

GIS REGISTRY

Cover Sheet

July, 2008
(RR 5367)

Source Property Information

BRRTS #:

ACTIVITY NAME:

PROPERTY ADDRESS:

MUNICIPALITY:

PARCEL ID #:

CLOSURE DATE:

FID #:

DATCP #:

COMM #:

*WTM COORDINATES:

X: Y:

** Coordinates are in
WTM83, NAD83 (1991)*

WTM COORDINATES REPRESENT:

- Approximate Center Of Contaminant Source
- Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

Groundwater Contamination > ES (236)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties
see "Impacted Off-Source Property")*

Soil Contamination > *RCL or **SSRCL (232)

Contamination in ROW

Off-Source Contamination

*(note: for list of off-source properties
see "Impacted Off-Source Property")*

Land Use Controls:

Soil: maintain industrial zoning (220)

*(note: soil contamination concentrations
between residential and industrial levels)*

Structural Impediment (224)

Site Specific Condition (228)

Cover or Barrier (222)

*(note: maintenance plan for
groundwater or direct contact)*

Vapor Mitigation (226)

Maintain Liability Exemption (230)

*(note: local government or economic
development corporation)*

Monitoring wells properly abandoned? (234)

Yes No N/A

** Residual Contaminant Level*

***Site Specific Residual Contaminant Level*

This Adobe Fillable form is intended to provide a list of information that is required for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

NOTICE: Completion of this form is mandatory for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #: 02-16-120588 PARCEL ID #: 03-803-02127-00

ACTIVITY NAME: FRASER SHIPYARDS INC AOC #11 WTM COORDINATES: X: 360558 Y: 697846

CLOSURE DOCUMENTS (the Department adds these items to the final GIS packet for posting on the Registry)

- Closure Letter**
- Maintenance Plan** (if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)
- Conditional Closure Letter**
- Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

- Deed:** The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Certified Survey Map:** A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).
Figure #: **Title: Document #781183**
- Signed Statement:** A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

- Location Map:** A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.
Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.
Figure #: 1 Title: Site Location Map
- Detailed Site Map:** A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 2 Title: Site Plan
- Soil Contamination Contour Map:** For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.
Figure #: 5 Title: AOC #11 Detail

BRRTS #: 02-16-120588

ACTIVITY NAME: FRASER SHIPYARDS INC AOC #11

MAPS (continued)

Geologic Cross-Section Map: A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

Figure #: 6 Title: Dry Dock #1 Cross Section

Figure #: Title:

Groundwater Isoconcentration Map: For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES).

NA Indicate the direction and date of groundwater flow, based on the most recent sampling data.

Note: This is intended to show the total area of contaminated groundwater.

Figure #: Title:

Groundwater Flow Direction Map: A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

NA **Figure #: Title:**

Figure #: Title:

TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))

Tables must be no larger than 8.5 x 14 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

Soil Analytical Table: A table showing remaining soil contamination with analytical results and collection dates.

Note: This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

Table #: 1 Title: Soil Analytical Results

Groundwater Analytical Table: Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

Table #: 2 Title: Groundwater Analytical Results

Water Level Elevations: Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

NA **Table #: Title:**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

Note: If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.

Not Applicable

Site Location Map: A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

Note: If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.

Figure #: Title:

Well Construction Report: Form 4440-113A for the applicable monitoring wells.

Deed: The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

Notification Letter: Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-16-120588

ACTIVITY NAME: FRASER SHIPYARDS INC AOC #11

NOTIFICATIONS

Source Property

- Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.
- NA
- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

- Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.
- NA
- Note:** Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

Number of "Off-Source" Letters:

- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.
- Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.
- Note:** If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).
- NA

Number of "Governmental Unit/Right-Of-Way Owner" Letters:



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
John Gozdziński, Regional Director

Northern Region Headquarters
101 Sutliff Avenue
Rhineland, Wisconsin 54501
Telephone 715-365-8900
FAX 715-365-8932
TTY Access via relay - 711

March 11, 2010

James Korthals
Fraser Shipyards Inc.
3rd Street & Clough Avenue
Superior, WI

SUBJECT: Final Case Closure with Continuing Obligations Fraser Shipyards AOC #11
Superior, WI
WDNR BRRTS Activity #: 02-16-120588
FID #: 816047210

Dear Mr. Korthals:

On October 1, 1997, the Northern Region Closure Committee reviewed the above referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On that date your case was conditionally closed with the requirement to complete a long-term Operations and Maintenance Plan for Drydock #1 and submittal of documentation to the Department of a deed restriction filed with Douglas County. Due to changes in Chapter 292 of the Wisconsin Statutes, in June 2006 the Department no longer requires recording of deed restrictions to insure that the requirements of certain continuing obligations, such as maintaining a pavement cover over contaminated soil, are met.

In response to issues raised in preparation for and during an institutional control audit, the Department received documentation indicating that you have complied with the requirements for final closure. That information included the soil GIS registry package and associated fee which was received on August 14, 2009. Additionally, on August 7, 2009, the Department received the monitoring well abandonment forms for monitoring wells 1-5 and lysimeter 1 and a copy of the AOC #11 Drydock No. 1 Concrete Maintenance Plan.

Based on the correspondence and data provided, it appears that your case meets the closure requirements in ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time, however, you and future property owners must comply with certain continuing obligations as explained in this letter.

GIS Registry

This site will be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed

- Pavement, an engineered cover or a soil barrier must be maintained over contaminated soil and the state must approve any changes to this barrier

This letter and information that was submitted with your closure request application will be included on the GIS Registry. To review the sites on the GIS Registry web page, visit the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If the property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line <http://dnr.wi.gov/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS Registry.

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. You must pass on the information about these continuing obligations to the next property owner or owners. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code. The Department intends to conduct inspections in the future to ensure that the conditions included in this letter including compliance with referenced operation and maintenance plans are met.

Residual Soil Contamination

Residual soil contamination remains under the concrete slab at Dry Dock #1 as identified in Figure 5 AOC # 11 Detail prepared by SEH on July 21, 2009 as located on the site as indicated Figure 2 at AOC #11 Site Map prepared by SEH on July 21, 2009, copies of which are attached, Figure 5 in the information submitted to the Department of Natural Resources. If soil in the specific locations described above is excavated in the future, then pursuant to ch. NR 718 or, if applicable, ch. 289, Stats., and chs. 500 to 536, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material is considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose an inhalation or other direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

Cover or Barrier

Pursuant to s. 292.12(2)(a), Wis. Stats., the concrete slab that currently exists and is identified in Figure 5 shall be maintained in compliance with the attached AOC #11 Drydock No. 1 Concrete Maintenance Plan in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health.

The attached Concrete Maintenance Plan and Inspection Checklist are to be kept up-to-date and on-site. Please submit the inspection checklist to the Department only upon request.

Prohibited Activities

The following activities are prohibited on any portion of the property where [pavement, a building foundation, soil cover, engineered cap or other barrier] is required as shown on the attached map, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources: 1) removal of the existing barrier; 2) replacement with another barrier; 3) excavating or grading of the land surface; 4) filling on capped or paved areas; 5) plowing for agricultural cultivation; 6) construction or placement of a building or other structure.

Post-Closure Notification Requirements

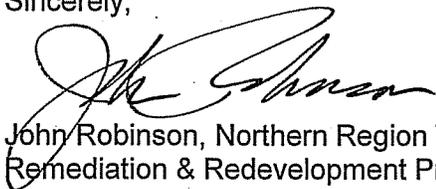
In accordance with ss, 292.12 and 292.13, Wis. Stats., you must notify the Department before making changes that affect or relate to the conditions of closure in this letter. For this case, examples of changed conditions requiring prior notification include, but are not limited to:

- Disturbance, construction on, change or removal in whole or part of pavement, an engineered cover or a soil barrier that must be maintained over contaminated soil

Please send written notifications in accordance with the above requirements to Northern Region Redevelopment and Remediation Program to the attention of Anna Kazda, Environmental Program Associate.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please contact Jill Zalesny at 715-365-8985.

