UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

March 13, 2023

REPLY TO THE ATTENTION OF:
S-6J

Cindy Boyle
Ex. 6 Personal Privacy (PP)

Jeff Lamont
Ex. 6 Personal Privacy (PP)

Dear Ms. Boyle and Mr. Lamont:

The U.S. Environmental Protection Agency completed a Preliminary Assessment (PA) on two properties in Marinette, Wisconsin, in response to your petition dated March 18, 2022, and pursuant to Section 105(d) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq. The two properties are Johnson Controls, Inc. (JCI)/Tyco Stanton Property (also known as Ansul Inc.) located at 1 Stanton Street and the JCI/Tyco Fire Technology Center Property located at 2700 Industrial Parkway South, Marinette, Wisconsin. Historical information and evaluation criteria for both properties are included in the attached PA Report.

EPA evaluated the two properties separately based on documented per- and polyfluoroalkyl substances (PFAS) releases to groundwater and surface water. The PA found both sites scored above 28.5 in EPA's Hazard Ranking System, a numerical screening tool that is utilized for National Priorities List (NPL) eligibility. The JCI/Tyco Stanton Property is currently regulated under a 2009 RCRA 3008(h) Administrative Order on Consent and is not eligible for further evaluation. The Fire Technology Center Property is not currently regulated under any federal environmental program. The EPA Superfund Program will proceed as follows:

- EPA will initiate a Site Inspection (SI) at the JCI/Tyco Fire Technology Center Property as a next step to evaluate the site as a possible NPL candidate.

- EPA Superfund will not continue further investigations or evaluations at JCI/Tyco Stanton Property due to above mentioned order. The RCRA order primarily addresses arsenic contamination, although PFAS has been found in samples at the site. The Wisconsin Department of Natural Resources (WDNR) is using its authority to require JCI/Tyco to investigate for PFAS contamination in groundwater found on- and off-site of the Stanton Street manufacturing facility. The site contacts are Shilpa Patel (patel.shilpa@epa.gov) and Angela Carey (angela.carey@wisconsin.gov).

If you have any questions, please contact my staff: Denise Boone, Site Assessment and Grants Section Supervisor in the Region 5 Superfund & Emergency Management Division, at (312) 886-6217 or Nuria Muñiz, NPL Coordinator, at (312) 886-4439.

Sincerely,

X Douglas Ballotti

Douglas Ballotti, Director
Superfund & Emergency Management Division
Signed by: DOUGLAS BALLOTTI

cc: Judy Fassbender, WDNR

03/18/2022

Douglas Ballotti – Director Superfund & Emergency Management Division
U.S. EPA, Region 5
77 W. Jackson Blvd.
Chicago, IL 60604

Under the authority of CERCLA Section 105 (d), as amended, the petitioners:

Cindy Boyle

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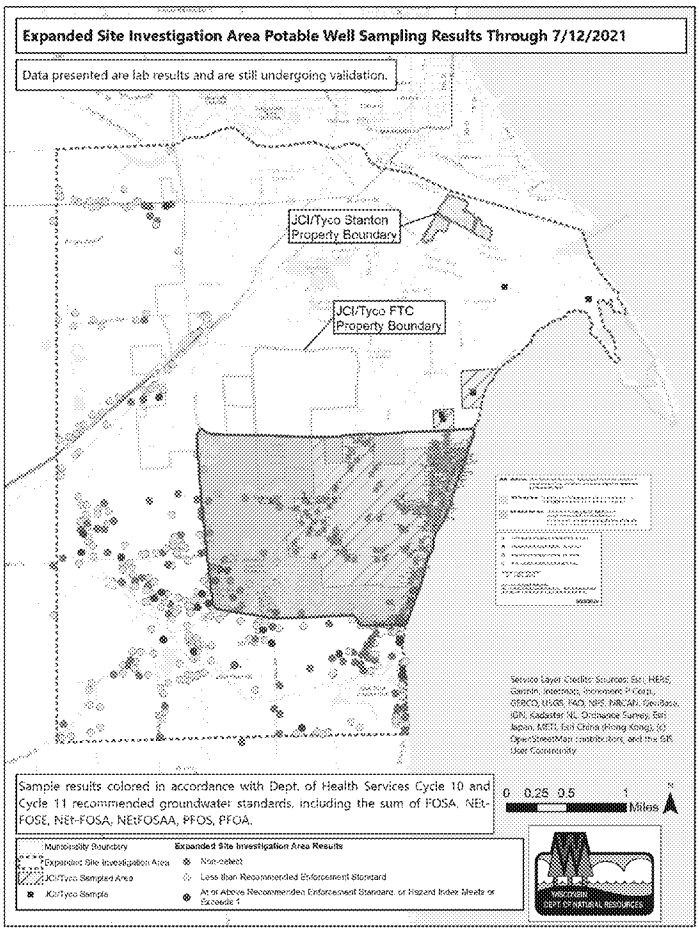
Hereby request that Region 5 of the United States Environmental Protection Agency conduct a preliminary assessment of the suspected release of a hazardous substance(s), pollutant(s), or contaminant(s) at the **following locations**:

