

From: Dodds, Jennifer <dodds.jennifer@epa.gov>
Sent: Thursday, March 26, 2020 2:41 PM
To: Jeffrey Howard Danko
Cc: Carey, Angela J - DNR; Clarizio, Richard
Subject: Tyco/Ansul Marinette, Wisconsin Work Stoppage

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Danko,

I'm writing to follow up on our recent phone conversations regarding the temporary impacts that the COVID-19 pandemic is having on various corrective action requirements and operations at the Tyco Fire Products LP, Stanton Street Facility, located in Marinette, Wisconsin. During that phone conversation you indicated that Tyco discontinued certain work required by the 2009 Administrative Order on Consent (AOC). Sections VI and XII of the AOC allow for extensions of time to perform work, provided Tyco provides EPA with prior notice and obtains EPA's approval. EPA realizes that the COVID-19 pandemic is a unique situation that has stretched all of our resources. EPA is committed to working with Tyco to ensure the safety of its workers and protection of the environment during this time. To ensure continued protection of the environment and compliance with the AOC, EPA is requesting that you provide EPA with the following information in the next 15 days:

- Specific processes, programs, including the Pump Down Program (PDP), and other remedial efforts stopped or modified by Tyco and the date when they were stopped and how they were modified.
- Justification of your actions and any efforts Tyco took to anticipate the potential for delays and to mitigate their impacts.
- Contingency plans and mitigation efforts Tyco will take should groundwater levels rise above the target elevation established in the 2014 Agreement on Resolution (AOR). The ongoing PDP was established as part of the AOR to enable Tyco to meet its requirement to maintain groundwater levels at or below the target elevation of 577.5 feet to minimize the potential for arsenic-contaminated groundwater to flood the site or leak through the barrier wall into the Menominee River.
- Contingency plans and mitigation efforts necessary to address any other potential environmental or human health exposure concerns that may arise due to the stoppage or modification of any specific processes, programs or other work required by the AOC.
- An evaluation of the need for additional protection Tyco will take for on-site workers as part of all contingency plans, including what mitigation efforts Tyco proposes to establish.
- A revised schedule including, but not limited to, dates for implementation of proposed mitigation efforts and for restarting systems that Tyco has discontinued.

Please feel free to contact me if you have questions regarding this request.

Thank you,

Jennifer Dodds
U.S. Environmental Protection Agency, Region 5

Land, Chemicals and Redevelopment Division
77 West Jackson Blvd, LR-16J
Chicago, IL 60604-3590
Tel: (312) 886-1484
dodds.jennifer@epa.gov