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**RICHELLE
WILSON:** Today on Public Trust.

**KAYLA
FURTON:** There's a corporate playbook that they all know how to go by, but there's not a citizen playbook.

**RICHELLE
WILSON:** We head to the small town of Peshtigo in Northern Wisconsin to learn about how residents there have been engaged in a yearslong David and Goliath battle with a major company that polluted their water supply with PFAS.

**RUTH
KOWALSKI:** What are we doing to this planet? What are we leaving? We have to wake up.

**TRYGVE
RHUDE:** We, here in the United States, wait till we have a problem and then we try to solve it. We're not looking off into the future enough.

**KAYLA
FURTON:** The people can impact change.

**RICHELLE
WILSON:** I'm Richelle Wilson, and this is Public Trust, a podcast from Midwest Environmental Advocates and Wisconsin Sea Grant. In this series, we're visiting Wisconsin communities impacted by PFAS contamination to understand how residents have been affected by PFAS pollution and what state and local officials are doing about it. PFAS are a group of thousands of chemicals nicknamed forever chemicals because they don't break down in the environment.

In the first three episodes of Public Trust, we focused on French Island, a community near La Crosse that's trying to find a path forward after groundwater contamination caused by PFAS. We also took a trip to the Lac Courte Orielle Reservation to learn about PFAS research and tribal communities. Today, we're traveling east to Peshtigo. Peshtigo and its neighboring town, Marinette, lie on Wisconsin's border with the Upper Peninsula of Michigan.

All right, we're pulling up to our first interview in Peshtigo. Are you a hand-shaker?

**TRYGVE
RHUDE:** Yep.

**RICHELLE
WILSON:** Good to meet you.

**TRYGVE
RHUDE:** Hey.

**RICHELLE
WILSON:** How's your day going?

**TRYGVE
RHUDE:** Good. We see a lot of bald Eagles. They fish up and down the bay. And they'll use some of the big old white pines here in the neighborhood for perches and wait for an opportunity to find something to eat.

RICHELLE WILSON: That's Trygve Rhude. He's a born and raised Wisconsinite with Norwegian heritage who loves the outdoors. He says he's not a birder, but he could have fooled me.

TRYGVE RHUDE: Yeah, I definitely see a lot of birds, in particular, shorebirds, ducks, geese, of course, the standard old geese, but sandhill cranes, egrets.

RICHELLE WILSON: I'm hearing a call right now. Is that just a Canada goose?

TRYGVE RHUDE: Yeah. I think I hear a goose in the background. I've got my hearing aids in, and I can just barely hear that song.

RICHELLE WILSON: Trygve grew up in Peshtigo, a small town that sits along the Bay of Green Bay.

TRYGVE RHUDE: I actually grew up about three houses away from the one I'm in. So been here my whole life, 65 years worth.

RICHELLE WILSON: And residents are quick to correct anyone who calls it "the lake."

TRYGVE RHUDE: I'm very fortunate. I live on the Bay of Green Bay, which of course is a little, little snippet of Lake Michigan. And don't ever call this thing out here I'm looking at it here "the lake" because my mother would correct you and say, it's not the lake, it's the bay.

[CHUCKLES]

RICHELLE WILSON: After leaving the Peshtigo - Marinette, area for college, Trygve came back to his hometown and moved into a house just around the corner from where he grew up. He says he loves it here.

TRYGVE RHUDE: Marinette is a pretty blue collar town, lots of manufacturing. Back in the days, it was lumbering mainly. The area is fantastic. There's still things to do, but yet it's very rural in nature. And you can go very short distance and be out in the woods by yourself. Water is huge. It's not just a thing for recreating in, but, of course, safe, clean drinking water. But we've got the Peshtigo River, the Menominee River, the Bay of Green Bay and, of course, all the smaller tributaries to those two rivers.

Some of the best whitewater rafting in the Midwest is on the Peshtigo and the Menominee rivers, just 25, 30 miles upstream from here. So we're very fortunate.

RICHELLE WILSON: But everything changed in late 2017 when he got a letter from Tyco, a major manufacturer of firefighting products. You may recall from our previous episodes that firefighting foam is a major source of PFAS in the environment.

