



May 31, 2022

MS. DENICE NELSON
JOHNSON CONTROLS, INC
5757 N. GREEN BAY AVENUE
MILWAUKEE, WI 53209

Via Email Only to denice.karen.nelson@jci.com

SUBJECT: Response to 7th Revised Long-Term Potable Well Sampling Plan
JCI/Tyco FTC PFAS, 2700 Industrial Parkway South, Marinette, WI
BRRTS #02-38-580694

Dear Ms. Nelson:

On Apr. 3, 2022, the Wisconsin Department of Natural Resources (DNR) received the seventh *Revised Long-Term Potable Well Sampling Plan* (Sampling Plan v.7) for the above-referenced site (the "Site"). The report was submitted by Arcadis U.S., Inc. (Arcadis) on behalf of Johnson Controls, Inc. and Tyco Fire Products LP (JCI/Tyco) and was accompanied by the fee required under Wisconsin Administrative Code (Wis. Admin. Code) § NR 749.04(1) for formal DNR review and response.

Background

JCI/Tyco is investigating and responding to the discharge of per- and polyfluoroalkyl substances (PFAS) to the environment at the JCI/Tyco Fire Technology Center (FTC), located at 2700 Industrial Parkway South in Marinette, Wisconsin. Data collected to date by JCI/Tyco indicates PFAS contaminants have migrated from the FTC property and impacted drinking water wells and other media in the area. JCI/Tyco's site investigation to define the degree and extent of contamination is on-going. As part of the field investigation, JCI/Tyco is required to sample known and potentially impacted water supply wells per Wis. Admin. Code § NR 716.13(16).

JCI/Tyco has sampled 173 drinking water wells in an area JCI/Tyco refers to as the potable well sampling area (PWSA). JCI/Tyco offers bottled water to all residents in the PWSA (Wis. Admin. Code § NR 708.05(4)(f)). JCI/Tyco also offered point of entry treatment (POET) systems to residents whose drinking water had perfluorooctanesulfonic acid (PFOS) or perfluorooctanoic acid (PFOA) detected above the laboratory reporting limit; JCI/Tyco currently maintains POET systems on 46 properties in the PWSA.

JCI/Tyco's Sampling Plan is updated periodically so that it stays current with the testing program for private wells and the testing and maintenance program for POET systems in the PWSA (Wis. Admin. Code § NR 716.17(1)).

On Sept. 27, 2022, the DNR received JCI/Tyco's plan to offer residents in the PWSA an option to replace their existing private drinking water wells, and POETs if applicable, with new deep wells. Residents in the PWSA who opt for a new deep well will be removed from the monitoring program established in the Sampling Plan and moved to a new monitoring program for new deep private drinking water wells. The deep well monitoring program and the DNR's comments were previously provided under separate cover.

Previous Versions of Sampling Plan

The DNR reviewed and responded to each of the prior versions of the Sampling Plan. The DNR’s comments on prior versions are summarized below, and copies of the complete review and comments are posted to the Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web.

Summary of Comments Provided by the DNR on Previous Versions of the Sampling Plan

Ver.	Sampling Plan Date ⁽¹⁾	DNR Comment Date ⁽¹⁾	Overview of Comments
1	3/9/2018, Revised on 4/24/2018	3/30/2018	<ul style="list-style-type: none"> ▪ Include other wells and state plan to provide the owners/occupants with results within 10 business days of receiving laboratory data. ▪ Comments addressed in 4/24/2018 revision; no further review.
2	4/10/2020	11/16/2020	<ul style="list-style-type: none"> ▪ Summarize the sampling schedule in a table and provide rationale ▪ Identify which wells have POETs ▪ Include Cycle 10 and 11 recommendations in the notifications to residents
3	3/16/2021	6/18/2021	<ul style="list-style-type: none"> ▪ Incorporate the hazard index (HI) into evaluation of results⁽²⁾ ▪ Continue to sample the POET system’s effluent prior to carbon changeout ▪ Submit an annual report with the potable well and POET sampling results ▪ Use results to evaluate if changes are needed to the Sampling Plan⁽²⁾
4	10/1/2021	12/16/2021	<ul style="list-style-type: none"> ▪ Incorporate private wells in the Expanded Site Investigation Area (ESIA) into the Sampling Plan⁽²⁾
5	5/19/2022	7/21/2022	<ul style="list-style-type: none"> ▪ Remove Preliminary Remediation Goals from the notifications to residents ▪ Transition from using the Reporting Limit (RL) to using the Method Detection Limit (MDL) to identify wells where PFAS was detected; update the summary of sampling results accordingly⁽²⁾
6	10/3/2022	11/18/2022	<ul style="list-style-type: none"> ▪ Identify wells having PFAS detected above the laboratory MDL ▪ Reinstate figures that show the well location and ID ▪ Reinstate figures that distinguish which wells have a POET system ▪ List next sampling event for each well and track if a well/POET was removed from the sampling plan and why (e.g., new deep well).

⁽¹⁾ Date document is posted on BRRTS on the Web.

⁽²⁾ Change not implemented, but which remains the DNR’s position.

DNR Review

The DNR reviewed Sampling Plan v.7 and found that JCI/Tyco addressed the DNR’s comments to the prior version (Sampling Plan v.6). In Sampling Plan v.7, JCI/Tyco:

- Included the well IDs and distinguished which wells have a POET system on the figures
- Categorized and summarized number of wells relative to the laboratory MDL
- Listed the next sampling event for each well
- Included information on the Tables and Figures to clarify which wells have been abandoned and replaced by a new deep well, and as such are no longer included under the Sampling Plan
- Stated that an Annual Summary Report will be submitted by July 31st of each year to document the previous year’s testing results for the potable wells and POET systems

Thank you for addressing the DNR's prior comments and creating a structure for the Sampling Plan where future versions can be focused on updates to document the next testing event for each well and if a well was removed from the sampling program because a deep well or other long-term water solution was implemented.

Next Steps:

JCI/Tyco should continue to update the Sampling Plan every 6 months (Wis. Admin. Code § NR 716.17(1)). This is needed to keep the Sampling Plan up to date with the private wells and POET systems covered by the Sampling Plan and their respective testing and maintenance programs. Thus, the next version (Sampling Plan v.8) is due on, or about **Oct. 1, 2023**.

If the Sampling Plan v.8 is consistent with Sampling Plan v.7, and changes are limited to updates to document the next testing event for each well or if a well was removed from the sampling program, then it is possible that JCI/Tyco will ***not*** need to pay the associated Wis. Admin. Code ch. NR 749 fee per Wis. Stat. § 292.94 with the next submittal. Please contact me in advance to discuss whether a review fee is required for Sampling Plan v.8.

If you have any questions about this letter, contact me at Alyssa.Sellwood@wisconsin.gov or (608) 622-8606.

Sincerely,



Alyssa Sellwood, PE
Complex Sites Project Manager
Remediation & Redevelopment Program

cc: Jodie Peotter, DNR (via email: Jodie.Peotter@wisconsin.gov)
Kyle Burton, DNR (via email: Kyle.Burton@wisconsin.gov)