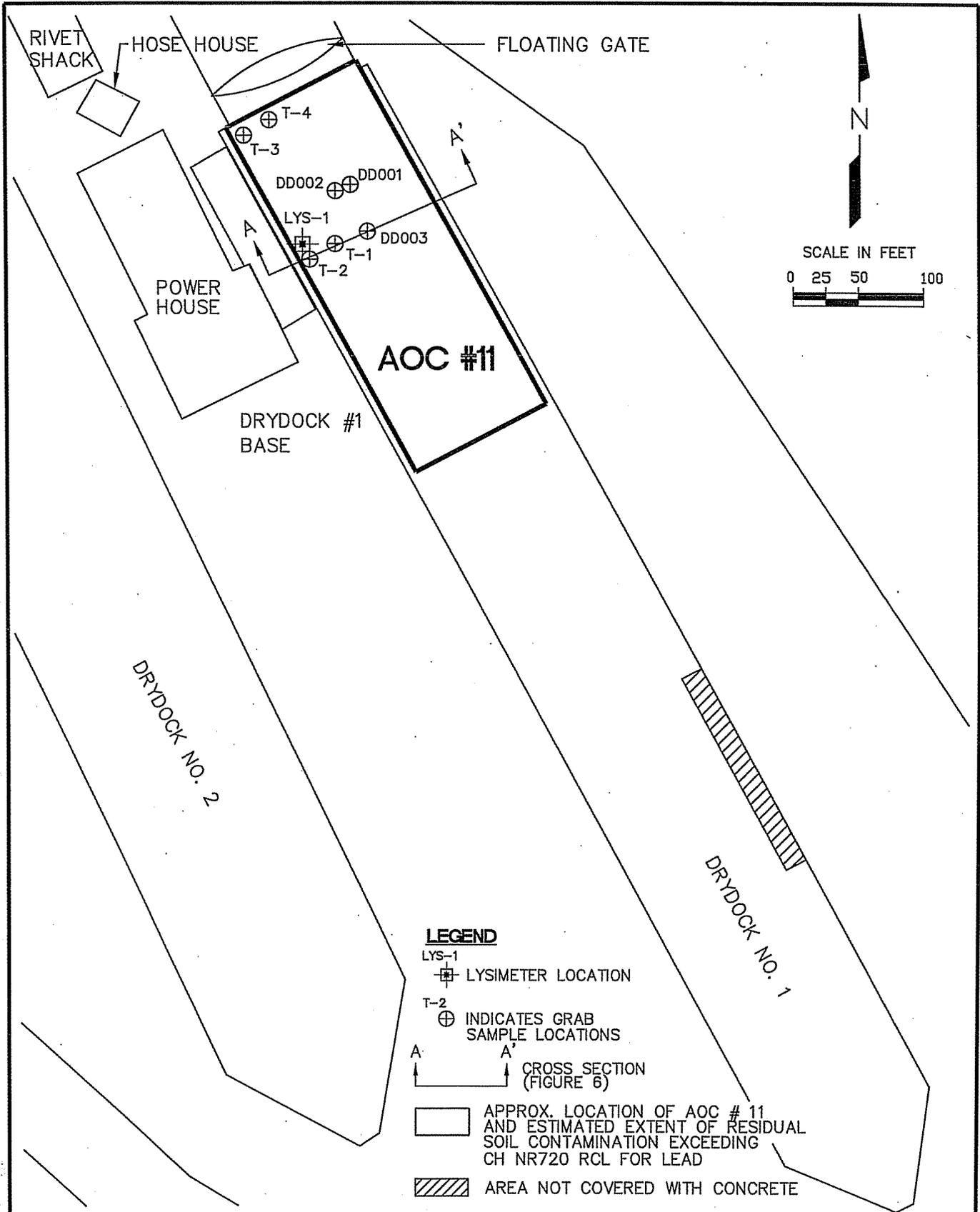
Sincerely,



John Robinson, Northern Region Team Supervisor
Remediation & Redevelopment Program

Enclosures: Figure 2 AOC #11 Site Map
Figure 5 AOC #11 Detail
AOC #11 Drydock No. 1 Concrete Maintenance Plan
Inspection Checklist Drydock No. 1

cc: Jill Zalesny, Northern Region
Cy Ingram, SEH Inc.



DRAWING DIRECTORY:



1	07/21/09	GIS REGISTRY	RJH 07/09	KEA 07/09		KEA 07/09
NO.	DATE	ISSUE/REVISIONS	DRAWN BY	DESIGN	FIELD REVIEW	QC CHECK
FRASER SHIPYARDS, INC. GIS REGISTRY SUPERIOR, WISCONSIN			FIGURE 5 AOC # 11 DETAIL		PROJ. NO. FRASE9401	5 7
					DATE 07/21/09	

Area of Concern #11
Drydock No. 1 Concrete Maintenance Plan

The drydock concrete maintenance plan has been developed to monitor the integrity of the concrete and limit the chance of migration of residual lead from beneath the drydock floor. The plan addresses visual inspection and proper methods for repairing cracks or spalls which may develop in the concrete.

Area of Concern (AOC) #11 is approximately 180 feet long and 75 feet wide. The AOC is capped with approximately 24 inches of high strength concrete at the entrance to Drydock No. 1.

Concrete Pad Inspection

The drydock maintenance plan will require inspection of the concrete on an annual basis. Water will be removed from the drydock and a visual inspection will be conducted. The drydock will be inspected for physical damage, cracks, and weathering of the concrete. Additionally, an inspection checklist will be completed by the inspecting personnel. Any damage to the drydock shall be noted on this inspection checklist along with a general description of the drydock's condition. The checklist will be kept on file.

Damage Repair

If damage is noticed, the drydock will not be used until the cracks are repaired. Cracks observed during routine visual inspections will be repaired immediately using either semi-rigid or high-strength joint sealers, rubberize resins or epoxy mortars. Cracks will be repaired by saw-cutting on both sides of the crack to a depth of ½ to 1 inch and filling the joint with a semi-rigid epoxy mortar mixed with silica sand aggregate or appropriate joint sealer.

Documentation

Written documentation will be made of all repairs. Documentation will include: size of the crack; method of repair, and the materials used for repair. Documentation will be submitted to the WDNR and kept on file.

**INSPECTION CHECKLIST
DRYDOCK NO. 1**

Inspected by: _____

Date: _____

General Description of Drydock Conditions and Inspection:

Cracks:

<u>Location</u>	<u>Depth</u>	<u>Length</u>	<u>Other Notes/ Comments</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Repairs:

<u>Location</u>	<u>Repair/Remedy</u>
_____	_____
_____	_____
_____	_____
_____	_____

781183

STATE BAR OF WISCONSIN FORM 3 - 2000
QUIT CLAIM DEED

Document Number

DOCUMENT # 781183

This Deed, made between Fraser Shipyards, Inc., a Wisconsin corporation, Fraser-Nelson Shipbuilding and Dry Dock Co., Inc., a Wisconsin corporation, Troy Johnson, Inc., a Wisconsin corporation, Grantor, and FSY R/E Group, LLC, a Wisconsin limited liability company, Grantee.

Grantor quit claims to Grantee the following described real estate in Douglas County, State of Wisconsin (if more space is needed, please attach addendum):

See addendum attached hereto as Exhibit A.

Recorded
FEB. 03, 2005 AT 10:00AM
KATHY F. HANSON
DOUGLAS COUNTY RECORDER
SUPERIOR, WI 54880-2769
Fee Amount: \$43.00
Transfer Fee: \$3730.00

Recording Area

Name and Return Address
Krista J. Ebbens, Esq.
Reinhart Boerner Van Deuren, s.c.
W233 N2080 Ridgeview Parkway
Waukesha, WI 53188

43/ck

See attached Exhibit B
Parcel Identification Number (PIN)

This is not homestead property.
(is) (is not)

Together with all appurtenant rights, title and interests.

Dated this 8th day of December, 2004.
FRASER SHIPYARDS, INC.

* By: Todd Johnson

Its: Exec VP

AUTHENTICATION

Signature(s) _____

authenticated this ____ day of _____, _____

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Krista J. Ebbens, Esq. [1082068]

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
Douglas County.)

Personally came before me this 8th day of
December, 2004 the above named
Todd Johnson as Exec VP of Fraser Shipyards, Inc.

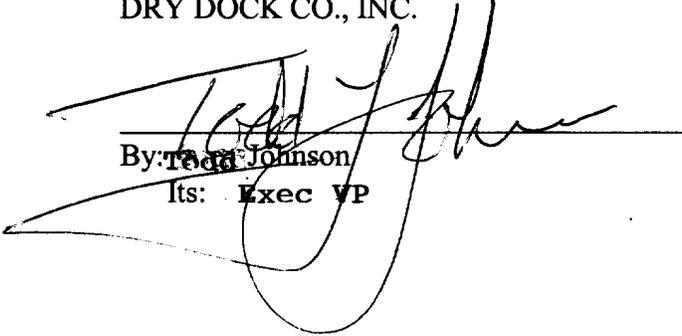
to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

Marcia A. Geyer
* Marcia A Geyer
Notary Public, State of Wisconsin
My Commission is permanent. (If not, state expiration date:
My Commission Expires 5/4/2008)

* Names of persons signing in any capacity must be typed or printed below their signature.

781183

FRASER-NELSON SHIPBUILDING AND
DRY DOCK CO., INC.


By: Todd Johnson
Its: Exec VP

State of Wisconsin)
)ss.
Douglas County)

Personally came before me this 8 day of December, 2004, the above named Todd Johnson as Exec VP of Fraser-Nelson Shipbuilding and Dry Dock Co., Inc. to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Marcia A. Geyer
* Marcia A. Geyer
Notary Public, State of Wisconsin
My Commission is permanent. (If not, state expiration date:
My Commission Expires 5/4/2008.)

TROY JOHNSON, INC.

Todd Johnson
By: Todd Johnson
Its: Exec VP

State of Wisconsin)
)ss.
Douglas County)

Personally came before me this 8 day of December, 2004, the above named Todd Johnson as Exec VP of Troy Johnson, Inc. to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Marcia A. Geyer
* Marcia A. Geyer

Notary Public, State of Wisconsin

My Commission is permanent. (If not, state expiration date:

~~My Commission Expires 5/4/2008~~.)

Grantor: Fraser Shipyards, Inc., Fraser-Nelson Shipbuilding and Dry Dock Co.,
Inc., and Troy Johnson, Inc.

Grantee: FSY R/E Group, LLC

QUIT CLAIM DEED

EXHIBIT A

PROPERTY DESCRIPTIONS:

1. A piece or parcel of land, being a part of "Lot A", Block 510, Sweetser Division, Superior, Wisconsin, described as follows, to-wit: Beginning at a point on the Northeasterly line of the right-of-way of the Lake Superior Terminal and Transfer Railway Company, which point is the Southwesterly corner of "Lot A"; thence running Northwesterly along said right-of-way line a distance of 129 feet; thence running Northeasterly, at an angle of 90°, with said right-of-way, 215 feet to the Southwesterly line of Howard's slip; thence Southeasterly, along said slip, 217 feet to the Southeasterly corner of said "Lot A", which point is also the Northeasterly corner of Lot numbered 16, of Block 510; thence Southwesterly 150 feet to the place of beginning; containing 665/1000 of an acre.

2. Lot A, Block 510, Sweetser Division, Superior, Wisconsin.

3. Lot 2, Block 510, West Superior, Sweetser Division, Douglas County, Wisconsin (City of Superior).

4. Parts of Lots 1, 2, 3, 4, 5 and 6 on Connor's Point in the City of Superior, Douglas County, Wisconsin, described according to the Plat of Connor's Point, dated and recorded May 13, 1856, in Book "A" of Plats, Page 236, in the office of the Register of Deeds, Douglas County, Wisconsin, to-wit: Beginning at the intersection of the Southeasterly line of Lamborn Avenue with the established Northeasterly dock line of "Howard's Pocket"; thence Northeasterly along said Southeasterly line of Lamborn Avenue, about 394.18 feet to a point distant 90 feet Southwesterly along said Avenue line from the Southwesterly line of Main Street; thence South 50°11' East a distance of 143.37 feet to the Northwesterly line of Lot 5; thence South 44°23' East 201.21 feet; thence South 37°16'30" East about 1833.67 feet to a point in said Northeasterly dock line of "Howard's Pocket" 105.6 feet from the Southerly line of Section 11, measured along said dock line; thence Northwesterly along said dock line about 2213.74 feet to the place of beginning.