TRYGVE RHUDE: I've been involved in the PFAS issue since the day I got a letter from Tyco saying my groundwater was possibly contaminated in 2017. So I started researching it and then, of course, everybody starts talking about it.

RICHELLE WILSON: And Trygve wasn't the only one. Many residents of Peshtigo received a letter that would change their lives, including retired teacher Ruth Kowalski.

RUTH KOWALSKI: We were notified by a letter. I believe that was November of 2017. My husband read the letter, well, we have to go to this meeting, it concerns our water. And I was like, oh, I don't really want to go. I wasn't interested. And then he's like, no, you really-- our water is contaminated. And then he gave me the letter. And then I started researching it.

RICHELLE WILSON: So how did we get here?

SPEAKER: Firefighting equipment is of no value unless you know how to use it. Here, we teach people how to use it.

RICHELLE WILSON: The fire suppression industry came to Marinette all the way back in 1940. That's when Tyco fire protection products started the ANSUL Fire School.

SPEAKER: In scenic Marinette, Wisconsin, the ANSUL Fire School maintains a large 27 acre facility featuring a variety of industrial props to create realistic fire scenarios and enable true to life hands-on firefighter training.

RICHELLE WILSON: The ANSUL Fire School was created to train firefighters on the latest technology and techniques. In the 1960s, they started training with AFFF firefighting foam, of which PFAS is the active ingredient. For the next five decades, Tyco continued to use AFFF foam outdoors for training, meaning that for all that time, PFAS was leaching into the water supply below Marinette and Peshtigo.

Tyco, now a subsidiary of Johnson Controls, found PFAS contamination on their site in 2013, but they didn't report it to the Department of Natural Resources until 2017. That's when residents of Marinette and Peshtigo were notified about the contamination. When those letters from Tyco arrived in 2017, Peshtigo residents found themselves embroiled in what would become a yearslong battle for clean water. Ruth, a lifelong educator, immediately hit the books to learn more about PFAS.

RUTH KOWALSKI: I live in the plume. So as the crow flies, we are a mile from the testing field. These are notes that I took at the very beginning. This is information they gave us at the first meeting.

RICHELLE WILSON: Who's they?

RUTH KOWALSKI: Tyco was there. They gave us some information to explain polyfluoroalkyl substances or PFAS. It does not biodegrade. It's in the environment for millions of years. It causes testicular, liver, kidney cancers and disease. I have pages of notes. It was like-- I don't know. It's still overwhelming 5 and 1/2 years later, and especially now that I've talked to many of my neighbors that have many of these diseases and then within my own family.

RICHELLE WILSON: It's a lot to take in, especially when you learn that these forever chemicals have leached their way into your water supply, your home.

TRYGVE RHUDE: The initial letter was just kind of a heads up, here's the issue. And of course, I took that very, very personally and very hard because I had fought for 30-plus years on this arsenic contamination against that same company and here they are personally affecting my drinking water and my drinking water that I've been drinking in this neighborhood my entire life, not just a few years, but my entire life. So I was really hurt.

It's kind of a different feeling that I've ever had. You hear people talk about their house being burgled or something to that nature and how they talk about it being so personal. And I think that's kind of the same feeling. It's something that hits you directly and, yeah, makes you think really hard about what's been going on for a lot of years.

RICHELLE WILSON: For Trygve, it was also like a serious case of environmental déjà vu. For 32 years, he had worked to de-list the lower Menominee River as an area of concern in the Great Lakes watershed. Basically, what this requires is a major cleanup of hazardous chemicals, in this case, arsenic salts discharged into the river by none other than Tyco.

TRYGVE RHUDE: We had just recently finished the area of concern and officially delisted the Menominee River as one of the worst contaminated spots on the Great Lakes literally within months of getting this letter in the mail. So again, I'm like, I was looking forward to not being involved in some big issue like this. And here's one that I don't have any choice but to be involved in it because my well is contaminated with the stuff.

