

Flambeau Mining Company  
N4100 Highway 27  
Ladysmith, WI 54848  
(715) 532-6690  
FAX (715) 532-6885

January 29, 2008

**Kennecott**  
Minerals

Ms. Laura Furtman  
27426 Cty. Rd. H  
Webster, WI 54893

Mr. Al Gedicks  
210 Avon Street  
LaCrosse, WI 54603

Attorney Dan Graff  
WI Department of Natural Resources  
101 S. Webster Street, LD/5  
P.O. Box 7921  
Madison, WI 53707

Lac Courte Oreilles Band of  
Lake Superior Chippewa Indians  
c/o Melissa Scanlan  
Midwest Environmental Advocates  
551 W. Main Street, Suite 200  
Madison, WI 53703

Sierra Club  
c/o Mr. Glenn Stoddard  
Stoddard Law Office  
130 S. Barstow St. Suite 2C  
Eau Claire, WI 54701

Mr. Robert Ringstad  
Rusk County Citizens Action Group  
N6974 County Road A  
Ladysmith, WI 54848

Mr. Tom Wilson  
Northern Thunder  
500 East Jefferson Street  
Viroqua, WI 54665

WI Resources Protection Council  
c/o Mr. Glenn Stoddard  
Stoddard Law Office  
130 S. Barstow St. Suite 2C  
Eau Claire, WI 54701

Dear All:

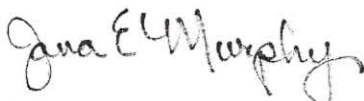
Re: Copper Park Lane Work Completion– Flambeau Mining Company

Flambeau Mining Company (Flambeau) is providing a copy of the report submitted to the Department of Natural Resources on January 23, 2009. This report is provided in accordance with the May 31, 2007 Stipulation.

The attached report is a summary of the Copper Park Lane work performed in early November 2008.

If there are any questions, I can be contacted at 715-532-6690 Ext. 2 or [jana-murphy@clearwire.net](mailto:jana-murphy@clearwire.net).

Sincerely,



Jana E. Murphy  
Environmental & Reclamation Manager

Stipulated Parties  
January 28, 2009  
Page 2

Attachment

Cc: Tom Aartila, WDNR – Park Falls  
John Coleman, GLIFWC  
Dave Cline, KMC  
Phil Fauble, WDNR  
Hank Handzel, DeWitt, Ross & Stevens  
Jim Hutchison, Foth  
Jon Kleist, WDNR-Ladysmith  
Craig Roesler, WDNR - Hayward

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Ladysmith, WI 54848  
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**Kennecott**  
Minerals

January 23, 2009

Mr. Phil Fauble  
Division of Air and Waste  
Waste and Materials Management  
Wisconsin Department of Natural Resources  
101 South Webster St., GEF II  
Madison, WI 53707

Dear Mr. Fauble:

RE: Copper Park Lane Work Completion  
Flambeau Mining Company

In a document dated October 14, 2008 Foth Infrastructure & Environment, LLC, on behalf of Flambeau Mining Company, proposed a workplan in the vicinity of Copper Park Lane that included removal of surficial soils and replacement with clean fill and topsoil. The workplan was proposed to eliminate any possibility that this area could be considered a potential source of copper to Stream C.

In a document dated October 24, 2008 the Department concurred that the October 14, 2008 Copper Park Lane workplan was an appropriate course of action and made recommendations to 1) collect confirmation soil samples from the sub-base, 2) maintain sediment control features, and 3) submit a brief documentation report to the Department.

This letter serves to document that the work was performed in general conformance to the workplan and Department recommendations.

**Implementation of Copper Park Lane Workplan**

On October 31, 2008 in preparation for excavation, Natural Resources Consulting, Rice Lake, WI marked boundaries of wetlands associated with Stream C. The workplan was implemented by a local earthmoving contractor, Russ Thompson Excavating, Ladysmith, WI. Work began on November 5, 2008 with the installation of a trenched strawbale fence at the location where the excavation would extend

Mr. Phil Fauble  
January 23, 2009  
Page 2

furthest east. The strawbale fence served as a boundary to keep excavating equipment out of wetlands associated with Stream C.

Excavation of surficial soils from the Copper Park Lane north ditch began on November 5, 2008 and was completed during the morning of November 6, 2008. A total of 303.85 tons of surficial soils were removed and trucked to Waste Management's Timberline Trail RDF, Weyerhaeuser, WI as a special non-hazardous waste.

On November 5<sup>th</sup> and 6<sup>th</sup>, 2008 three separate composite soil samples were collected along the established sub-base previous to any fill placement. The composite soil sample from the western third of the ditch sub-base (Sample ID S-CP-01N-C) measured 17 mg/kg copper. The middle third of the ditch sub-base (Sample ID S-CP-04N-C) measured 16 mg/kg copper. The ditch's eastern third sub-base (Sample ID S-CP-02N-C) measured 18 mg/kg copper. The analytical report from Northern Lake Service, Crandon, WI, is found in Attachment 1. These results indicate that the material of concern has been excavated and removed as planned.

