



October 8, 2018

Project No. S-2018-0481A

ERIC BRETL
TYCO FIRE PRODUCTS LP
ONE STANTON ST
MARINETTE WI 54143

Subject: Industrial Wastewater Treatment Facility Plan and Specification Conditional Approval

Dear Mr. Bretl:

The Department of Natural Resources (hereafter department) is conditionally approving final plans and specifications for the installation of a new extraction well and conveyance system as a part of the Groundwater Collection and Treatment System (GWCTS) Modifications – Phase I project for Tyco Fire Products LP (Tyco) located at One Stanton Street, Marinette, WI. The department received a complete final plan and specification submittal on September 28, 2018 from Raquel Blue, Professional Engineer, Jacobs Engineering Group, Inc.

Tyco will construction a new on-site extraction well and conveyance system. The extraction well and conveyance system will be located on the existing Tyco One Stanton Street site. Tyco will transport contaminated groundwater from various extraction wells at the site through the above ground conveyance system to the existing GWCTS where the contaminated groundwater will be treated and discharged through Wisconsin Pollutant Discharge Elimination System (WPDES) permitted outfall 003.

The plans and other reports on file with the department were used by the department as the basis for conditional approval.

The final plans and specifications are hereby approved in accordance with s. 281.41, Wis. Stats., Project No. S-2018-0481A, subject to the following conditions:

1. That the proposed extraction well and conveyance system be installed in accordance with the final plans, specifications and the conditions of the original approval letter (refer to DNR approval letter for Project No. S-2018-0481 dated July 17, 2018).

These plans and specifications have been reviewed in accordance with s. 281.41, Wis. Stats. Where necessary, plans and specifications should be submitted to the Department of Safety and Professional Services (Safety and Building Division) or other state or local agencies to ensure conformance with applicable codes or regulations of such agencies.

The department reserves the right to order changes or additions should conditions arise making this necessary.

If construction has not commenced within two years from the date of this approval letter, the approval shall become void. If approval lapses by passage of time, a new department approval of plans submitted in accordance with the requirements of s. NR 108.04(2), Wis. Adm. Code must be received before construction can commence.

If modifications in the approved plans or specifications are necessary, revised plans or specifications shall be submitted to the department for its approval prior to commencement of construction of the project modifications. Revised plans or specifications do not need to be submitted in the event the modifications in the approved plans or specifications will not affect the public health, the capacity, flow or operation of the proposed facilities, or devices to determine permit compliance.

Approval of plans and specifications is not to be construed as a department determination on the issuance of a WPDES permit, an opinion as to the ability of the proposed system to comply with effluent limitations in such permit, an approval of the environmental analysis that may be prepared for this project, or an approval for any activities requiring a permit under chs. 30, 31, or 281, Wis. Stats.

Tangible personal property which becomes part of a waste treatment or pollution abatement plant or equipment, may be exempt from sales tax under s. 77.54(26), Wis. Stats. Similarly, property purchased or constructed as a waste treatment facility and used for the treatment of industrial wastes may be exempt from general property taxes under s. 70.11(21), Wis. Stats. A prerequisite to exemption is the filing of a statement on forms prescribed by the Department of Revenue. To obtain the necessary forms, and information on whether or not your property qualifies for these exemptions, please contact the Department of Revenue, P.O. Box 8933, Madison, Wisconsin, 53708.

If you believe you have a right to challenge this decision made by the department, you should know that Wisconsin statutes, administrative codes and case law establish time periods and requirements for reviewing Department decisions.

To seek judicial review of the Department's decision, ss. 227.52 and 227.53, Wis. Stats., establish criteria for filing a petition for judicial review. Such a petition shall be filed with the appropriate circuit court and shall be served on the Department. The petition shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to s. 227.42, Wis. Stats., and ch. NR 2, Wis. Adm. Code, you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not prerequisite for judicial review.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
FOR THE SECRETARY



Trevor Moen
Wastewater Engineer
Bureau of Water Quality



Jason Knutson, PE
Wastewater Section Chief
Bureau of Water Quality

cc: Ryan Suennen – Johnson Controls (via email)
Angela Carey – DNR Central Office Madison GEF II (via email)
Nicole Krueger – DNR Green Bay Service Center (via email)
Plan Review File