RUTH KOWALSKI: We had our first meeting with Tyco, and we were all asking questions. And of course, until I left, they were downplaying it, like it wasn't that bad. It's not that bad. And we're going to do this. We're going to give you bottled water. We're going to test your water. Later, I found out they knew for 3 years that this wasn't our drinking water and never told us. It was immoral and unconscionable. They're young families.

RICHELLE WILSON: After that first meeting hosted by Tyco, Ruth and her neighbors decided to start meeting on their own.

RUTH KOWALSKI: We had a meeting at the Dome Lanes. We came together, all of the neighbors. And from there, we started Citizen Advisory Group. And our main goal was to study and find out as much as we could so we go in with some facts and data. And it wasn't in the paper. People were not understanding it. They weren't interested unless it truly affected them, which I have to say I was guilty of that myself until this dropped in my-- it was like shame on me too for not being more aware of our environment, aware of what these industries are doing.

So yeah, it's made me more vocal. I don't like public speaking because I always cry when it affects me personally. But again, shame on me for not being involved in my local government. So now I really encourage my children and grandchildren that we are just as guilty by not doing anything. So we have to become more aware. And that they should find that thing that really motivates them and find one thing and work at it, whether now mine is water.

[CHUCKLES]

But that we should be active in our government and our community. And then have you been to Kayla's yet?

RICHELLE WILSON: That's our next stop--

RUTH KOWALSKI: OK. When you leave my house, you turn right, and you're going to go down to Raider Road. And you're going to turn left and go all the way to Shore Drive.

RICHELLE WILSON: Just down the road from Ruth is Kayla Furton.

SPEAKER: It's on this side?

RICHELLE WILSON: Tan farmhouse. I think it's on the Lakeside with a wraparound porch.

SPEAKER: You have arrived.

RICHELLE WILSON: Hello. Thanks so much for taking the time.

KAYLA FURTON: You too.

RICHELLE WILSON: Well, I'm Richelle. This is Bonnie.

KAYLA FURTON: Nice to meet you guys.

BONNIE WILLISON: I'm Bonnie.

KAYLA FURTON: You can say hi.

RICHELLE WILSON: Hello.

KAYLA FURTON: Oh, you want to go by the kids? OK, that's fine. That's actually probably why--

[CHUCKLES]

RICHELLE WILSON: Kayla was raised in Peshtigo, moved away, and came back to settle here in 2016 with her family, including three small children. She gave us a tour of the property, which includes waterfront access to the bay.

KAYLA FURTON: So this is where I grew up. It was about 36 years ago, my parents moved me here. And my dad was a soil scientist at the time and looked at the water flow patterns to make sure that the well would be safe. And they tested it annually, but they had no way of knowing that Tyco Johnson Controls was open ground testing against industry suggestion or guidelines and that our water was contaminated then. And then we moved back here in 2016.

Here we are, and we were excited to buy my childhood home and have waterfront for the kids, and there's five acres of woods in the back, but we didn't know that it was completely contaminated with PFAS. This is so much more than a house. My parents have actually offered to buy it back from us multiple times. And they said, if we had any idea of the contaminations, we wouldn't have sold it to you. And our response is we would have wanted to fight for it anyway because this is special. And the other thing is there's so much privilege attached to being able to move, not everyone can.

RICHELLE WILSON: Even before returning to Peshtigo, Kayla was already familiar with the health risks of PFAS and had been trying to limit her family's exposure.

KAYLA FURTON: We had been taking steps to remove specifically PFAS from our lives. I had gotten rid of all of our nonstick cookware. At the time, we avoided bottled water because of other concerns over other chemicals leaching in, and then we're put in this position that our water is not safe for our kids. We have to mitigate exposure now. And that's a really scary feeling, and it's sadly not unique.

RICHELLE WILSON: Kayla's family received their letter from Tyco in 2018, a year after Trygve and Ruth had received theirs.

KAYLA FURTON: It was literally just a letter that got delivered, FedEx overnight, and said, you are now in-- and I think at the time they just called it the plume of PFAS contamination. And it was interesting because prior to that, the edge of their boundary had been about six houses north. My husband and I really felt a lot of fear, and not so much immediate fear of the water because we knew it was a possibility, but kind of a fear of the future of, what does this mean for our kids, what does this mean for our community?