Hauling of clean gravel fill started on November 6, 2008. Approximately three quarters of the ditch sub-base received gravel fill before work was suspended due to wet conditions caused by precipitation. Work resumed on November 7, 2008 with the completion of placement of gravel fill by late morning. A total of approximately 135 cubic yards of gravel fill were placed.

Hauling and spreading of topsoil were completed during the afternoon of November 7, 2008. A total of approximately 156 cubic yards of topsoil were placed on the gravel. Upon completion of topsoil placement, the topsoil was hand seeded with Speedy Green seed mix and hand raked. By the end of the workday on November 7, 2008 the Copper Park Lane work was complete with the installation of Curlex NetFree Erosion Control Blanket (ECB) over the entire area of disturbance. The ECB was secured in place with biodegradable stakes.

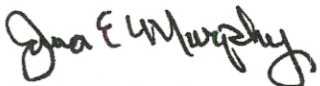
Attachment 2 contains photographs documenting the Copper Park Lane work.

#### Maintenance of Erosion Control

During Spring 2009 the Copper Park Lane north ditch will be routinely inspected especially during times of snowmelt or stormwater runoff. The appropriate action will be taken as necessary to maintain erosion control features until the work area is vegetatively resistant to erosion.

If you require any further information, I can be contacted at 715-532-6690 or [jana-murphy@clearwire.net](mailto:jana-murphy@clearwire.net).

Sincerely,



Jana E. Murphy  
Environmental & Reclamation Manager

Mr. Phil Fauble  
January 23, 2009  
Page 3

Attachments

CC: Al Christianson, City of Ladysmith  
Hank Handzel, DeWitt, Ross & Stevens  
Jon Kleist, WDNR – Ladymith  
Tom Portle, WDNR – Madison  
Randy Tatur, Rusk County

Dave Cline, Rio Tinto  
Jim Hutchison, Foth  
Terry Koehn, WDNR – Spooner  
Tom Riegel, Town of Grant  
CeCe Tesky, Rusk Co. Zoning

**Attachment 1**

**Copper Park Lane - 2008 Work**

**Sub-base Soils Analytical Report**

# ANALYTICAL REPORT

**NORTHERN LAKE SERVICE, INC.**  
 Analytical Laboratory and Environmental Services  
 400 North Lake Avenue - Crandon, WI 54520  
 Ph: (715)-478-2777 Fax: (715)-478-3060

WDNR Laboratory ID No. 721026460  
 WDATCP Laboratory Certification No. 105-330  
 EPA Laboratory ID No. WI00034

Printed: 11/17/08 Code: S Page 1 of 1

**Client:** Flambeau Mining Company  
 Attn: Jana Murphy  
 N4100 Highway 27  
 Ladysmith, WI 54848

**NLS Project:** 125306  
**NLS Customer:** 11750  
 Fax: 715 532 6885 Phone: 715 532 6690

**Project:** Soil Samples

**Soil, S-CP-02N-C NLS ID: 502082**

COC: 110283:1 Matrix: SO  
 Collected: 11/05/08 16:30 Received: 11/07/08

**Parameter**

Parameter	Result	Units	Dilution	LOD	LOQ	Analyzed	Method	Lab
Copper, tot. recoverable as Cu by ICP	18	mg/Kg DWB	1	0.23	0.78	11/17/08	SW846 6010	721026460
pH, lab (soil/sludge)	8.2	s.u. pHw	1			11/11/08	SW846 9045	721026460
Solids, total on solids	80.8	%	1	0.10*		11/07/08	ASTM D2216	721026460
Metals digestion - tot. recov (solid) ICP	yes					11/13/08	SW846 3050M	721026460

**Soil, S-CP-04N-C NLS ID: 502083**

COC: 110283:2 Matrix: SO  
 Collected: 11/05/08 16:35 Received: 11/07/08

**Parameter**

Parameter	Result	Units	Dilution	LOD	LOQ	Analyzed	Method	Lab
Copper, tot. recoverable as Cu by ICP	16	mg/Kg DWB	1	0.26	0.90	11/17/08	SW846 6010	721026460
pH, lab (soil/sludge)	8.2	s.u. pHw	1			11/11/08	SW846 9045	721026460
Solids, total on solids	80.7	%	1	0.10*		11/07/08	ASTM D2216	721026460
Metals digestion - tot. recov (solid) ICP	yes					11/13/08	SW846 3050M	721026460

**Soil, S-CP-01N-C NLS ID: 502084**

COC: 110283:3 Matrix: SO  
 Collected: 11/06/08 09:08 Received: 11/07/08

**Parameter**

Parameter	Result	Units	Dilution	LOD	LOQ	Analyzed	Method	Lab
Copper, tot. recoverable as Cu by ICP	17	mg/Kg DWB	1	0.17	0.59	11/17/08	SW846 6010	721026460
pH, lab (soil/sludge)	8.0	s.u. pHw	1			11/11/08	SW846 9045	721026460
Solids, total on solids	84.3	%	1	0.10*		11/07/08	ASTM D2216	721026460
Metals digestion - tot. recov (solid) ICP	yes					11/13/08	SW846 3050M	721026460

Values in brackets represent results greater than or equal to the LOD but less than the LOQ and are within a region of "Less-Certain Quantitation". Results greater than or equal to the LOQ are considered to be in the region of "Certain Quantitation". LOD and/or LOQ tagged with an asterisk(\*) are considered Reporting Limits. All LOD/LOQs adjusted to report dilution.

