaluate such things as the suitability of the soil and the groundwater properties to this type of cleanup technique. As my letter also explained, while we understand that you have entered into an access agreement with the Tribe, EPA cannot access the Site through your agreement with the Tribe because the Tribe does not represent EPA. Therefore, your access agreement with the Tribe cannot cover the conduct of federal investigative and cleanup activities, such as the pilot study.

We would appreciate it if you could review the enclosed access form, and if you consent, sign and return the form by October 13, 2017 in the enclosed pre-paid priority mail envelope. If it is more convenient to you, please send a scan of the signed document to egan.robert@epa.gov. If EPA does not receive your signed access form for our pilot test activities by October 13, 2017, EPA will be forced to cancel mobilization of equipment and personnel required to conduct the pilot test. If it is your decision to not grant this access, I would appreciate being notified as soon as possible.

Please do not hesitate to call me at (312) 886-1479 or Bob Egan of my staff at (312) 886-6212, if you have any questions or concerns. EPA's goal remains to further the pilot study and cleanup

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of the properties affected by the contamination as quickly and effectively as possible, in coordination with all interested and affected parties.

Sincerely,

Gary J. Victorine, Chief
RCRA Branch
Land and Chemicals Division

Enclosure

cc: President Joseph Wildcat Sr.
Larry Wawronowicz
Beverly Labarge

EPA-R5-2017-010506_0003805