TRYGVE RHUDE: JCI Tyco, their designated area basically ends at street boundaries. So if you're on one side of the street and have contamination, you could be eligible for their POET system, their in-house treatment bottled water. So I have both bottled water and a whole house treatment system. If you live on the other side of that street, your well would not have been tested, and you get nothing. Groundwater moves, it doesn't stay. So the folks on the other side of some of these roads most likely and some do have contamination.

RICHELLE WILSON: Trygve's talking about what's called the potable well study area or Tyco's designated area. It's a small area near the Fire Technology Center where Tyco has taken some responsibility for the PFAS contamination, including providing water solutions to residents living within the narrow boundaries, but this small area doesn't represent the full extent of PFAS contamination in the community. After all, as Tryg said, water doesn't respect legally drawn boundaries and neither does PFAS.

That leaves some residents of Peshtigo living in what's called the further investigation area without any solutions from Tyco. Fortunately, the Wisconsin DNR has stepped in to provide temporary solutions for the people living here. But residents like Kayla say it should be the polluters who are held responsible.

KAYLA FURTON: There's the potable well study area. There's a settlement area. And then there's an even further investigation area, which to me says, divide and conquer. There's a corporate playbook that they all know how to go by, but there's not a citizen playbook.

RICHELLE WILSON: It wasn't long after getting her letter that Kayla began looking for ways to turn her fear into action.

KAYLA FURTON: I called any and every resource I could find as far as how do we advocate, what does this mean, what are our options, and talked to so many people that weekend. I knew Ruth through working in education. And that's how I got connected with the group. They were called the Concerned Friends and Neighbors group at the time, which I just have to smile because it's just-- it's exactly what we still are. But I walked into the meeting, which was at the local 2-year college down the road, and I think I took 10 pages of notes.

So SO H2O, also known as Save Our Water, is the group that was born out of that Concerned Friends and Neighbors group that initially started. It's amazing how we say community voices matter, community action makes a difference, but I've had the distinct privilege to get a front row seat to that and see, yes, people's voices, community action, it matters, and people can impact change on every level. So that has been a big positive in the middle of this literal mess.

RICHELLE WILSON: This grassroots citizens group, SO H2O, first took on the fight for a statewide water quality standard for PFAS in municipal drinking water, and they were instrumental in getting that passed. Now they're playing a major role in the fight for a similar water quality standard for groundwater, which is the drinking water source for people who have private wells.

KAYLA FURTON: So SO H2O, we met with the new Secretary of the DNR, Adam Payne, to directly advocate for ground water standards for PFAS in Wisconsin because there have been drinking water standards passed, and we hear that and we think, oh, the water we drink. Well, that's municipal drinking water systems. Groundwater is what governs wells. And 1/3 of Wisconsinites rely on wells for drinking water and currently have no PFAS standards. And while the EPA is moving forward with their maximum contaminant levels, they have no jurisdiction over groundwater. So that really is the only path.

RICHELLE WILSON: And as if that weren't enough, SO H2O is working to hold Tyco accountable under Wisconsin's spills law.

TONY WILKIN GIBART: The spills law really boils down to the principle that if you make a mess, you are responsible for cleaning it up.

RICHELLE WILSON: Here's Tony Wilkin Gibart, Executive Director of Midwest Environmental Advocates.

TONY WILKIN GIBART: The spills law is a bedrock environmental law that has been on the books since 1978. It generally allows the state to respond when toxic substances are released into the environment. And PFAS is certainly an example of a toxic substance. Wisconsin Manufacturers & Commerce, our state's largest business lobby, is suing the state over the state's use of the spills law to order that sites of PFAS contamination be cleaned up.

WMC contends that the way the state has been using that law to protect Wisconsin communities is illegal and it has been illegal for the 40-plus years that it's been on the books. If they're successful in that lawsuit, it would mean that the Department of Natural Resources can no longer use the spills law to protect communities from any hazardous substance until they go through a complicated, time-consuming, rule-making process that doesn't always end in success, like we talked about with the case of the PFAS groundwater quality standard.