5. Lots numbered 5 and 6, in Block numbered 511, in the Townsite of West Superior, Sweetser Division, according to the plat of said Townsite recorded in the office of the Register of Deeds in and for said County.

6. Lot 25, Cummings Slip Addition to West Superior, according to the recorded plat or plats thereof on file and of record in the Office of the Register of Deeds in and for said Douglas County, Wisconsin.

7. Lot numbered 16, in Block numbered 510, in the Townsite of West Superior, Sweetser Division, according to the plat of said Townsite, recorded in the office of the Register of Deeds in and for said County.

8. A tract of land being part of Government Lot 1, Section 11, Township 49, Range 14, bounded on the West by Cumming Slip, on the South by the Northerly line of First Street produced, on the East by the East line of Government Lot 1 produced, to the established dock line in Howard's Pocket, on the North by the said Dock line and Cumming Slip appurtenant thereto (7.108 acres).

9. Lot B, Peyton and Clough's Second Addition to West Superior.

10. That part of Lot 4, Block 511, Sweetser Division, which lies Northerly of a straight line which is parallel with the Northerly line of Bay Street and 107.25 feet Northerly from said North line of Bay Street, in the City of Superior, Douglas County, Wisconsin, according to the plat thereof on file or of record in the office of the Register of Deeds for Douglas County, Wisconsin.

11. Part of Lot 6, Connor's Point, lying Southwesterly of Main Street; commencing at an iron monument located at the intersection of the North line of Lamborn Avenue with the West line of Main Street in Lot 6; then Westerly along North line of Lamborn Avenue for a distance of 27.68 feet to an iron monument for place of beginning; then Northerly making an angle to the left of 73°28' for a distance of 146.24 feet to an iron monument located on the line between Lot 6 and 7, then Westerly along the boundary line between said Lot 6 and 7 to the established harbor line on Easterly side of Howard's Pocket; then Southerly along said harbor line to Northerly line of Lamborn Avenue; then Easterly along Northerly line of Lamborn Avenue to beginning. Except right-of-way, Connor's Point, City of Superior, according to the recorded plat or plats thereof on file and of record in the Office of the Register of Deeds in and for said Douglas County, Wisconsin.

12. Lots 1, 2 and 3, Block 511, Sweetser Division, Superior, Wisconsin.

13. Lot Ten (10) and Twenty-two (22) and Undivided 1/6 of Lots Sixteen (16) and Seventeen (17), Cummings Slip Addition to West Superior, Except Right-of-way (R/W), according to the recorded plat or plats thereof on file and of record in the Office of the Register of Deeds, in and for said Douglas County, Wisconsin.

14. That part of North 4th Street and Catlin Avenue in the City of Superior, Wisconsin, lying northeasterly of the right-of-way limits of the U.S. Highway 53.

15. All of First Street lying easterly of the east line of Baxter Avenue extended. Lamborn Avenue, between the north line of Second Street extended and the Government Harbor Line on Howard's Pocket;

16. An undivided 115/136 of Lots 14 and 15, Cummings Slip Addition to West Superior, Douglas County, Wisconsin.

17. An undivided one-half (1/2) interest in Lots Twenty (20) and Twenty-one (21), Subdivision of Lot One (1), CUMMINGS SLIP ADDITION TO WEST SUPERIOR:

AND,

Lots Twelve (12), Thirteen (13), and an undivided twenty-one one-hundred-thirty-sixths (21/136) interest in Lots Fourteen (14) and Fifteen (15), an undivided five-sixths (5/6) interest in Lots Sixteen (16) and Seventeen (17), and all of Lots Eighteen (18), Nineteen (19), Twenty-three (23) and Twenty-four (24), CUMMINGS SLIP ADDITION TO WEST SUPERIOR, EXCEPT right-of-way.

18. Lots 4, 5, 6 and 7, Block 159, all in West Superior, First Division, in the City of Superior, Douglas County, Wisconsin according to the plat thereof on file and of record in the office of the Register of Deeds in and for said Douglas County, Wisconsin.

19. Lots 3, 6, 7, 8, 11 and 12 in Block 510, Sweetser Division in the City of Superior, Douglas County, Wisconsin, according to the plat thereof on file and of record in the office of the Register of Deeds for said Douglas County.

20. Lot 10 in Block 510, Sweetser Division in the City of Superior, Douglas County, Wisconsin according to the plat thereof on file and of record in the office of the Register of Deeds for said Douglas County, Wisconsin.

21. Lot 1, 4, 5, 9, 13 and 14, Block 510 except part taken for Water Street and except right-of-way, Sweetser Division of West Superior, according to the recorded plat or plats thereof on file and of record in the Office of the Register of Deeds and for Douglas County, Wisconsin.

22. Lot 2 in Block 510, Sweetser Division in the City of Superior, Douglas County, Wisconsin, according to the plat thereof on file and of record in the office of the Register of Deeds for said Douglas County, Wisconsin.

23. Lot 2 to 9, inclusive, Lot 11, Cumming Slip Addition to West Superior, according to the recorded plat or plats thereof on file and of record in the office of the Register of Deeds in and for said Douglas County, Wisconsin.

781183

24. Lots 24 to 38 and Fr. Lots 39 to 43, all inclusive in Subdivision of Lot 1 Cumming Slip Addition, according to the recorded plat or plats thereof on file and of record in the office of the Register of Deeds in and for said Douglas County, Wisconsin.
25. An undivided one-half (1/2) interest in Lot 20, Subdivision of Lot One (1), Cummings Slip Addition to West Superior.
26. An undivided one-half (1/2) interest in Lot 21, Subdivision of Lot One (1), Cummings Slip Addition to West Superior.
27. That part of Lot A lying South of South line of North First Street produced except part taken for Second Street and that part of Lot A lying North of North line of North First Street produced; Lots 1 to 15, inclusive, and Lot 16, except part taken for Second Street, Block 479, West Superior 20th Division.
28. All that part of Lot numbered 15, in Block numbered 510, in the Townsite of West Superior, Sweetser Division, according to the plats of said Townsite recorded in the office of the Register of Deeds in and for said County, described as follows: Commencing at the Southerly corner of said Lot 15, where the Southwesterly side of said lot strikes 5th Street for a place of beginning; thence running Northwest, along its Southwesterly side, the whole length of said lot; thence Northeast along the Northwesterly end of said lot, 65 feet; thence Southeasterly at right angles to said Northwesterly end of said lot, and parallel to the Southwesterly side thereof to the Northwesterly side of 5th Street; thence Southwesterly along the Northwesterly side of 5th Street to the place of beginning.
29. All that part of Government Lots 1 and 2 in Section 11, Township 49 North, Range 14 West, Douglas County, Wisconsin, described as follows: Beginning at a point on the East line of Grand Avenue (formerly Lamborn Avenue), which point is also located on North right-of-way line of the Lake Superior Terminal & Transfer Railway Company as now established, and is 245 feet North of the center line of Third Street when measured along Easterly line of said Grand Avenue; thence East along said right-of-way line a distance of 290.54 feet to a point; thence Northeasterly at an angle to the left of 53°30' a distance of 687 feet more or less to a point on the U.S. Government harbor line as now established on the Southerly side of Howard's Pocket; thence is a Northwesterly direction along said harbor line to a point on the Easterly line of Grand Avenue; thence Southwesterly and South along said East line of Grand Avenue to the point of beginning.
30. All that part of Government Lot 2, Section 14, Township 49 North, Range 14 West, Douglas County, Wisconsin, described as follows: Beginning at the NW corner of said Lot 2, which point is also the N1/4 corner of said Section 14; thence Easterly along said North line of Government Lot 2 a distance of 236 feet more or less, to the U.S. Government harbor line as now established on the Southerly side of Howard's Pocket; thence Southwesterly at an angle to the right of 48°23' along South line of Howard's Slip a distance of 333 feet to a point; thence Southwesterly at an angle to the right of 61°3' a

distance of 212 feet more or less to a point on the North right-of-way line of the Lake Superior Terminal & Transfer Railway Company as now established; thence Northwesterly along said right-of-way line as now established to a point on the Westerly line of Government Lot 2; thence North along said Westerly line of Government Lot 2 to the point of beginning.

31. All that part of Government Lot 2 in Section 11, Township 49 North, Range 14 West, in Douglas County, Wisconsin, described as follows: Commencing at a point on the East line of Grand Avenue (formerly Lamborn Avenue), which point is also located on the North line of the right-of-way of the Lake Superior Terminal & Transfer Railway Company as now established, and is 245 feet North of the center line of Third Street when measured along the East line of Grand Avenue; thence Easterly along Northerly line of the right-of-way of the Lake Superior Terminal & Transfer Railway Company a distance of 290.54 feet to a point, which is the point of beginning of the parcel of land herein to be described; thence at an angle to the left of 53°30' a distance of 687 feet more or less to a point on the U.S. Government harbor line as now established on the Southerly side of Howard's Pocket; thence in a Southeasterly direction along said harbor line to a point on the Northerly line of Government Lot 2 of Section 14 of said Township 49 North, Range 14 West; thence Westerly along said Northerly line of Section 14 to a point on the Northerly line of the right-of-way of the Lake Superior Terminal & Transfer Railway Company as now established; thence Northwesterly and Westerly along said Northerly right-of-way line to the point of beginning.

32. Lot A in the Eleventh Division and Lot D in the Fifteenth Division of the Townsite of West Superior, according to the respective plats thereof on file and of record in the office of Register of Deeds in and for said County of Douglas, Wisconsin.

33. Together with all rights to and under that certain Department of Army Permit with an effective date of January 10, 1977 and an expiration date of January 3, 1980, a copy of which permit is attached to this deed.

Together with all riparian, littoral, terminal and wharfage rights, reversionary rights, and rights of re-entry, if any, of the grantor, upon the lands and waters adjoining any of the premises hereby conveyed, and all other rights, title and interest, if any, in and to such adjoining lands, including the right or use of occupancy which the grantor may now have in and to any lands occupied by streets, alleys or other public places adjoining its premises above described, or any such vacated streets, alleys or public places.

