



October 24, 2024

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 10th 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 Oct. 1, 2024, the Wisconsin Department of Natural Resources (DNR) received the tenth *Revised Long-Term Potable Well Sampling Plan* (the "Sampling Plan v. 10") 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 DNR review and response.

In this letter, the DNR approves Sampling Plan v.10, including JCI/Tyco's request to submit the next update to the plan by Oct. 1, 2025. The DNR also outlines recommended next steps to establish plans for long-term safe drinking water at the Site.

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.

PFAS from the FTC have impacted private drinking water wells (i.e., potable wells) in the area. JCI/Tyco currently tests and provides alternative drinking water to residents in the Potable Wells Sampling Area (PWSA). The PWSA is depicted on Figure 2 in the Sampling Plan v.10. The DNR has not approved the boundary of the PWSA as the extent of contamination from the Site.

Original and Deep Replacement Wells

Since Dec. 2017, JCI/Tyco has sampled 173 private wells and installed 47 point of entry treatment (POET) systems in the PWSA. In 2022, JCI/Tyco began offering residents in the PWSA an option to replace their existing private wells (and remove their existing POET, if applicable) with a new deep well. The original wells in the PWSA that were, or are scheduled to be, replaced by a new deep well, are identified in Tables 1 and 2 of Sampling Plan v.10.

Properties in the PWSA with an original well are monitored according to the most recent version of the Sampling Plan. Properties in the PWSA that receive a new deep well are monitored according to program specific to the new deep wells, which is reported under separate cover. Copies of these sampling plans, and the DNR's review of those plans, are available on Bureau for Remediation and Redevelopment Tracking System (BRRTS) on the Web (BOTW). Go to dnr.wi.gov and search "BOTW."

Sampling Plan v.10

Sampling Plan v.10 documents the PFAS testing results from private wells and POET systems sampled between Apr. 1 and June 30, 2024. The results were consistent with previous testing results, with the exception of POET-28, which had a concentration of perfluorooctanoic acid (PFOA) that caused it to move onto a more frequent maintenance schedule. The report also describes the status of bottled water provided by JCI/Tyco to residents in the PWSA, as the DNR requested on Jan. 10, 2024.

Sampling Plan v.10 provides the testing and maintenance schedule for private wells and POET systems that were not replaced by a new deep well, and requests DNR approval to submit the Sampling Plan updates annually, such that the next version will be submitted by Oct. 1, 2025.

DNR Review

The DNR approves Sampling Plan v.10, including JCI/Tyco's request to submit the next update to the Sampling Plan by Oct. 1, 2025. As a reminder, in the next Sampling Plan please complete the following:

- Include the results from testing conducted under the Sampling Plan in the prior year.
- Summarize and explain any deviations from the Sampling Plan.
- Identify any private wells or POET systems that had concentrations detected for PFAS, which caused them to move into a more frequent monitoring or maintenance schedule. For example, in Sampling Plan v.10, POET-28 reported a concentration of PFOA that caused it to move onto a more frequent maintenance schedule. A comparison to past sampling plans showed this change was made, but a direct statement of such changes is requested to make this clear in future sampling plans.

Next Steps

JCI/Tyco indicates that it anticipates completing the installation and initial testing of deep wells for residents who selected the option of a new well by the summer of 2025. At this time, approximately 30 to 40 residents have opted to keep their original wells; these private wells and POETs systems in the PWSA remain covered by this Sampling Plan.

In anticipation of the need to look broadly at plans for long-term safe drinking water in this area, the DNR recommends the following approach for upcoming deliverables related to private wells:

- In Sampling Plan v.11, due by Oct. 1, 2025, include an evaluation of the PFAS sampling results for all the private wells that have not been replaced by a new deep well. Evaluations should include, but need not be limited to, the following:
 - PFAS concentrations as a function of well depth, if known.
 - Private well location and PFAS results and trends relative to the current findings from the site investigation on the nature, degree and extent of contamination, including preferential migration pathways within the aquifer.
- A final report to document the new deep wells is due to the DNR within 60 days after JCI/Tyco receives the initial testing results for the last deep well sampled (see the DNR's letter dated Nov. 17, 2023). The DNR assumes that this report will be provided prior to Oct. 1, 2025. If the report for deep wells has not been submitted by that time, provide an estimated submittal date to the DNR at the same time that Sampling Plan v.11 is submitted, and identify the deep wells still awaiting initial testing results.
- Submit an update to the Comprehensive Alternative Water Management Plan (CAWMP) within 60 days of Sampling Plan v.11 or the final deep well report, whichever is last. The CAWMP must address all persons whose water supply has been or is likely to be affected by the migration of contamination from the Site (Wis. Admin. Code § NR708.05(4)(f)). The revised CAWMP should be based on the evaluations

provided in Sampling Plan v.11, the finding from final report documenting the deep wells and the current conclusions from the site investigation (see the DNR's May 8, 2024 letter).

As a reminder, this Site is subject to an enforcement action and therefore all submittals to the DNR under Wis. Admin. Code chs. NR 700-799 and submittals directed by the DNR must be accompanied by an Wis. Admin. Code ch. NR 749 fee per Wis. Stat. § 292.94. These fees are not pro-ratable or refundable per Wis. Admin. Code § NR 749.04(1). If you have any questions about whether to include a fee with a submittal, please contact DNR staff prior to submitting a document without a fee.

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

Sincerely,



Alyssa Sellwood, PE
Water Resources Engineer
Remediation & Redevelopment Program

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