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July 15, 2009

**VIA FACSIMILE 715-852-0349
AND FIRST CLASS MAIL**

Glenn M. Stoddard, Esq.
130 S. Barstow St., Ste. 2C
Eau Claire, WI 54701

RE: Notice of Intent to File Citizen Suit Under Wis. Stat. § 293.89

Dear Mr. Stoddard:

Please accept this letter as the response of Flambeau Mining Company ("Flambeau") to your June 16, 2009 "Notice of Intent to File Citizen Suit Under Wis. Stat. § 293.89" ("NOI"), in which you express the intent of the Wisconsin Resources Protection Council, Al Gedicks, and Laura Furtman (collectively, "plaintiffs") to sue the Wisconsin Department of Natural Resources ("WDNR") and Flambeau.

We first note that the plaintiffs are all long-time opponents of metallic mining in general and Flambeau's Ladysmith Mine specifically. It is obvious that they will never be satisfied no matter what level of regulation has or will occur, and no matter what Flambeau has done to meet, and go beyond, the stringent requirements of the law. The NOI, and the lawsuit it outlines, is simply plaintiffs' latest attack on the Ladysmith Mine. Like previous attacks, it is completely without merit both factually and legally.

Plaintiffs make no new arguments in the NOI. These same arguments have appeared in numerous communications with WDNR and in formal permit proceedings such as the Master Hearing on the initial application, the 1998 request for a permit modification, and the 2007 request for a Certificate of Completion ("COC"). Plaintiffs once again renew the arguments even though a COC has been granted for a majority of the mine site and active mining and reclamation activities are no longer occurring. Nothing demonstrates the point better than the fact that plaintiffs entered into a Stipulation in the 2007 COC contested case hearing in which Flambeau agreed to conduct additional monitoring to address plaintiffs' concerns. Flambeau has conducted the additional monitoring and now, approximately two years later, the same arguments appear in a repackaged form as a threatened citizen suit.

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LAW FIRM

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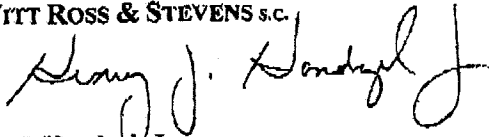
Not surprisingly, the repackaged form suffers several legal defects including timeliness and most significantly scope. The threatened lawsuit makes arguments and seeks remedies that are well beyond the scope of the statutory citizen suit provisions.

The facts are clear that the Flambeau Mine is a positive example of how such mining can be done while following applicable rules and regulations. The project protected the environment and significantly benefited the community and local economy. The project has a strong environmental record and continues that commitment today with a reclaimed mine site and industrial area that are assets to the community. The bottom line is that Flambeau is proud of this project, from its original planning through today, and Flambeau cannot and will not allow these unfounded claims that have no merit to go unanswered.

The above is not intended to be an exhaustive listing of the reasons why the threatened lawsuit is without basis or merit. Accordingly, please be advised that Flambeau will vigorously defend its actions, its reputation, and its great success story with the Ladysmith Mine should your clients decide to actually file suit. Finally, Flambeau will also seek to recover its attorneys fees and costs under Wisconsin's frivolous claim statutes.

Sincerely,

DEWITT ROSS & STEVENS s.c.



Henry J. Handzel, Jr.

HJH:mtc

cc: Thomas Dawson, Assistant Attorney General
Daniel Graff, Attorney, Wisconsin Dept. of Natural Resources