



September 8, 2023

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 Potable Well Sampling Program Annual Summary Report
April 1, 2022 to March 31, 2023
JCI/Tyco FTC PFAS, 2700 Industrial Parkway South, Marinette, WI
BRRTS #02-38-580694

Dear Ms. Nelson:

On July 31, 2023, the Wisconsin Department of Natural Resources (DNR) received the *Potable Well Sampling Program Annual Summary Report* for the period from April 1, 2022 to March 31, 2023 (“2023 PW Summary Report”) 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 appropriate fee required under Wisconsin Administrative Code (Wis. Admin. Code) § NR 749.04(1) for formal DNR review and response.

Within this letter, the DNR summarizes its review of the 2023 PW Summary Report, provides two comments based on that review and identifies next steps for continued monitoring, evaluation and reporting.

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 2023 PW Summary Report.

To date, JCI/Tyco has sampled 173 wells and installed 47 point of entry treatment (POET) systems in the PWSA. Five POET systems have since been uninstalled either by request of the property owner or because a new well was installed on the property. JCI/Tyco tests wells in the PWSA for PFAS and maintains the current POET systems according to the Potable Wells Long-Term Sampling Plan (the “PW Sampling Plan”), which is updated semi-annually. The most recent update to the PW Sampling Plan was received on Apr. 3, 2022.

Deep Wells

In 2022, JCI/Tyco began offering residents in the PWSA an option to replace their existing private well (and remove their existing POET, if applicable) with a new deep well. Properties in the PWSA that receive a new deep well are moved off the PW Sampling Plan and onto a separate monitoring and reporting program. Eight wells in the PWSA have been replaced with a new deep well and will no longer be part of the monitoring and reporting

covered by PW Sampling Plan. These eight wells (and those wells scheduled to be replaced with a new deep well) are identified in Tables 1 and 2 of the 2023 PW Summary Report. Reporting for the new deep wells occurs under separate cover.

Summary of the 2023 PW Summary Report

Per the approved PW Sampling Plan, JCI/Tyco submits an annual report to summarize the past year's PFAS sampling results for the PWSA. The 2023 PW Summary Report covers the period between April 1, 2022 and March 31, 2023, and is the fourth-annual report received for the PWSA. The 2023 PW Summary Report includes the following:

- Table 1: List of wells currently, or previously, in PW Sampling Plan, total number of samples collected to date and the relative level of PFAS detected in each well, the anticipated sampling frequency and the status of whether a deep well has replaced or is planned to replace the well.
- Table 2: List of wells that have, or previously had, a POET system, the relative level of PFAS detected in each well, the sampling/maintenance frequency for the POET and the status of whether a deep well has replaced or is planned to replace the well.
- Table 3: Summary of the PFAS analyte list and the current Wisconsin Department of Health Services' (DHS) recommendations for each PFAS compound¹.
- Table 4: Summary of the PFAS testing results for each private well and/or POET system in the PWSA that was sampled between April 1, 2022 and March 31, 2023.
- Figures 3, 4 and 5: Figures with wells currently, or previously, in PW Sampling Plan that identify which wells have/had a POET and which wells have been replaced with a new deep well. The figures are separated based on depth; Figure 3 presents shallow wells (< 37 feet), Figure 4 presents the deeper wells (> 37 feet) and Figure 5 presents the are wells where depth is unknown.

The results in the 2023 PW Summary Report were reported to be consistent with previous sampling results.

DNR Review

The DNR reviewed the 2023 PW Summary Report and has two comments – one related to the PWSA boundary and one related to evaluation of the sampling data.

1. *PWSA Boundary*: In Section 2.1, the report suggests that the groundwater impacts from the FTC are contained within the PWSA. The DNR does not agree that the site investigation for the FTC is complete and that the degree and extent of contamination has been defined. It is possible through the site investigation process that additional private wells will be found to be impacted by PFAS from the FTC.
2. *Data Evaluation*: In November 2022, PFAS were detected in the sample collected from the effluent of the POET system on WS-097. This would suggest that a more frequent carbon changeout schedule may

¹ In June 2019, the DHS recommended the Cycle 10 groundwater standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) and in November 2020 the DHS recommended groundwater standards for 16 additional PFAS (Cycle 11). Together these comprise the current DHS Recommendations.

be needed for that POET system while that POET system is in use². Please use the evaluation of the sampling results to update the monitoring and maintenance schedule in the PW Sampling Plan, as needed. The DNR agrees that the other data presented in the 2023 PW Summary Report are generally consistent with the previous results and other modifications to the PW Sampling Plan are not needed.

Apart from these two comments, the DNR finds that the 2023 PW Summary Report provides a clear summary of the data in accordance with the approved PW Sampling Plan and highlights which wells (and POET systems if applicable) have been removed from the program because of a new deep well or other change in condition on the property.

Next Steps:

- Continue to monitor the potable wells and maintain and monitoring the POET systems in accordance with the approved PW Sampling Plan.
- Evaluate the sampling results as they are received and update the monitoring schedule or POET maintenance schedule in the next revision to the PW Sampling Plan, if needed based on those results.
- Document the results for samples collected between April 1, 2023, and March 31, 2024, in the next annual PW Summary Report **due July 31, 2024**.

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 (unless otherwise directed by the DNR) must be accompanied by a 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.

The DNR appreciates your efforts to investigate and remediate this Site. If you have any questions about this letter, please contact me at (608) 622-8606 or Alyssa.Sellwood@wisconsin.gov.

Sincerely,



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

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

² The DNR understands from the information in Table 2 that this well and POET are anticipated to be replaced with a new deep well; however, until that replacement occurs, the POET system should be maintained to prevent PFAS detections in the effluent per the approved PW Sampling Plan.