LOD = Limit of Detection  
 DWB = Dry Weight Basis  
 MCL = Maximum Contaminant Levels for Drinking Water Samples. Shaded results indicate >MCL.

Reviewed by:   
 Authorized by: R. T. Krueger  
 President

1000 ug/L = 1 mg/L

ND = Not Detected (< LOD)  
 %DWB = (mg/kg DWB) / 10000

**SAMPLE COLLECTION AND CHAIN OF CUSTODY RECORD**

**NORTHERN LAKE SERVICE, INC.**

Analytical Laboratory and Environmental Services  
 400 North Lake Avenue • Crandon, WI 54520-1298  
 Tel: (715) 478-2777 • Fax: (715) 478-3060

Wisconsin Lab Cert. No. 721026460  
 WI DATCP 105-000330



NO. 110283

CLIENT: Flambeau Mining Co.  
 ADDRESS: 14100 Hwy 27  
 CITY: Ladysmith STATE: WI ZIP: 54848  
 PROJECT DESCRIPTION / NO.:  
 DNR FID #: DNR LICENSE #  
 CONTACT: JANA F. MURPHY  
 PHONE: 715-532-1010  
 PURCHASE ORDER NO.: 715-532-6885

USE BOXES BELOW: Indicate Y or N if G/L Sample is field filtered.  
 Indicate G or C if WW Sample is Grab or Composite.

ANALYZE PER ORDER OF ANALYSIS	PARAMETER	COLLECTION REMARKS (i.e. DNR Well ID #)
CL		Composite

MATRIX:  
 SW = surface water  
 WW = waste water  
 GW = groundwater  
 DW = drinking water  
 TIS = tissue  
 AIR = air  
 SOIL = soil  
 SED = sediment  
 PROD = product  
 SL = sludge  
 OTHER

ITEM NO.	NLS LAB. NO.	SAMPLE ID	DATE	COLLECTION TIME	MATRIX (See above)
1.	SP2052	S-CP-02N-C	11-5-08	4:30 pm	Soil
2.	SP2053	S-CP-04N-C	11-5-08	4:35 pm	Soil
3.	SP2054	S-CP-01N	11-6-08	9:08 am	Soil
4.					
5.					
6.					
7.					
8.					
9.					
10.					

REPORT TO: Flambeau Mining  
 INVOICE TO: Same

CUSTODY SEAL NO. (IF ANY):  
 RECEIVED BY (signature):  
 DATE/TIME: 11-6-08 2:00 pm  
 METHOD OF TRANSPORT: UPS Ground  
 REMARKS & OTHER INFORMATION: COOLER # 8988

1. TO MEET REGULATORY REQUIREMENTS, THIS FORM **MUST** BE COMPLETED IN DETAIL AND INCLUDED IN THE COOLER CONTAINING THE SAMPLES DESCRIBED.  
 2. PLEASE USE ONE LINE PER SAMPLE. **NOT** PER BOTTLE.  
 3. RETURN THIS FORM WITH SAMPLES - CLIENT MAY KEEP PINK COPY.  
 4. PARTIES COLLECTING SAMPLE, LISTED AS **REPORT TO** AND LISTED AS **INVOICE TO** AGREE TO STANDARD TERMS & CONDITIONS ON REVERSE.



Attachment 2

Copper Park Lane – 2008 Work

Photodocumentation



**Photograph 1.** On November 5, 2008 work began with the installation of a strawbale fence prior to excavation of surficial soils from the Copper Park Lane north ditch. Photo taken facing south.



**Photograph 2.** The Copper Park Lane ditch surficial soils were excavated from east to west beginning on November 5, 2008. Photo taken facing west.



**Photograph 3.** Excavation of surficial soils was complete on November 6, 2008 ending at the western most end of the Copper Park Lane north ditch. Photo taken facing east.



**Photograph 4.** Placement of clean gravel fill followed collection of confirmation sampling of sub-base. Placement of gravel fill was placed from west to east beginning November 6, 2008. Photo taken facing east.



**Photograph 5. Placement of gravel fill was completed on November 7, 2008 and placement of topsoil was immediately begun. Photo taken facing west.**



**Photograph 6. Placement of topsoil was completed on November 7, 2008. Hand rotary seeding and raking in of seed was completed as well on November 7, 2008. Photo taken facing east.**



**Photograph 7. Netfree erosion control blanket was installed across the entire disturbance area and secured with biodegradable stakes by end of day November 7, 2008. Photo taken facing west.**