



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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January 10, 2000

02-116-120590

Ron Peterson
Fraser Shipyards, Inc.
P.O. Box 997
Superior, WI 54880

FID# 816047210
HW/RESP
Douglas County
WID 988639597

Subject: Denial of Closure Request for AOC#5

Dear Mr. Peterson:

Fraser Shipyards request to close out further work at Area of Concern # 5 "the Paint Storage Area " is denied. The request was reviewed by the close out committee. The following are the committee's comments on the denial to close.

1. Samples from two borings at the 2 to 2.5 feet below the surface exceed standards for soils found in NR 720, Wis. Adm. Code. There was no site specific RCL or engineering controls proposed.
2. Mercury was detected in B-9 and B-10 and was not addressed in the submittal.

For the site to meet the requirements in NR 726, Wis. Adm. Code Fraser Shipyards would have to submit a site specific RCL, an engineering control, or appropriate institutional controls which meet the requirements of NR 720, Wis. Adm. Code. The Partial Closure Documentation AOC#5 and Additional Investigative Report MW-5 was submitted by SEH for Fraser on February 26, 1999 to meet requirements in a January 29, 1999 court stipulated agreement. Fraser needs to respond to the above requirement by March 31, 2000. If you have questions or comments you may contact me at the above address.

Sincerely,


Steve LaValley
Waste Management Specialist

C: Lorraine Stoltzfus - DOJ
Dave Kafura, Gary LeRoy - Spooner
Mick Michaelsen - Spooner
Jim Hosch - Superior
Pete Flaherty - LS/5
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