



April 8, 2020

SCOTT WAHL  
TYCO FIRE PRODUCTS LP  
2700 INDUSTRIAL PARKWAY SOUTH  
MARINETTE WI 54143

SUBJECT: Review of Fish Tissue Sampling Work Plan  
JCI/Tyco FTC, 2700 Industrial Parkway South, Marinette, WI  
BRRTS #: 02-38-580694

Dear Mr. Wahl:

On December 18, 2019, the Wisconsin Department of Natural Resources (DNR) received the *Fish Tissue Sampling Workplan* (Report) prepared for Johnson Controls Inc. (JCI) and Tyco Fire Products, LP (Tyco) by Arcadis US, Inc. (Arcadis). The Report was submitted with a fee for DNR review and response. The submittal of a Site Investigation Work Plan (SIWP) is required per Wis. Admin. Code § NR 716.09, as this site is subject to regulation under Wis. Stat. § 292. The DNR reviewed the Report for consistency with Wis. Admin. Code §§ NR 716.07 and 716.09 and has determined that the general code requirements have been met with additional comments as provided in this response letter.

## Background

On January 17, 2018, JCI/Tyco reported a discharge of per- and polyfluoroalkyl substances PFAS compounds to the environment. The discharge occurred as the result of PFAS-containing aqueous film forming foams (AFFF) being discharged as part of firefighting training activities conducted at the JCI/Tyco Fire Technology Center (FTC) from approximately the last 1960s through the fall of 2017.

Data collected as part of site investigation activities indicate PFAS contaminants have spread from the FTC via surface water and groundwater, impacting private potable wells and private surface water features in the Town of Peshtigo. Data appears to indicate PFAS contaminants have spread east to the Bay of Green Bay (Lake Michigan).

## SIWP Summary

The Report proposes collection of fish species from unspecified private pond locations in the Town of Peshtigo with the goal of determining if PFAS contaminants quantified in surface water bodies has transferred to fish populations contained therein.

The goal will be to collect three to five fish for three individual species, resulting in a total of 9 to 15 fish tissue samples collected per pond. One species will be targeted from each of the following trophic levels per pond (if available): benthic bottom feeder, bentopelagic panfish, and carnivorous predator.

Fish sample size for consumption will target regional Wisconsin catch limits as defined by the DNR. Edible size fish will be defined by Wisconsin catch limits for different species as well as the suggested target minimum size for sample collection.

As the ponds to be sampled are all located on private property, the Report indicates access agreements will be obtained from individual property owners before collection of samples.

### **DNR Review of the SIWP**

Following the DNR's review of the Report, the DNR requests that you proceed with the proposed work, while incorporating the following comments:

#### **A. Receptors**

- The potential for impacts to sensitive habitats or ecosystems, including wetlands (Wis. Admin. Code § 716.07(8)).
  - The Report indicates properties with private ponds that have been previously sampled for surface water. Per the February 28, 2019 email approval of the February 2019 Supplemental Site Investigation Work Plan, please include the following properties among those to be sampled in the fish sampling protocol:
    - Bertrand property (W761 County Road B)
    - Bresinski property (W599 Rader Road)

#### **B. Other DNR Comments**

##### **1. Sampling Results**

Sampling results must be sent to the DNR and property owner(s), including owners of off-site properties from which samples have been collected, within 10 days of receipt (Wis. Admin. Code § NR 716.14).

##### **2. Electronic and Paper Submittals**

All NR 700 submittals must be submitted in an electronic version and paper version. Both the electronic and paper versions must be identical and complete.

### **Schedule**

The submitted Report does include a schedule for conducting the field investigation and reporting the results, per Wis. Admin. Code § NR 716.09(2)(h). Furthermore, the DNR is requesting implementation of the following schedule:

- Per Wis. Admin. Code § NR 716.11(1)(2g), field investigation activities shall be initiated within 90 days of submittal of the work plan;
- Results of the site investigation activities and recommendations for further response actions necessary to protect public health, safety, and welfare and the environment, and to meet the requirements of Ch NR700

– 726, must be submitted to the DNR in a comprehensive Site Investigation Report (SIR) that meets the requirements in Wis. Admin. Code § NR 716.15. The SIR shall be submitted to the DNR within 60 days after completion of the field investigation and receipt of laboratory data. The DNR suggests that the SIR be submitted with a fee for review and response;

- All NR 700 submittals must be submitted in an electronic version and paper version. Both the electronic and paper versions must be identical and complete. Two extra paper copies should be submitted for community access at the Marinette and Peshtigo public libraries.

NR 700 semi-annual progress reports will be required until the case is closed. The DNR appreciates the efforts you are taking to address the contamination at this site. If you have any questions about this letter, please contact me, the DNR Project Manager, at (920) 362-2072 or [david.neste@wisconsin.gov](mailto:david.neste@wisconsin.gov).

Sincerely,



David Neste  
Hydrogeologist  
Northeast Region Remediation & Redevelopment Program

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