781183

Grantor: Fraser Shipyards, Inc., Fraser-Nelson Shipbuilding and Dry Dock Co.,
Inc., and Troy Johnson, Inc.

Grantee: FSY R/E Group, LLC

QUIT CLAIM DEED

EXHIBIT B

PARCEL IDENTIFICATION NUMBER

1. 03-803-00927-00
2. 03-803-01014-00
3. 03-803-01018-00
4. 03-803-01088-00
5. 03-803-01090-00
6. 03-803-01093-00
7. 03-803-01113-00
8. 03-803-01121-00
9. 03-803-01123-00
10. 03-803-01124-00
11. 03-803-01125-00
12. 03-803-01126-00
13. 03-803-01128-00
14. 03-803-01132-00
15. 03-803-01133-00
16. 03-803-01135-00
17. 03-803-01136-00
18. 03-803-01137-00
19. 03-803-01138-00
20. 03-803-01139-00
21. 03-803-01141-00
22. 03-803-01142-00
23. 03-803-01143-00
24. 03-803-01144-00
25. 03-803-01399-00
26. 03-803-01468-00
27. 03-803-01483-00
28. 03-803-02125-00
29. 03-803-02126-00
30. 03-803-02127-00
31. 04-804-00918-00

781183

Application No. LS-197A
Name of Applicant Fraser Shipyards, Inc.
Effective Date 10 January 1977
Expiration Date (if applicable) 3 January 1980

DEPARTMENT OF THE ARMY
PERMIT

Referring to written request dated 24 July 1975 for a permit to:
(x) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403):

(y) Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (88 Stat. §16, P.L. 92-500),

(z) Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532):

Fraser Shipyards, Inc.
Third Street and Clough Avenue
Superior, Wisconsin 54080

(Here insert the full name and address of the permittee)

is hereby authorized by the Secretary of the Army:

to excavate 57,000 cubic yards of material to facilitate the construction of dry dock "A" and dry dock "B". Dry dock "A" will be 1200 feet x 140 feet x 22 feet deep. Approximately 37,000 cubic yards of material will be used as fill behind the bulkhead and the remaining 20,000 cubic yards will be disposed of at the "Itasca Disposal Site."

(Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

in Howards Bay of Lake Superior

(Here to be named the ocean, river, harbor, or water concerned.)

at a site in secs. 11 and 14, T. 49 N., R. 14 W., of Douglas County at Superior, Wisconsin

(Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings give file number or other definite identification marks):

entitled "Proposed Dry Docks" dated 6 June 1975,

revised 29 October 1975

subject to the following conditions:

I. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United

781183

That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

g. That if the activity authorized herein is not started on or before _____ day of _____, 19____ (one year from the date of issuance of this permit unless otherwise specified) and is not completed on or before _____ day of _____, 19____ (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and condition of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

The following Special Conditions will be applicable when appropriate:

STRUCTURES FOR SMALL BOATS: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS: That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS: That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

MAINTENANCE DREDGING: (1) That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for 3 years from the date of issuance of this permit (ten years unless otherwise indicated); and (2) That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

II. Special Conditions (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

- a. Establish and carry out a program for immediate removal of debris during construction in order to prevent the accumulation of unsightly, deleterious and/or potentially polluted materials in the waterway.
- b. Excavate, dredge, or fill in the watercourse so as to minimize increases in suspended solids and turbidity which may degrade water quality and damage aquatic life outside the immediate area of operation.
- c. Investigate for water supply intakes or other activities which may be affected by suspended solids and turbidity increases caused by work in the watercourse and give sufficient notice to the owners of affected activities to allow preparation for any changes in water quality.
- d. Complete construction of the bulkhead prior to the placement of fill material behind the bulkhead.
- e. Assure that deposition of dredged or excavated materials on shore, and all earthwork operations on shore will be carried out in such a way that sediment runoff and soil erosion to the watercourse are controlled and minimized. Spoil materials from watercourse or onshore operations, including sludge deposits, will not be dumped into the watercourse. Areas for deposit of dredged materials will be provided with temporary dikes or bulkheads for separation and retention of settleable solids.

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

Robert White Jan 2nd, 1977
 PERMITTEE DATE

FRASER SHIPYARDS, INC.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Peter A. Fischer 10 January 1977
 PETER A. FISCHER DATE

Asst Chief, Engineer Division
 DISTRICT ENGINEER
 U.S. ARMY, CORPS OF ENGINEERS

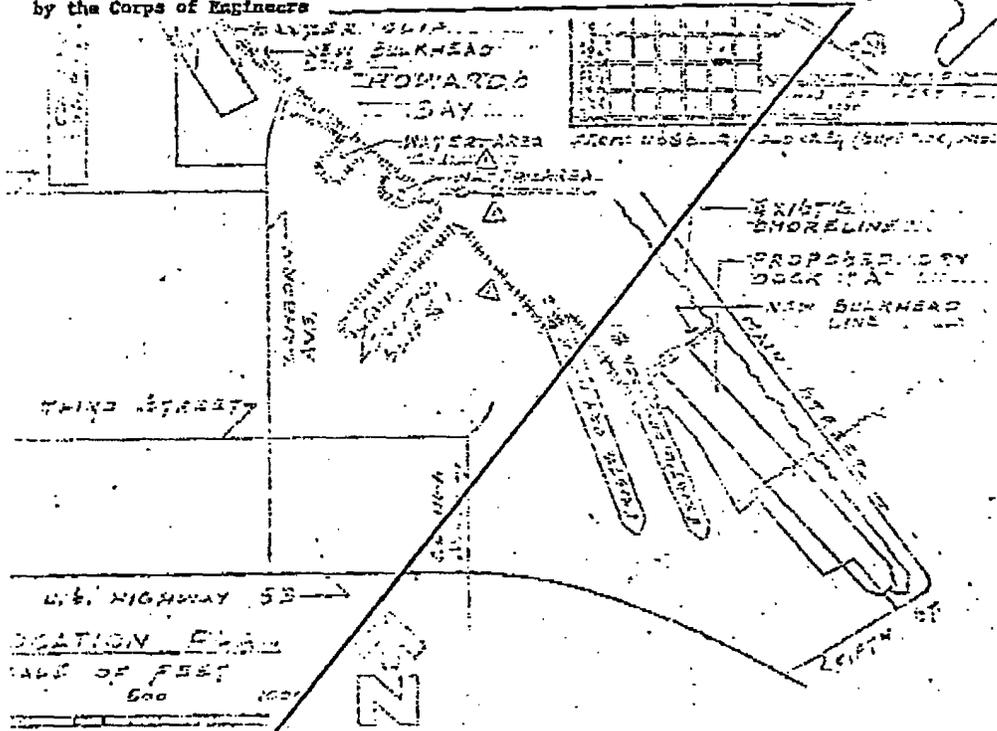
Transferee hereby agrees to comply with the terms and conditions of this permit.

 TRANSFEREE DATE

f. Assure that upon completion of earthwork operations, all fills in the water or on shore, and other areas on shore disturbed during construction will be seeded, riprapped or given some other type of protection from subsequent soil erosion.

g. Employ measures to prevent or control spilled fuels or lubricants from entering the waters of the United States and formulate a contingency plan to be effective in the event of a spill.

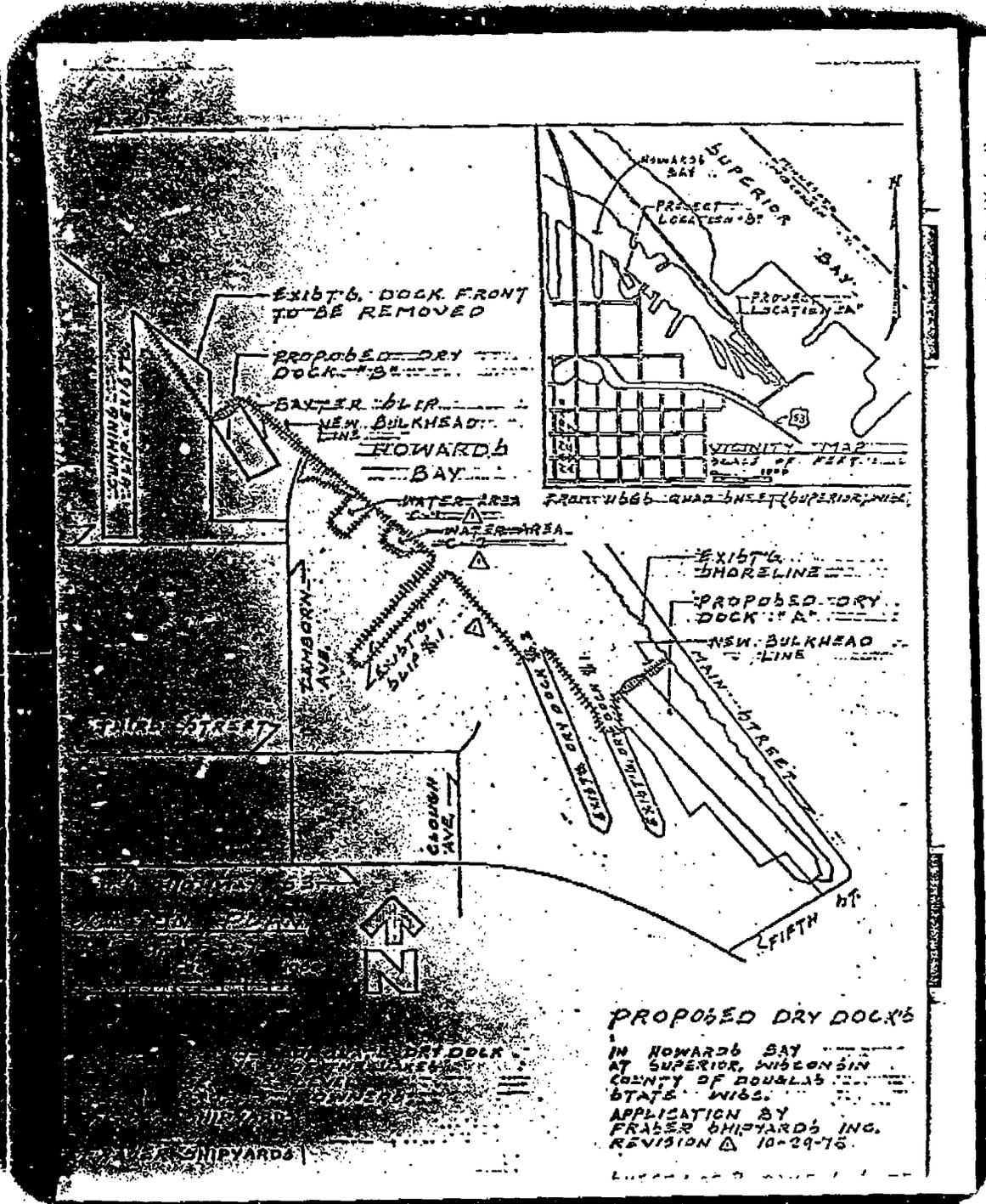
h. Initiate a program for the future disposal of dredged materials which may accumulate in the docking area according to the regulations established by the Corps of Engineers



