

Dear Ms. Haag:

Thank you for your letter of September 28<sup>th</sup>. Tyco is grateful for your recognition of “the outreach that JCI/Tyco has conducted to date with homeowners,” and it is very meaningful to us to see that the WDNR “appreciates [our] efforts to deliver safe drinking water to impacted homeowners in the PWSA.”

It is an honor and privilege for Tyco to be engaged so closely with our neighbors. Many of them have remarked that our personal outreach to them is the first time they have felt meaningfully included and the first time they have felt that they could communicate their wishes and have their questions and concerns respectfully addressed. Tyco has been clear that we will do all in our power to honor and respect the wishes of our neighbors and deliver their long-term clean drinking water preferences. We are doing just that.

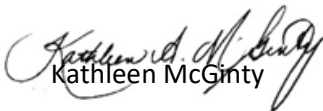
Tyco is also grateful for the WDNR’s support and encouragement to Tyco to continue the progress we’ve made with our neighbors towards getting their requested deep wells built. Tyco is already at work with homeowners who have provided us their written direction and we will continue to work until winter conditions cause us to pause. We will pick back up and continue the work in the spring.

Having said this, Tyco is perplexed by many other aspects of your letter. Surprisingly, your letter includes many inaccurate statements and inferences as well as requests for action on matters known to already have been completed by Tyco.

Knowing our shared commitment to accurate and helpful communications, we take the occasion here to correct inaccurate assertions and to remind you of actions already taken by Tyco addressing other points raised.

As always, we are grateful for your help and support.

Sincerely,

  
Kathleen McGinty

**Key Corrections and Clarifications:**

*You assert that Tyco has said that deep wells are the “only solution for homeowners in the PWSA”.*

This assertion is inaccurate as evidenced by the following:

1. ROAR filed with the WDNR identifying **8 options**. [Sept. 10, 2019]
2. Tyco email to WDNR (Christine Haag and Gail Good) sharing Tyco’s plan to reach out individually and personally to each well owner in the PWSA re **4 water solution options** [February 24, 2022]
3. Ad placed by Tyco in local papers communicating the **4 water solution options** [February 25, 2022]
4. **Fact sheet on each of the 4 options** and notice that Tyco will be calling to answer neighbor questions mailed to residents [March 3, 2022]

5. Meeting with the WDNR re the **4 water solution options** emerging from facilitated discussions and independent engineering studies commissioned by the Town of Peshtigo and paid for by Tyco [March 3, 2022]
6. Email sending WDNR Fact sheet on each of the **4 options** [March 3,2022]
7. Ad in local papers answering FAQs about **4 options** raised during Outreach [March 23, 2022]
8. Ad in local papers updating Tyco outreach on **4 options**, included FAQs [April 8, 2022]
9. Ad in local papers sharing PWSA Resident Feedback (**2 of 4 options preferred by residents**) & Next Steps [May 20, 2022]
10. Call between Gail Good, Christine Haag and Katie McGinty informing WDNR of the results of neighbor outreach and neighbor's support for **2 of the 4 options**. [May 20, 2022]
11. Call with Alyssa Sellwood & Jodi Peotter sharing details of resident outreach and feedback confirming preference for **2 options** [June 2, 2022]
12. Tyco ad and mailing to PWSA well owners on their **2 preferred options** [August 19, 2022]

*You assert: "JCI/Tyco provides only 32 calendar days for homeowners to make this decision".*

This assertion is inaccurate as evidenced by the following:

1. Plain language in September 15, 2022 cover letter to neighbors accompanying well agreement making clear that October 17<sup>th</sup> date is only to enable construction before the frost ("Please return signed copies of the enclosed (1) Agreement and Notice of Restrictions, and (2) Well Information Form by no later than October 17, 2022. The sooner we receive your signed documents, the sooner we can begin installing your well, weather permitting.")
2. Plain language in September 15, 2022 letter to neighbors accompanying well agreement making clear that the only consequence of a failure to decide about a deep well on/before October 17<sup>th</sup> is that Tyco will reach out personally to neighbors again. ("Please note that if we do not receive your signed documents by October 17, 2022, we will attempt to contact you via phone or an alternate address if we have that information.")
3. Call between Christine Haag, Alyssa Sellwood, Katie McGinty and Denice Nelson where Tyco very clearly explained that Tyco had put forward no such deadline [September 27, 2022]
4. Plain language in September 28, 2022 letter to neighbors reiterating that October 17<sup>th</sup> date is only to enable construction before the frost ("We asked for your responses to us by October 17, so that we could get wells built before the soil freezes.")
5. Plain language in September 28, 2022 letter to neighbors reiterating that the only consequence of a failure to decide about a deep well on/before October 17<sup>th</sup> is that Tyco will reach out personally to neighbors again. ("We asked for your responses to us by October 17, so that we could get wells built before the soil freezes. We also said we would continue to call and reach out to anyone we don't hear from by then and that we were aiming to have everyone's final direction to us in hand by January 15th.")

