



February 22, 2021

TYCO FIRE PROTECTION PRODUCTS LP
ATTN JEFFREY DANKO
5757 N GREEN BAY AVENUE
MILWAUKEE WI 53209

Subject: Case Closure under Wis. Admin. Code ch. NR 726 Not Recommended
JCI/Tyco Stanton (VOCs), 1 Stanton Street, City of Marinette, WI
DNR BRRTS Activity # 02-38-559214
FID # 438039470

Dear Mr. Danko:

On October 1, 2020, the Wisconsin Department of Natural Resources (DNR) reviewed the closure request for the case identified above. As you are aware, the DNR reviews environmental remediation cases for compliance with applicable laws, including Wis. Stat. ch. 292 and Wis. Admin. Code chs. NR 700 – 754 and whether any further threat to public health, safety or welfare or the environment exists at the site or facility, per Wis. Admin. Code § NR 726.13 (2) (b). On February 17, 2021, Dave NESTE discussed with you that case closure is not recommended because additional legal requirements must be met. The purpose of this letter is to inform you of the remaining requirements for obtaining closure. We request that within 60 days of this letter, you provide us with the information requested or your written response regarding the necessary work and a schedule for completion of this work.

Additional Requirements Needed for Case Closure Under Wis. Admin. Code ch. NR 726

As noted above, additional work is necessary to meet the requirements for case closure. Additional groundwater monitoring is required to determine contaminant concentrations are stable or decreasing and additional soil sampling is required to confirm that historic fill is present across the entire site.

Need to Define the Degree and Extent of Contamination

Additional soil assessment is needed to define the degree and extent of contamination per Wis. Admin. Code § NR 716.11. Soil samples should be collected on the southern portion of the property to confirm the presence of site-wide historic fill. Soil samples should be analyzed for Polycyclic Aromatic Hydrocarbons (PAHs) and metals. In addition, these samples should be field-screened for Volatile Organic Compounds (VOCs). If field-screening indicates the presence of VOCs, the sample should also be analyzed for VOCs by the laboratory.

Need to Conduct Additional Groundwater Monitoring

Additional groundwater monitoring is needed to establish compliance with the closure criteria of Wis. Admin. Code § NR 726.05 (6). DNR requests, at minimum, one (1) additional round of groundwater monitoring. Additional monitoring should include monitoring wells MW-3, MW-7, and MW-10.

Samples should be analyzed for PAHs. Based on the laboratory results, additional monitoring may be necessary to establish a stable or decreasing contaminant trend in groundwater.

Schedule

Within 60 days of the date of this letter, respond in writing with a schedule of your plans to meet these requirements. Per NR 716.09 (1), please submit a supplemental site investigation workplan that addresses the requirements outlined above. Site investigation activities should begin within 90 days of approval of the workplan (NR 716.11 (2g)), and a supplemental site investigation report submitted to the DNR with 60 day of completion of the work (NR 716.15 (1)).

Until requirements are met, your site will remain “open” and you are required to submit semi-annual progress reports, per Wis. Admin. Code § NR 700.11. You are also responsible for any operation and maintenance activities required under Wis. Admin. Code § NR 724.13. Once the additional work has been completed, documentation should be submitted to the DNR to demonstrate that the applicable requirements have been met, per the timelines above.

Case closure can be reconsidered by the DNR once additional work has been completed and documentation has been received.

Conclusion

If you have any questions regarding the information in this letter or would like to schedule a meeting to discuss this case, please contact the DNR project manager, Dave Neste at (920) 362-2072, or by email at david.neste@wisconsin.gov. For more information on the closure reconsideration process, please see DNR publication, RR-102, “Wis. Admin. Code ch. NR 726 Case Closure Reconsideration Process” by visiting dnr.wi.gov, search: RR-102, for more information.

The DNR appreciates your efforts to restore the environment at this site.

Sincerely,



Roxanne N. Chronert
Team Supervisor, Northeast Region
Remediation & Redevelopment Program
(920) 362-3981
Roxanne.chronert@wisconsin.gov

cc: Mark Walter, Ramboll (via email: mark.walter@ramboll.com)