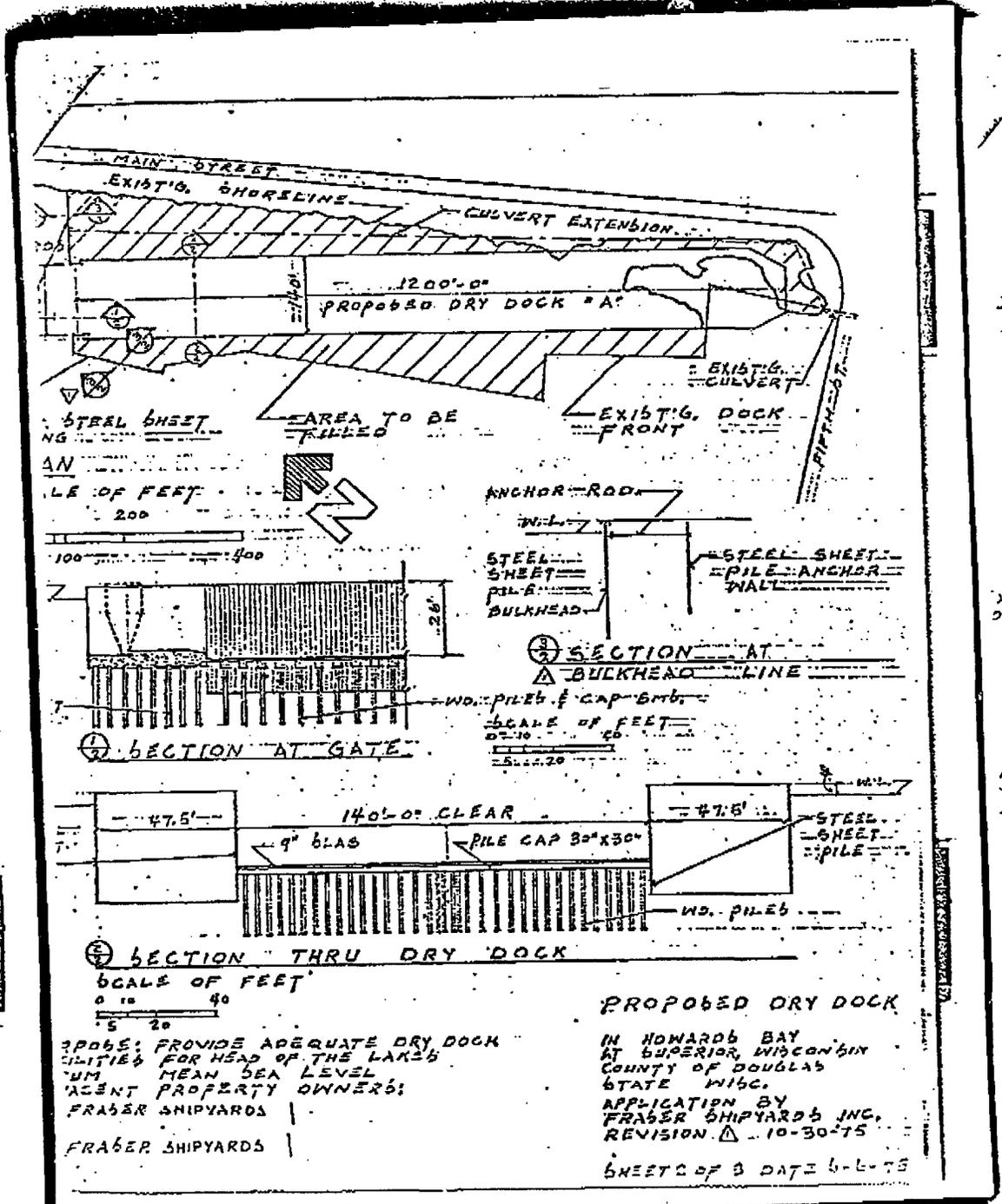
LOCATION PLAN
SCALE OF FEET
0 500 1000

PROPOSED DRY DOCK
BY HOWARD BAY
APPLICATION BY
FRANCIS B. BROWN, INC.
REVISION 12-29-73

781183



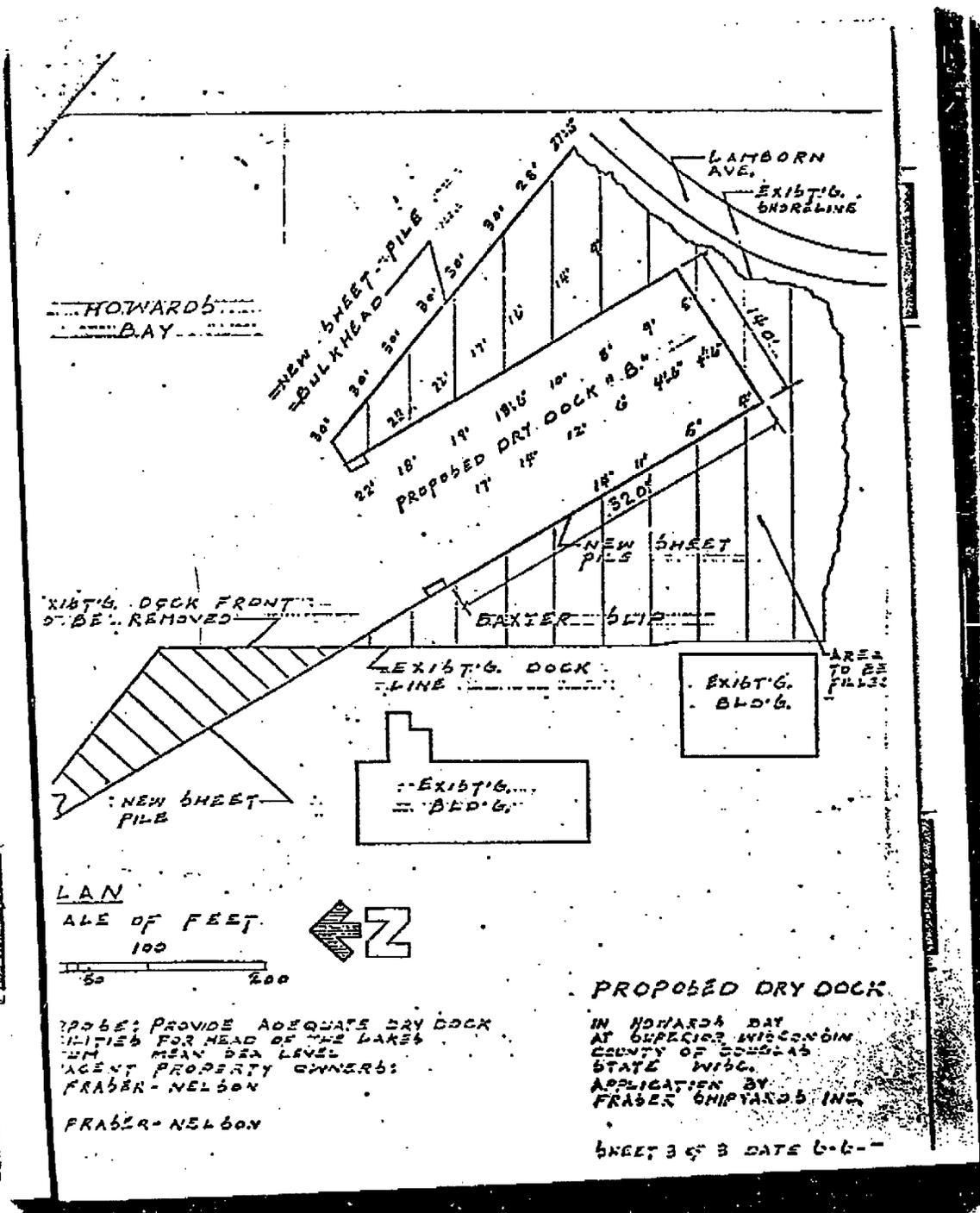
100
 50
 NS
 AN
 LE
 100
 N
 100
 20
 10
 5
 2



PROPOSE: PROVIDE ADEQUATE DRY DOCK FACILITIES FOR HEAD OF THE LAKE'S SUMMER MEAN SEA LEVEL ADJACENT PROPERTY OWNERS: FRASER SHIPYARDS FRASER SHIPYARDS

PROPOSED DRY DOCK IN HOWARDS BAY AT SUPERIOR, WISCONSIN COUNTY OF DOUGLAS STATE WISC. APPLICATION BY FRASER SHIPYARDS INC. REVISION Δ 10-30-75 SHEETS OF 3 DATE 6-6-75

X16
0" E
L P
A L
H
2
10
11
12
13
14
15
16
17
18
19
20



HOWARD'S BAY

LAMBORN AVE. EXIST'G. SHORELINE

NEW SHEET PILE BULKHEAD

30' 30' 30' 30' 30' 28' 21 1/2'

22' 18' 17' 19 1/2' 10' 8' 9' 5'

17' 12' 6' 4 1/2' 4 1/2' 4'

PROPOSED DRY DOCK

NEW SHEET PILE

EXIST'G. DOCK FRONT TO BE REMOVED

BAXTER BLIP

EXIST'G. DOCK LINE

EXIST'G. BLD'G.