JCI/Tyco Fire Training Center Property: 2700 Industrial Pkwy S, Marinette, WI
JCI/Tyco Stanton Property: 1 Stanton St, Marinette, WI 54143



Petitioner is affected by the release because:

Our properties are south east of the release locations and within a PFAS groundwater contamination plume resulting from over five decades of uncontrolled open ground testing with AFFF firefighting foams. Open ground testing of these firefighting foams has directly resulted in ground water, drinking water, surface water and air contamination which at the source is over 400,000 ppt. The groundwater contamination plume continues to migrate toward our homes and Lake Michigan's, Green Bay resulting in contamination of our drinking water wells. JCI/Tyco learned of the ground water and surface water contamination in 2013 and failed to report it to the Wisconsin Department of Natural Resources (WDNR) for over three more years and since that time have failed to fully remediate or provide permanent safe drinking water to the full investigation area. As a consequence to this horrific level of contamination our property values have declined, drastically reducing our financial security and our health has been impacted as a result of drinking from contaminated private drinking wells, inhalation from contaminated air and dermal absorption from decades of swimming in Green Bay. Cindy Boyle Ex. 6 Personal Privacy (PP)

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Type or characteristics of the substances involved:
Cycle 11 PFAS testing has been done on the wells of both petitioners (as well as others) and there are numerous PFAS analytes detected at varying levels. PFOA, PFOS, and GENX PFAS compounds, etc. have all been released due to the extensive testing done by JCI/Tyco over five decades. These PFAS analytes have been studied in an epidemiology study of over 69,000 people (C8 Science Panel Study) and confirmed the following health links: thyroid disease, kidney cancer, testicular cancer, ulcerative colitis and preeclampsia. These PFAS analytes are also bio-accumulators and pervasive and persistent in the environment, commonly referred to as the 'forever chemical'.

Nature and history of any activities that have occurred regarding the release:

JCI/Tyco has been identified as the responsible party for this contamination, information can be found at:

https://dnr.wisconsin.gov/topic/PFAS/Marinette.html
https://dnr.wi.gov/botw/GetActivityDetail.do?siteId=1552500&adn=0238580694
https://dnr.wi.gov/botw/GetActivityDetail.do?adn=0238583856&siteId=32119900&crumb=1&search=b

JCI/Tyco has been deemed noncompliant by the WDNR and have been referred to the Wisconsin Department of Justice for their failure to comply with WDNR required actions such determining the complete Nature and Extent of the contamination as well as providing a long term safe drinking water solution to impacted residents. They are currently installing a ground water extraction system (GETS) downgradient of the source of the contamination which, by

their own admission, should only achieve a 30% efficacy within 50 years. Far too little too late. There are several 'ditches' (waterways) that extend from the contamination source which are shallow in nature and contribute to the ground water and Lake Michigan surface water contamination levels. One drainage way has had PFAS contamination levels recorded at over 2500 ppt and a recent University of Wisconsin Madison study revealed surface water levels in Green Bay near our homes at 177 ppt (the new WI state standard is 7ppt) and sediment concentrations of 295 ppt.

Local Authorities contacted about the release:

The WDNR is fully aware of this extensive contamination crisis as you will see from their BRRTS data (above link) and the Wisconsin Department of Justice was made aware of it and attended a full day public listening session with approximately 700 community members in December of 2019. The Town of Peshtigo Board of Supervisors is also actively working to address this crisis but is in desperate need of EPA support and influence if we are ever to obtain the single most essential solution to health and property value...permanent safe drinking water.