*You request Tyco to communicate to homeowners "the likely presence of radium in groundwater from the deeper aquifer".*

The WDNR is aware that Tyco already communicated this information to neighbors as evidenced by the following:

1. Phone call with Gail Good, Christine Haag, Alyssa Sellwood and Kyle Burton discussing this communication to neighbors [Sept. 12, 2022]
2. Email to Gail Good, Christine Haag, Alyssa Sellwood and Kyle Burton from Katie McGinty confirming this information was communicated to neighbors [Sept. 15, 2022]
3. Fact sheet sent to neighbors including information on radium [Sept. 15, 2022]
4. Tyco website post - Deep Well Agreements Sent to PWSA Residents; *Includes information on how Deep Wells will be constructed & tested* - includes copy of communication to neighbors [Sept. 19, 2022]

*You state: "The DNR looks forward to hearing from JCI/Tyco as to whether they intend to afford impacted homeowners additional time to review the offer for a deep well".*

The WDNR is aware that Tyco already issued public communication waiving the January 15<sup>th</sup> date since it appeared to create some confusion as evidenced by the following:

1. Phone call with Christine Haag and Alyssa Sellwood confirming we were already preparing a letter to those who received the Deep Well agreements waiving the January 15<sup>th</sup> date [Sept. 27, 2022]
2. Follow-up email to Christine Haag and Alyssa Sellwood confirming that the communication about waiving the January 15<sup>th</sup> date was being made in real time [Sept. 28, 2022]
3. Letter mailed to neighbors and posted on tycomarinette.com website waiving the January 15<sup>th</sup> date [Sept. 28, 2022]

*Your letter notes that Tyco shared with the WDNR "that same day" our September 15<sup>th</sup> letter to neighbors. This suggests that the WDNR was unaware of or surprised by Tyco's action to fulfill neighbor's requests and get to work on the requested deep wells.*

The WDNR was well aware that Tyco was moving forward to honor neighbor's wishes for deep wells. An itemization of Tyco's many communications with the WDNR on this matter is attached. We highlight some of the most relevant of those communications here:

1. Tyco sent WDNR ad published in local papers about Long-Term Water & Well Agreements that highlights upcoming dates [Aug. 22, 2022]
2. Tyco posts notice on website that Deep Well Agreements coming in Sept.; Katie McGinty emails Gail Good and Christine Haag requesting meeting to review next steps of process [Aug. 26, 2022]
3. Katie McGinty sends follow-up email to Gail Good and Christine Haag about the meeting requested Aug. 26 that WDNR had not yet responded to [Sept. 2, 2022]
4. Tyco has call with WDNR (Gail Good, Christine Haag, Alyssa Sellwood, Kyle Burton) about deep wells discussing next steps [Sept. 12, 2022]

*Your letter makes several references to the requirements of NR 700 and suggests that the WDNR has reason to be concerned that Tyco perhaps is not adhering to same. But the WDNR has recognized many times Tyco's faithful and fulsome execution pursuant to NR 700. Tyco is unaware of any of the other known sources of PFAS (paper mills, local landfills, manufacturing plants) that are as far along as Tyco is in complying with NR 700. In fact, it has been surprising that WDNR has not taken more action to stop these continued known sources of PFAS discharge into the environment. Tyco has repeatedly and publicly expressed our appreciation for WDNR's rapid replies to and approval of our many site investigation work*

plans and remediation actions pursuant to NR 700. We share a sample of these submissions and WDNR approvals below. Approvals are highlighted in blue.