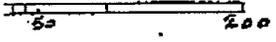
AREA TO BE FILLED

NEW SHEET PILE

EXIST'G. BLD'G.

LAN

SCALE OF FEET 100



PROPOSED DRY DOCK

NOTE: PROVIDE ADEQUATE DRY DOCK
 UTILITIES FOR HEAD OF THE LAKE
 TO MEAN SEA LEVEL
 ADJACENT PROPERTY OWNERS:
 FRASER-NELSON

IN HOWARD'S BAY
 AT SUPERIOR WISCONSIN
 COUNTY OF DODGE
 STATE WISC.
 APPLICATION BY
 FRASER SHIPYARD INC.

FRASER-NELSON

SHEET 3 OF 3 DATE 6-6-

This document is in very poor condition and the Register of Deeds office cannot be held responsible for it's appearance with the scanning or duplication process.

I, James Korthals, assert to the best of my knowledge that the following legal description describes the 16.638 acre Fraser Shipyards site located at 3rd Street and Clough Avenue in Superior, Wisconsin, which is applicable to the following Wisconsin Department of Natural Resources (WDNR) Bureau of Remediation and Redevelopment Tracking System site number: 02-16-120588.


James Korthals, President
Fraser Shipyards

7-22-09
Date

Property Legal Description:

All that part of Government Lots 1 & 2 in Section 11, Township 49 North, Range 14 West; Lot 2 & the NW $\frac{1}{4}$ of Section 14, Township 49 North, Range 14 West; Lot A Sweetser Division; and Lot A of the 11th Division & Lot D of the 15th Division of West Superior, lying within the following description boundary lines: Beginning at a point on the east line of Lamborn Avenue, which point is also located on the North right-of-way line of the Lake Superior Terminal & Transfer Railway Company, 245 feet North of the center line of Third Street when measured along the Easterly line of Lamborn Avenue; thence East at an angle of 90 degrees and along said right-of-way line a distance of 290.54 feet to a point, which is the place of beginning; thence Northeasterly at an angle to the left of 53°30' a distance of about 687 feet to a point on the U.S. Government Harbor line as now established on the Southerly side of Howard's Pocket; thence Southeasterly on said established harbor line to the South line of Section 11, Township 49 North, Range 14 West; thence East on said South line of Section 11 a distance of 3.68 feet to a point which is 240 feet East of the $\frac{1}{4}$ Section corner between Sections 11 & 14; thence at an angle of 47°11' Southeast from said Section line a distance of 333 feet; thence Southwesterly 20°30' West a distance of 215 feet to the northerly line of the Lake Superior Terminal & Transfer Railway Company right-of-way; thence Northwesterly on said northerly line of said right-of-way to a point on the north & south center line of Section 14, Township 49 North, Range 14 West a distance of 305.92 feet south of the North $\frac{1}{4}$ corner of said Section 14; thence Northwesterly on said northerly line of said right-of-way to a point on the south line of Section 11 which is 470.52 feet West of the $\frac{1}{4}$ corner between Sections 11 & 14; thence Northwesterly & Westerly on said Northerly right-of-way line of said Lake Superior Terminal & Transfer Railway Company to a place of beginning & 3rd Street Vac.

Parcel Identification Number:

03-803-02127-00

Property Deed Document Number:

781183

Note: The legal description for this parcel was obtained from the Douglas County online mapping system. Use of this legal description shall be limited to the WDNR GIS registry.

Area of Concern #11
Drydock No. 1 Concrete Maintenance Plan

The drydock concrete maintenance plan has been developed to monitor the integrity of the concrete and limit the chance of migration of residual lead from beneath the drydock floor. The plan addresses visual inspection and proper methods for repairing cracks or spalls which may develop in the concrete.

Area of Concern (AOC) #11 is approximately 180 feet long and 75 feet wide. The AOC is capped with approximately 24 inches of high strength concrete at the entrance to Drydock No. 1.

Concrete Pad Inspection

The drydock maintenance plan will require inspection of the concrete on an annual basis. Water will be removed from the drydock and a visual inspection will be conducted. The drydock will be inspected for physical damage, cracks, and weathering of the concrete. Additionally, an inspection checklist will be completed by the inspecting personnel. Any damage to the drydock shall be noted on this inspection checklist along with a general description of the drydock's condition. The checklist will be kept on file.

Damage Repair

If damage is noticed, the drydock will not be used until the cracks are repaired. Cracks observed during routine visual inspections will be repaired immediately using either semi-rigid or high-strength joint sealers, rubberize resins or epoxy mortars. Cracks will be repaired by saw-cutting on both sides of the crack to a depth of ½ to 1 inch and filling the joint with a semi-rigid epoxy mortar mixed with silica sand aggregate or appropriate joint sealer.

Documentation

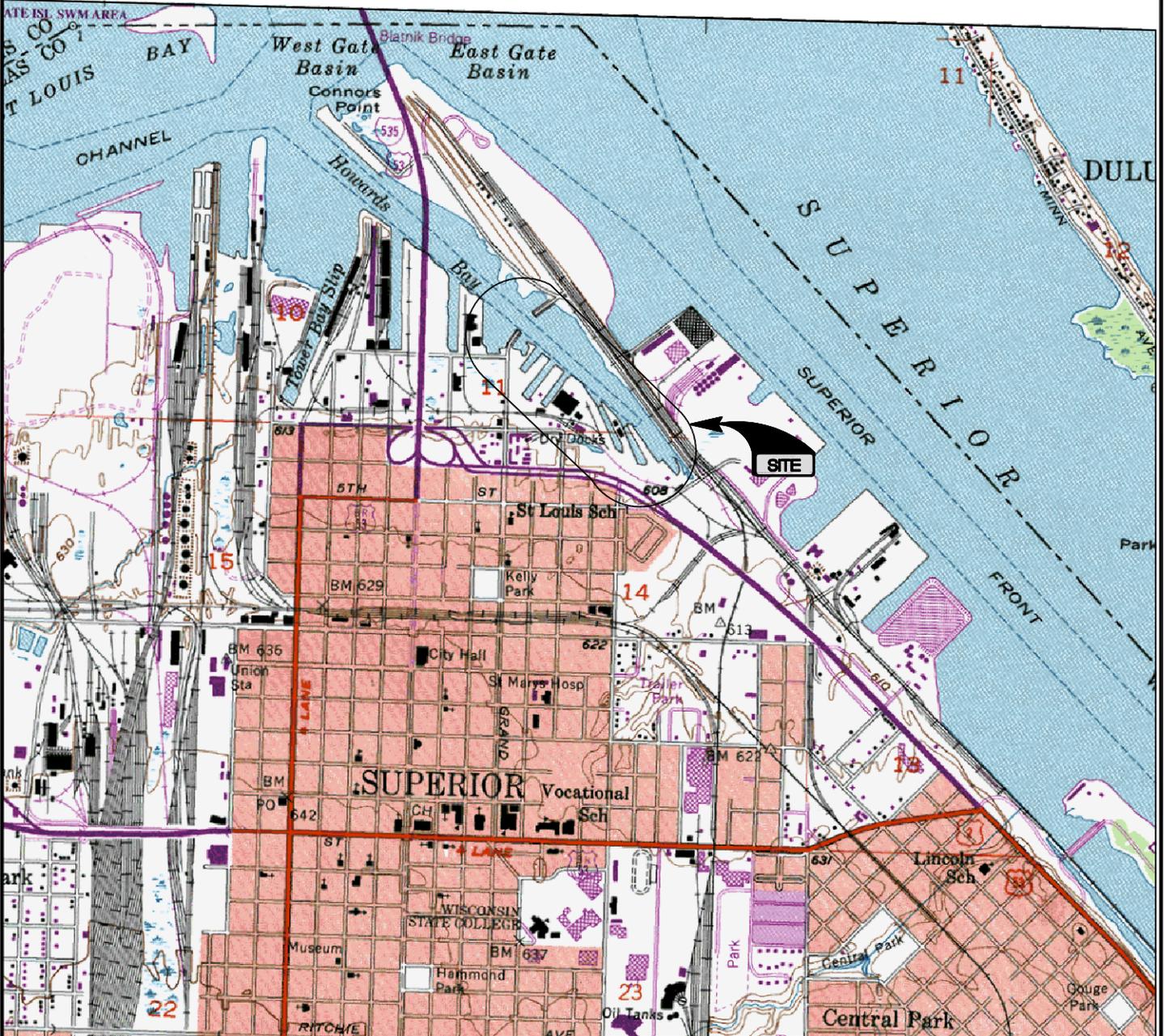
Written documentation will be made of all repairs. Documentation will include: size of the crack; method of repair, and the materials used for repair. Documentation will be submitted to the WDNR and kept on file.

