

From: Moen, Trevor J - DNR
Sent: Wednesday, May 26, 2021 11:37 AM
To: eric.bretl@JCI.com
Cc: Danko, Jeff; Kirk Kapfhammer; wade@endpointcorporation.com; Gerold, Laura A - DNR; Carey, Angela J - DNR
Subject: DNR Plan Approval - Tyco Groundwater Conveyance System
Attachments: DNR Plan Approval_Tyco Groundwater Conveyance System_S-2021-0402.pdf

Follow Up Flag: Follow up
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Hello Mr. Bretl:

The Wisconsin Department of Natural Resources (department) has approved the final plans and specifications for the proposed groundwater conveyance system to serve the Tyco Fire Products LP Facility located at One Stanton Street, Marinette, Wisconsin. Attached is the department plan approval letter for this project. Please read this letter over carefully to become familiar with any conditions.

A hard copy of this approval letter will be mailed soon. In the meantime, this digital copy serves as your plan approval.

Please contact me if you have any questions.

Regards,

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Trevor J. Moen

Wastewater Engineer – Bureau of Water Quality
Wisconsin Department of Natural Resources
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Mobile Phone: (920) 410-5192
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May 26, 2021

Project No. S-2021-0402

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 Wisconsin Department of Natural Resources (hereafter department) is conditionally approving plans and specifications for the Tyco Salt Vault & 8th Street Slip Conveyance System Project to serve Tyco Fire Products LP facility located at One Stanton Street, Marinette, Wisconsin. This determination was based on review of a complete design report and plan and specification submittal under the seal and signature of Wade Wollermann, professional engineer, Endpoint Solutions Corporation, and received from Kirk Kapfhammer, Endpoint Solutions Corporation, on May 13, 2021 and revised on May 26, 2021.

Tyco is proposing to install a new groundwater conveyance system at the Tyco Fire Products One Stanton Street facility. The new groundwater conveyance will be used to convey arsenic-impacted groundwater extracted from the Former Salut Vault & 8th Street Slip area as a part of the Pump Down Program at the site to be treated on-site at the groundwater collection and treatment system. This conveyance system will allow from some of the arsenic-impacted groundwater to be treated on-site and discharged under Tyco's Wisconsin Pollutant Discharge Elimination System (WPDES) Permit No. WI-0001040-08-0 instead of having all the extracted groundwater transported offsite for disposal.

Conditions of Approval

The plans and specifications are hereby approved in accordance with s. 281.41, Wis. Stats., under Project Number S-2021-0402, subject to the following conditions:

1. That the department be notified when construction has commenced and again when the proposed system is placed in operation. Please notify Laura Gerold, Wastewater Engineer, in the DNR Green Bay Service Center at email: Laura.Gerold@Wisconsin.gov.
2. That the conveyance system is operated effectively and efficiently when the system is placed in operation.
3. That erosion control methods be used to prevent siltation to lands and waterways adjoining the construction area.
4. That a resident inspector be provided by the system owner or its consultant during the course of construction.

5. That 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.
6. That 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.
7. That the system be installed in accordance with the plans and specifications and above conditions, or subsequent essential and approved modifications.

This conditional 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 ch. 30, 31, or 281, Wis. Stats. Also, this letter is not to be construed as an approval for activities requiring approval under other Wisconsin administrative codes or statutes or by other federal, state or local agencies.

Additional information regarding the department’s legal authority in this matter and your rights of appeal are shown below. Please contact me by email: Trevor.Moen@Wisconsin.gov if you have any questions regarding this letter.

STATE OF WISCONSIN
 DEPARTMENT OF NATURAL RESOURCES
 FOR THE SECRETARY



Jason Knutson, P.E.
 Wastewater Section Chief
 Bureau of Water Quality

Digitally signed by Emma Lorenzen for Jason Knutson
 Date: 2021.05.26 11:08:03 -05'00'



Trevor Moen
 Wastewater Engineer
 Bureau of Water Quality

EC: Wade Wollermann – Endpoint Solutions Corporation
 Kirk Kapfhammer – Endpoint Solutions Corporation
 Jeff Danko – Johnson Controls, Inc.
 Angie Carey – DNR Central Office Madison
 Laura Gerold – DNR Green Bay Service Center
 Plan Review File

Legal Authority and Appeal Rights

The department has authority to examine and take action to approve, conditionally approve, or reject the final plans and specifications of any reviewable project within 90 days of receipt of complete plans and specifications to the department pursuant to s. 281.41, Wis. Stats. and ch. NR 108, Wis. Adm. Code. The department reserves the right to modify this approval and order changes or additions to the approved plans upon due notice should conditions arise making this necessary.

If you believe you have a right to challenge this decision, the Wisconsin statutes and administrative codes establish time periods which requests to review department decisions must be filed. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the department, to file your petition with the appropriate circuit court and serve the petition on the department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to s. 227.42, Wis. Stats., 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. All requests for contested case hearings must be made in accordance with s. NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with s. NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review. The filing of a request for a contested case hearing is not prerequisite for judicial review.