**Table of Tyco Work Plan Submissions to WDNR and WDNR Remedial Action Approvals**

Date	Author	Document
Mar-18	Tyco/Arcadis	Long-term Potable Well Sampling Plan
Apr-18	Tyco/Arcadis	Revised Long-term Potable Well Sampling Plan
Apr-18	Tyco/Arcadis	Revised Site Investigation Work Plan
Sep-18	Tyco/Arcadis	Site Investigation Results Report
Nov-18	Tyco/Arcadis	Ditch A Interim System Final Design
Dec-18	WDNR	Ditch A Permit Issued
Feb-19	Tyco/Arcadis	Supplemental Site Investigation Work Plan
Feb-19	WDNR	Approval of the Supplemental Site Investigation Work Plan
Mar-19	Tyco/Arcadis	Supplemental Site Investigation Report
Mar-19	WDNR	Ditch B Permit Issued
Apr-19	Tyco/Arcadis	Ditch B System Final Design
May-19	Tyco/Arcadis	Remedial Actions Options Report for Long-term Drinking Water Supply
May-19	Tyco/Arcadis	Heath Lane Investigation Work Plan
Jul-19	WDNR	Approval of the Health Lane Investigation Work Plan
Sep-19	Tyco/Arcadis	Revised Remedial Action Options Report for Long-term Drinking Water Supply
Dec-19	Tyco/Arcadis	Supplemental Site Investigation Report
Jan-20	Tyco/Arcadis	Fish Tissue Sampling Work Plan
Feb-20	Tyco/Arcadis	Southern Area Report
Apr-20	WDNR	Approval of Fish Tissue Sampling Work Plan
Apr-20	Tyco/Arcadis	Revised Long-term Potable Well Sampling Plan
May-20	Tyco/Arcadis	Bedrock Investigation Work Plan
May-20	Tyco/Arcadis	Interim Site Investigation Report
Jun-20	Tyco/Arcadis	Potable Well Long-term Monitoring Report
Jun-20	Tyco/Arcadis	Aerial Deposition Evaluation Report
Jul-20	Tyco/Arcadis	Foam Monitoring Immediate Actions Report
Jul-20	Tyco/Arcadis	Surface Water Sampling Work Plan
Nov-20	Tyco/Arcadis	Ditch B (GETS) Pre-design investigation Work Plan
Nov-20	Tyco/Arcadis	Fish Tissue and Surface Water Sampling Work Plan
Nov-20	Tyco/Arcadis	Groundwater Flow and Fate & Transport Model Report
Jan-21	WDNR	Conditional Approval of Revised Long-Term Potable Well Sampling Plan
Jan-21	WDNR	Conditional Approval of Ditch B (GETS) Pre-Design Site Investigation Work Plan
Feb-21	Tyco/Arcadis	Interim Action Plan: Design of Ditch B Groundwater Extract & Treatment System (GETS)
Mar-21	Tyco/Arcadis	Soil Interim Remedial Action Design Report (RADR)
Mar-21	Tyco/Arcadis	Revised Long-term Potable Well Sampling Plan
Apr-21	Tyco/Arcadis	Air Pathway Site Investigation Work Plan (SIWP)

Jun-21	WDNR	Approval of Soil Interim Action Plan
Jul-21	Tyco/Arcadis	Long-term Monitoring Plan for the GETS
Sep-21	WDNR	Approval of SIWP Air Pathway
Oct-21	Tyco/Arcadis	Revised Long-term Potable Well Sampling Plan
Oct-21	WDNR	Approval of GETS Long-term Monitoring Plan
Oct-21	WDNR	Conditional Approval to Ditch A OMM&M Plan
Oct-21	WDNR	Conditional Approval to Ditch B OMM&M Plan
Dec-21	Tyco/Arcadis	Sanitary Sewer Rehabilitation Interim Action Report
Feb-22	Tyco/Arcadis	Additional Investigation Work Plan and Air Pathway Results
Feb-22	Tyco/Arcadis	2021 Foam Monitoring Interim Action Report and Foam Monitoring Work Plan Modifications
Mar-22	WDNR	Approval of Fish Tissue and Surface Water Sampling Work Plan
Mar-22	WDNR	Approval of Foam Response Plan and 2021 Annual Summary
Mar-22	WDNR	Conditional Approval of GETS Interim Remedial Action Design Report (RADR)
Apr-22	WDNR	Approval of Additional SIWP
May-22	Tyco/Arcadis	Revised Long-term Potable Well Sampling Plan
Jul-22	Tyco/Arcadis	GETS Baseline Monitoring Results Report
Jul-22	WDNR	Approval of Potable Well Sampling Plan
Aug-22	Tyco/Arcadis	Potable Well Long-term Monitoring Results Annual Report
Sep-22	Tyco/Arcadis	PWSA Update: Deep Drinking Water Wells
Sep-22	Tyco/Arcadis	Long-term Monitoring Plan for Deep Wells