REPRODUCED FROM
USGS SUPERIOR QUADRANGLE

WISCONSIN - DOUGLAS CO. 7.5 MINUTE SERIES
 1954



SCALE IN FEET
 0 500 1000 2000

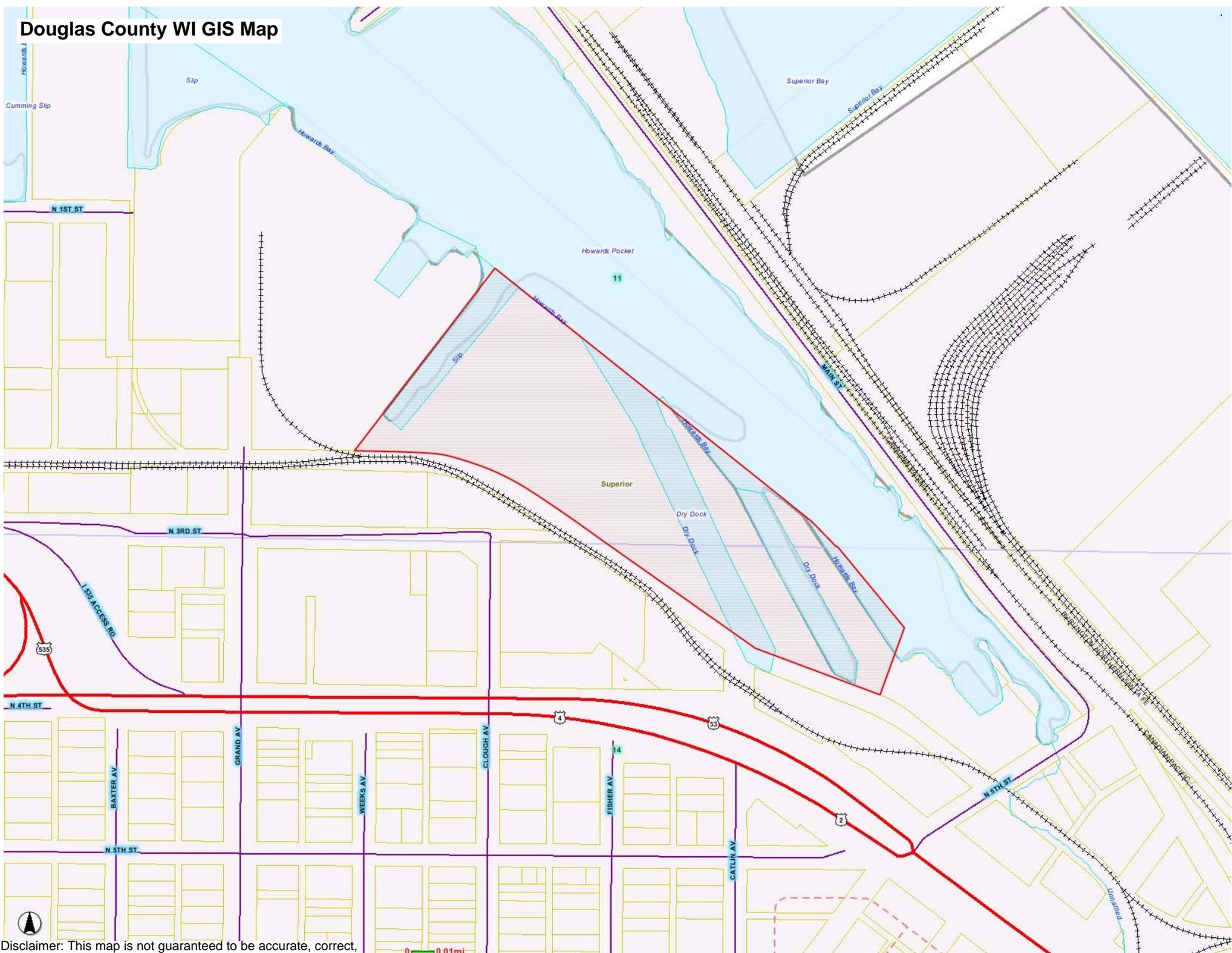


DRAWING DIRECTORY:

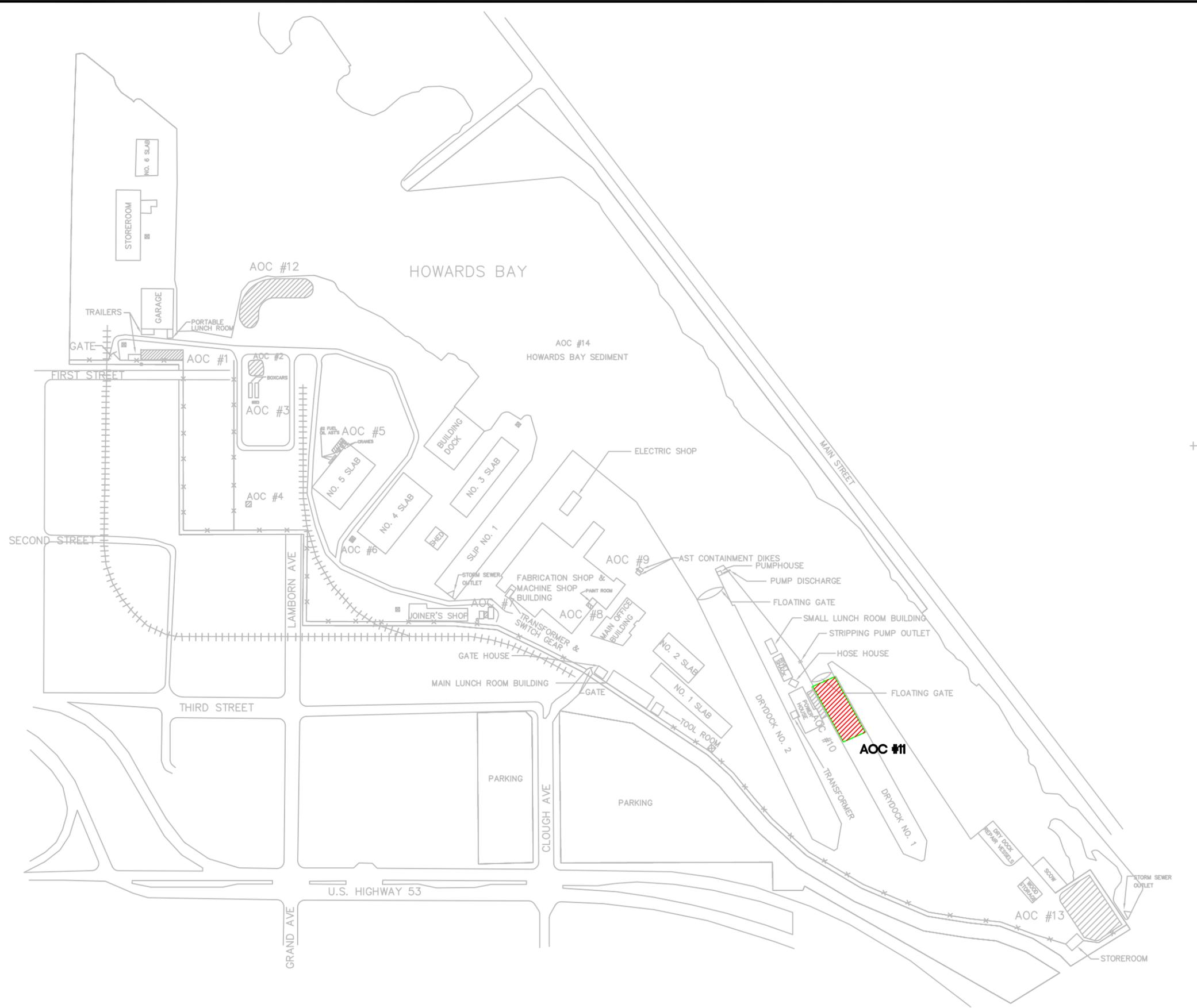
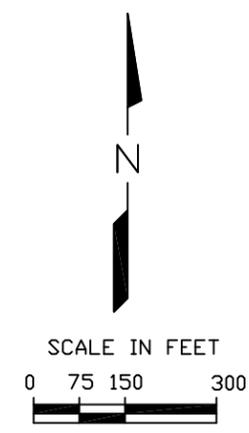


1	07/21/09	GIS REGISTRY	RJH 07/09	KEA 07/09		KEA 07/09
NO.	DATE	ISSUE/REVISIONS	DRAWN BY	DESIGN	FIELD REVIEW	QC CHECK
FRASER SHIPYARDS, INC. GIS REGISTRY SUPERIOR, WISCONSIN			FIGURE 1 SITE LOCATION		PROJ. NO. FRASE9401	1
					DATE 07/21/09	

Douglas County WI GIS Map



Disclaimer: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.



LEGEND

- AOC #11**
 AREAS OF CONCERN
- RAILROAD
- STORM SEWER OUTLET
- SUB STATION (600 KVA)
- PROPERTY BOUNDARY
- FENCE

DRAWING DIRECTORY:

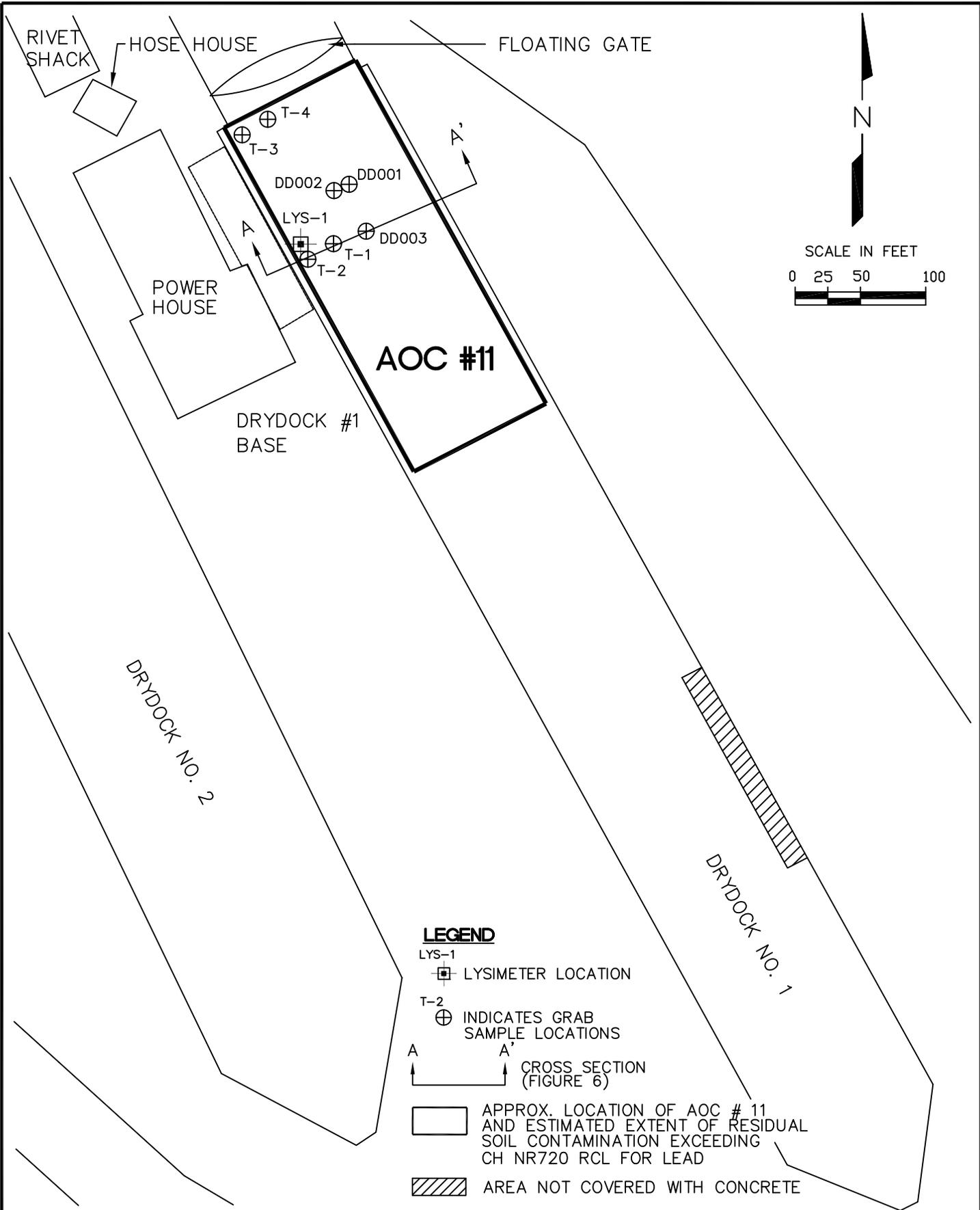
1	07/21/09	GIS REGISTRY	RJH	07/09	KEA	07/09	KEA	07/09
NO.	DATE	ISSUE/REVISIONS	DRAWN BY	DESIGN	QC CHECK			



