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WISCONSIN
DEPT. OF NATURAL RESOURCES

August 19, 2015

Margaret Guerriero, Director
Land and Chemicals Division
United States Environmental Protection Agency
Region 5
77 West Jackson Blvd.
Chicago, Il 60604-3590

Subject: Tower Standard Site, WDNR BRRTS No. 03-64-127899

Dear Ms. Guerriero:

I received your letter dated August 6, 2015 in regards to the Tower Standard Site in Lac du Flambeau. I understand from your letter and subsequent conversations from your legal counsel that you are not challenging the Department's asserted jurisdiction at the Tower Standard site. If you could provide a written statement to that effect it would be greatly appreciated and provide a path forward for determining the appropriateness of any future meeting with the Lac du Flambeau Band and EPA in regards to the cleanup of this Site.

Further, based on your agreement to not challenge the State's jurisdiction at this Site, we believe the Department would be in a position to request U.S. EPA Region 5 provide assistance in the performance of a response action at this Site pursuant to *The One Cleanup Program MOA*, Section IV (B)(1)(a).

As you may know, the current property owners are working with a PECFA-approved consultant to conduct an investigation and remediation at the Site. In order to be reimbursed under the PECFA program, the responsible party must comply with the Wis. Admin. Code NR 700 Rules Series. The Department sent the first site investigation work plan to EPA for comments, which were received and substantially incorporated in our response to the responsible party. The site investigation process is phased and driven by the technical data produced from work conducted at the site. The Department would like to note that no PECFA funds will be available to reimburse costs at this site or any other site after June 30, 2020.

I look forward to your letter.

Sincerely,

Darsi Foss

Darsi Foss
Director
Remediation and Redevelopment Program

Patrick Stevens, DNR
Quinn Williams, DNR