## APPENDIX A

Date of Activity	Action	Relevant Quotes/Text
20-May	Tyco (Kathleen) sent to WDNR (Christine, Alyssa and Gail) Ad on "PWSA Feed Back and Next Steps" that Tyco posted in 2 papers and sent to each property owner. Provides update on the PWSA Resident Feedback and timing for long-term water source implementation (includes statement that this involves an agreement between each well owner and Tyco).	Thanks to the <b>75% of well owners in Tyco's Potable Well Sampling Area (PWSA)</b> who took the time to meet with Tyco to learn more about the 4 options for long-term water based on engineering studies and share their input. <b>The two-way communication will continue</b> as we move forward in the transition off bottled water and POETs to a long-term clean water source.  Once this additional research is done and we know if a certain area of the PWSA is seeking annexation, <b>Tyco can begin the long-term water source implementation process, hopefully by late summer.</b> For deep wells, that would involve an agreement between each well owner and Tyco.
25-May	<b>5/25 article in Eagle Herald:</b> "Deep Wells Favored in Tyco Water Outreach". Summarizes the 5/20 ad that was placed and includes an interview with Katie	"Tyco intends to continue with engineering assessments on water quality for those who choose a deep well. "That will take time to do—the better part of two months—to have those results we can examine and progress," McGinty said.
2-Jun	<b>VIRTUAL MEETING:</b> Kathleen presented update on public outreach to WDNR (Alyssa & Jodie) during the weekly call Denice has with them	
13-Jun	6/13 Article in Fox11 News (online). "Town of Peshtigo still fighting for PFAS-free drinking water as DNR takes over regulations"	JCI/Tyco sent FOX 11 a statement saying it will soon be operating a \$25 million Groundwater Extraction & Treatment System that will treat 95% of the PFAS and plan to remove contaminated soil. The company goes on to say, "We also continue our effort to transition the approximately 169 well owners in the Town of Peshtigo who are now on bottled water or use in-home treatment systems provided by Tyco to a long-term water solution such as deep wells and/or water from the City of Marinette if the properties are annexed."
26-Jul	Sent to WDNR a 7/22 Eagle Herald Article that outlines progress and timing for output of deep wells studies	"If a parcel is annexed, Tyco will cover the construction cost of the water line and offer a lump-sum upfront payment estimated to cover the net present value of 20 years of increased water bill and tax costs. If a parcel gets a deep well, Tyco will cover the construction of the well and the cost with a third party for maintenance for services for 20 years," spokeswoman Karen Tognarelli.  "By August, we are hoping to know if there is sufficient interest in annexation of part of the PWSA and share any updates to the design of deep wells," said Kathleen Cantillon, director of environmental communications at Johnson Controls Inc., which owns Tyco. Implementing the annexation plan could get rolling in September, if it's chosen as the way to go.
22-Aug	Tyco sent WDNR the Ad published on Aug 19 re: Long-term Water and well agreements.	Ad specifically says well agreements coming in September
26-Aug	Katie requested meeting with WDNR to review next steps on process, Tyco posted notice on Tyco Marinette Website that Deep Well Agreements were coming in September	Website post said Deep Well agreements coming in Sept.
26-Aug	<b>8/26 article in Eagle Herald:</b> "Tyco eyes solution to PFAS issue". Interview with Katie McGinty	"The time has arrived to deliver, not just talk about, but deliver permanent water solutions," she said. "The key breakthrough has been the neighbors themselves speaking clearly. Tyco is taking that direction and we are ready to deliver."  "McGinty said Tyco will pay all costs associated with the deep wells, including maintenance up to 20 years. It also will pay for annexation costs, including water bills for up to 20 years. She said payments would be lump sum amounts and would take into account issues such as inflation. McGinty said if letters are returned to Tyco swiftly, <b>construction could begin soon with wells in place in October of November.</b>  <b>McGinty said once solutions are in place and working, residents will stop receiving bottled water and/or water pellet (sic) system.</b>
2-Sep	Katie sends follows up email to WDNR related to meeting on next steps as WDNR had yet to respond with date	
8-Sep	WDNR sends Tyco letter with questions related to Deep Wells	
12-Sep	<b>VIRTUAL MEETING: WDNR and Tyco</b> (Katie, Denice, Kathleen) have virtual meeting where Tyco presents output of Deep Well Studies, data results and design based on investigative activities which address questions in 9/8 letter	
15-Sep	Tyco (Katie) emailed the deep well fact sheet to WDNR related to public communications regarding deep wells. Deep well agreements sent out same day.	
16-Sep	DNR acknowledged receipt of Ms. McGinty's email and confirmed that Tyco would be providing full reports of results of the deep well studies.	
26-Sep	Letter response provided to WDNR related to their 9/8 request – letter states that full reports of results that were presented on 9/12 are being submitted to WDNR, and these address all their questions	
27-Sep	Full submittals, including all analytical appendices uploaded to WDNR via BRRTs 02-38-580694	"Deep Aquifer Bedrock Well Design & Long-Term Monitoring Work Plan," "PWSA Drinking Water Update"
28-Sep	Tyco uploaded full submittal on the Tyco Marinette website. ( <a href="https://tycomarinette.com/engineering-reports-submitted-to-wdnr-on-rock-water-aquifer-properties/">https://tycomarinette.com/engineering-reports-submitted-to-wdnr-on-rock-water-aquifer-properties/</a> .)	
28-Sep	Letters to Homeowners updating them on deep wells sent out, letter and full submittals to DNR uploaded to the Tyco Marinette Website	Letter said, "Specifically, there are some questions and confusion about the January 15 <sup>th</sup> date we included in the Deep Well mailing we sent you. To avoid any concern, we are dropping that date."