

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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September 12, 2019

Mr. Scott Wahl
Tyco Fire Products, LP
One Stanton Street
Marinette, WI 54143

Mr. Jeffery Danko
Johnson Controls, Inc.
5757 North Green Bay Avenue
Milwaukee, WI 53209

Subject: Response to Johnson Controls, Inc. and Tyco Fire Products, LP Letter on September 3, 2019
DNR BRRTS Activity #02-38-58-3856

Dear Mr. Wahl and Mr. Danko:

This letter is in response to your September 3, 2019 letter which states that Johnson Controls, Inc. or Tyco Fire Products will not provide a site investigation work plan within 60 days as required by ch. NR 716, Wis. Adm. Code and as outlined in the Department's July 3, 2019 letter.

Your letter contains no substantive reasons for extending the timeline. As we are collectively aware, the citizens in the Marinette and Peshtigo area who live, farm and recreate, and rely on drinking water wells on and near those fields are rightfully concerned over the public health and environmental damage implications from PFAS and expect progress towards completion of an investigation and remediation of the effects of the PFAS discharges.

We expect a work plan to be submitted without further delay to fulfill your legal obligations to investigate the degree and extent of contamination and take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands or waters of this state under the Ch. NR 700 Wis. Adm. Code series and Wis. Stats. ch. 292. The ch. NR 700 rule series is self-implementing and responsible parties (RPs) are required to act regardless of whether the Department has directed an RP to act.

The Department meets with Johnson Controls Inc. and Tyco Fire Products, LP employees weekly to discuss issues in the Marinette and Peshtigo area. The department is also willing to meet with your company to discuss the proposed actions in the work plan after you have submitted it to Project Manager, David NESTE.

Sincerely,

Darsi Foss, Administrator
Environmental Management Division

Cc:

Cheryl Heilman, DNR
William Nelson, DNR
Steve Sisbach, DNR