

July 13, 2020

Ms. Christine Haag
Director, Remediation and Redevelopment
State of Wisconsin
Department of Natural Resources
101 S. Webster Street, Box 7921
Madison, WI 53707-7921

Re: DNR Notice of Intent to Incur Expenses & Expand Potable Well Sampling

Dear Ms. Haag:

We have received and reviewed your letter dated July 7, 2020 regarding potable well sampling activities in Marinette, Wisconsin.

We welcome the DNR's commitment to take action regarding PFAS contamination in areas not connected to any Tyco Fire Products LP ("Tyco") facility. As we explained in our letter of June 1, 2020 and our additional submission on air deposition dated June 8, 2020, the sampling that the WDNR has requested is in areas that are not impacted by historic operations at the Fire Training Center. Multiple lines of evidence support this conclusion, as outlined in Tyco reports and data stretching over more than 1,000 pages, including:

- (1) The absence of PFAS detections in groundwater upgradient of the Heath Lane and Edwards Avenue area.
- (2) Data demonstrating that Ditch A is not now transporting and has not in the past transported PFAS to the groundwater beyond the FTC Study Area.
- (3) The shallow depth and limited vertical extent of the PFAS detections in the extended area, which demonstrate that those detections stem from local point sources or other sources not associated with the FTC.
- (4) Data demonstrating that the mixtures of PFAS samples detected in this extended area are distinctly different from the mixtures of PFAS substances in areas affected by the FTC.
- (5) Data demonstrating that there is no plausible airborne transport pathway that could have connected the FTC to this area.

We are aware of no reliable scientific data refuting these multiple lines of evidence, and DNR has never come forward with any. Therefore, Tyco is not an appropriate responsible party to perform this work.¹

In our June 1 letter, however, Tyco also offered to take certain additional steps to aid the WDNR's efforts. That included such things as installing vertical aquifer profiling (VAP) and/or additional monitoring wells. It also included an offer to provide assistance with identifying other potential sources of PFAS in this

¹ We have also repeatedly explained to the WDNR that Johnson Controls, Inc. is not a responsible party under any applicable state or federal law. Tyco is the owner and operator of the Fire Training facility.

and other areas around Marinette. Your letter states, “**At this time, DNR is not aware of other specific sources of PFAS in the FTC site investigation area that would be impacting potable wells**” (emphasis in original). But that is because the WDNR has done nothing to investigate such other sources. Although, to date, the WDNR has not taken us up on the offer of assistance with other source identification, we nevertheless intend to provide that data to WDNR to assist it in carrying out its duty to the public in this area.

Tyco will continue to perform the work and meet its obligations under Wis. Stat. ch. 292 and Wis. Amin. Code chs. NR 700-799 with respect to matters related to the Fire Training Center. Tyco’s priority continues to be to ensure that residents in the area affected by the Fire Training Center in the Town of Peshtigo have access to clean, safe and reliable drinking water.

Very truly yours,

A handwritten signature in cursive script that reads "John Perkins".

John Perkins

Vice President Global EH&S