FRASER SHIPYARDS, INC.
GIS REGISTRY
SUPERIOR, WISCONSIN

FIGURE 2
SITE PLAN

PROJ. NO. FRASE9401	2 7
DATE 07/21/09	



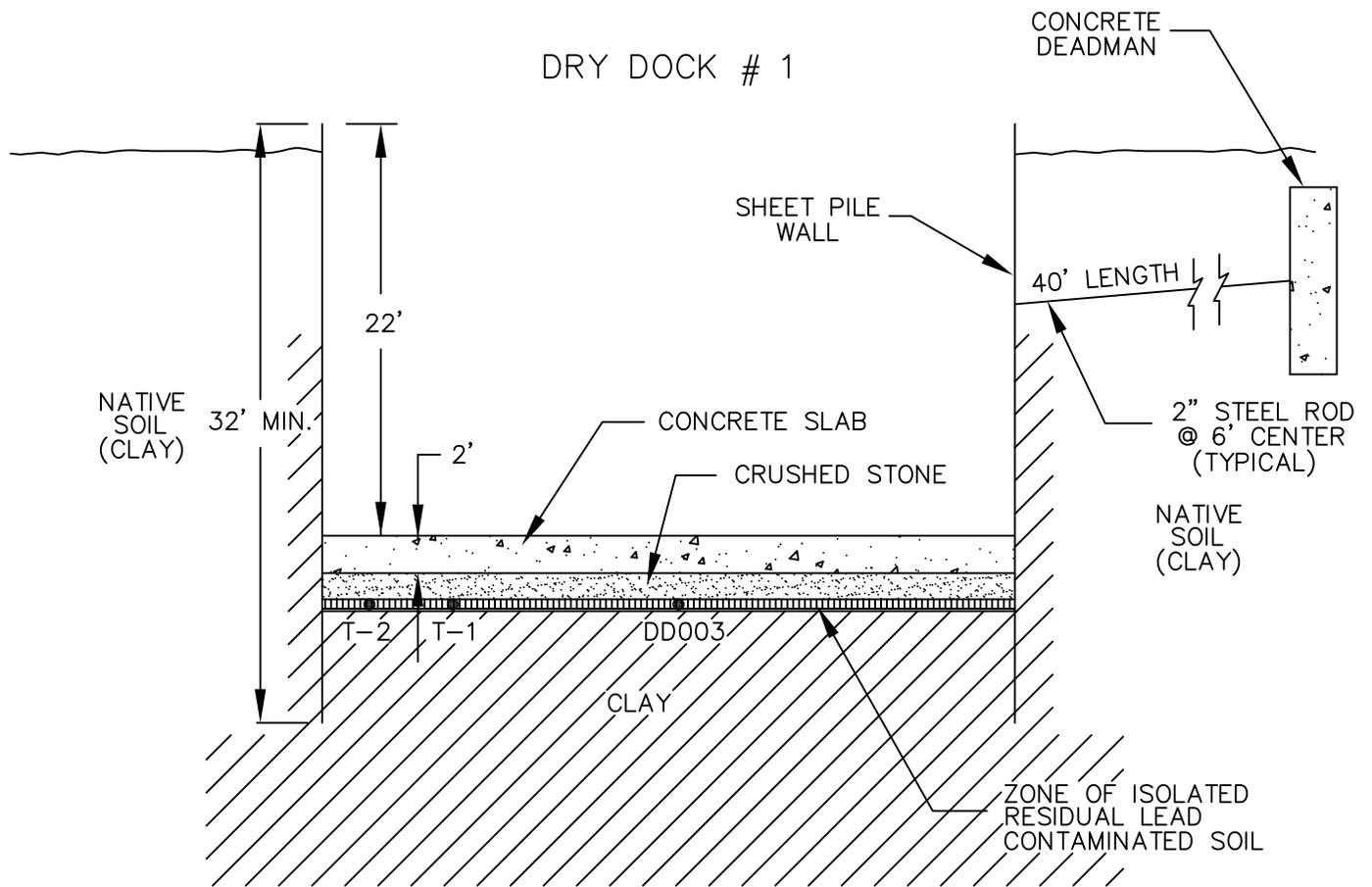
LEGEND

- LYS-1
 LYSIMETER LOCATION
- T-2
 INDICATES GRAB SAMPLE LOCATIONS
- A — A'
 CROSS SECTION (FIGURE 6)
-  APPROX. LOCATION OF AOC # 11 AND ESTIMATED EXTENT OF RESIDUAL SOIL CONTAMINATION EXCEEDING CH NR720 RCL FOR LEAD
-  AREA NOT COVERED WITH CONCRETE

DRAWING DIRECTORY:



1	07/21/09	GIS REGISTRY	RJH 07/09	KEA 07/09		KEA 07/09
NO.	DATE	ISSUE/REVISIONS	DRAWN BY	DESIGN	FIELD REVIEW	QC CHECK
FRASER SHIPYARDS, INC. GIS REGISTRY SUPERIOR, WISCONSIN			FIGURE 5 AOC # 11 DETAIL		PROJ. NO. FRASE9401	5
					DATE 07/21/09	

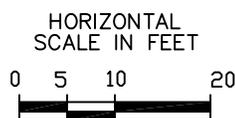


LEAD CONCENTRATIONS

SAMPLE	ug/g	VERTICLE LOCATION
T-1	927	TOP OF CLAY
T-2	832	TOP OF CLAY
DD003	34.1	6" INTO CLAY

SECTION A-A'

(SEE FIGURE 5 FOR CROSS-SECTION LOCATION)



DRAWING DIRECTORY:



1	07/21/09	GIS REGISTRY	RJH 07/09	KEA 07/09		KEA 07/09
NO.	DATE	ISSUE/REVISIONS	DRAWN BY	DESIGN	FIELD REVIEW	QC CHECK
FRASER SHIPYARDS, INC. GIS REGISTRY SUPERIOR, WISCONSIN			FIGURE 6 DRY DOCK # 1 CROSS SECTION		PROJ. NO. FRASE9401	6 7
					DATE 07/21/09	

**Table 1
Soil Analytical Results**

Analytical Parameters	ch. NR 720 soil RCL	Boring No./ Depth (ft)/ Date								
		DD001	DD002	DD003	T1	T2	T3	T4	LYS-1	
		0.5	0.5	0.5-0.8	0	0	0	0	0-0.5	2-2.5
		7/7/94	7/7/94	8/4/94	8/17/94	8/17/94	8/17/94	8/17/94	8/12/96	8/12/96
VOCs (8010/8020 or 8021) mg/kg										
benzene	5.5	--	--	--	--	--	--	--	--	--
toluene	1500	--	--	--	--	--	--	--	--	--
butylbenzenes	NSE	--	--	--	--	--	--	--	--	--
isopropyltoluene	NSE	--	--	--	--	--	--	--	--	--
ethylbenzene	2900	--	--	--	--	--	--	--	--	--
naphthalene	NSE	--	--	--	--	--	--	--	--	--
trimethylbenzenes	NSE	--	--	--	--	--	--	--	--	--
m- & p- xylenes	4100	--	--	--	--	--	--	--	--	--
o-xylene & styrene	NSE	--	--	--	--	--	--	--	--	--
chloromethane	NSE	--	--	--	--	--	--	--	--	--
n-propylbenzene	NSE	--	--	--	--	--	--	--	--	--
Metals (mg/kg)										
Lead (6010)	500	272	30.1	34.1	927	832	958	855	BDL	BDL
Cadmium (6010)	510	--	--	--	--	--	--	--	--	--
Chromium (6010)	200	--	--	--	--	--	--	--	--	--
Mercury (7471)	NSE	--	--	--	--	--	--	--	--	--
BDL = Below laboratory detection limits RCL = Residual Contaminant Level -- = Not analyzed 832 = Exceeds ch. NR 720 soil cleanup standards NSE = No standard established Compiled by: <u>ggc</u> Checked by: <u>jit</u>										

**Table 2
Groundwater Analytical Results**

Analytical Parameters	NR 140 Standards		Lysimeter Number for AOC #11/ Date Sampled	
	ES	PAL	LYS-1	
			8/29/96	11/21/96
Total Dissolved Metals (µg/l)				
Chromium	100	10	--	--
Cadmium	5	0.5	--	--
Lead	15	1.5	<u>6.94</u>	BDL
Total Metals (µg/l)				
Lead	NSE	NSE	--	--
NSE = No standard established BDL = Below laboratory detection limits -- = Not analyzed for 48.8 = Exceeds ch. NR 140 Enforcement Standard (ES) <u>2.84</u> = Exceeds ch. NR 140 Preventive Action Limit (PAL) Compiled by: <u>GGC</u> Checked by: <u>JEG</u>				