So it would throw the future of the spills law into serious jeopardy. It's not clear that the spills law would ever function again like it has for the last 4-plus decades. That case is currently before the Wisconsin Court of Appeals, which is the appellate court in-between the trial court level and the Wisconsin Supreme Court. It is likely that the Court of Appeals will make a decision on that case in the next several months. And I think it is very likely that the matter will eventually be addressed by Wisconsin Supreme Court, which will ultimately decide the issue.

RICHELLE WILSON: Members of SO H2O spoke at a press conference in 2021. Here's Doug Oitzinger, another member of SO H2O who works with Kayla.

DOUG OITZINGER: Because of the spills law, the DNR has been able to order Tyco Johnson Controls to provide people with bottled water. They've directed an investigation of the contamination to identify how bad the contamination is, how far it's spread, where it's located throughout our communities. Under DNR supervision, Tyco has been preparing a remediation plan. Without the DNR's action on the spills law, we wouldn't know what's going on right now and there'd be no remediation. There'd be no bottled water. We'd still be waiting.

But instead, we have had action, and progress is being made. but this lawsuit threatens to unravel all of that. Corporate polluters are certainly not going to hold themselves accountable, and that's why we need the spills law. If the DNR loses that authority to enforce Tyco's testing and remediation plan, I expect that the PFAS contamination will continue to devastate my community.

RICHELLE WILSON: Kayla has been instrumental to the success of Save Our Water, and she served alongside Doug on the steering committee for years. Then to her surprise, she found herself considering a run for a local government position in Peshtigo.

KAYLA FURTON: I actually, I laugh really hard when-- like if you would have told me that I would be on the town board, like, no, never.

[CHUCKLES]

And I would never would have guessed this. I would say it's hard that usually it's something bad that spurs you to action, but it's interesting when I've thought about this before. Like when I think of my parents, because they were both educators, my mom is actually on the school board now, which she never thought she would run for elected office either, but they have always been very engaged in the community and very engaged in advocating for people.

And I look at that and I'm like, I shouldn't be surprised that I ran for town of Peshtigo because my entire life growing up and my values growing up were instilled in me is you work for the community.

TONY WILKIN GIBART: I've continually been inspired by the folks in Marinette, Peshtigo, who organized themselves and took on and are taking on a large multinational corporation to get accountability for their community, the power and the tenacity that they have shown, keeping in mind their community, the health of their families, but also being the leading edge of our response as a state.

In the face of that crisis, folks rose to the occasion, mobilized and are making a difference far beyond the borders of Marinette and Peshtigo.

RICHELLE WILSON: Almost everyone I've spoken with in Marinette and Peshtigo has talked about the long and difficult nature of dealing with PFAS contamination. And it's no different with this lawsuit. I wondered what motivates them to keep going.

TRYGVE RHUDE: It's an extremely uphill long battle. And this is something I bring up at meeting after meeting after meeting is that, unfortunately, these things take time, again, back to the Menominee River, 32 years to get that delisted as one of the worst contaminated spots on the Great Lakes.

So this stuff doesn't move fast, unfortunately. And I try to remind people often that patience is a real virtue in this case where you want to get the best solution for the most amount of people. And that's going to take time

RUTH KOWALSKI: Tryg was much younger than me and rode the bus with me. So I've known the Rhudes, but then really I've gotten to know him since the Water Committee. So he kept talking about being patient, that it's a long haul, and I didn't want to hear that, and I wanted it all fixed yesterday.

[CHUCKLING]

But 5 and 1/2 years later, I realized this will not be solved probably in my lifetime. And finally, it turned around for me that I realized that this is just going to be a long, arduous process and that I can't let them break me to quit because I think sometimes their methods are to keep putting it off and whatever, that you'll just give up. But this is a beautiful area, and I want our township to continue to grow.

And I'd love to be able to give my grandkids property to build a house, but unless until we have water, I can't really even offer that. I don't want to offer that to them.

RICHELLE WILSON: I was going to ask, what in this journey has given you hope?

RUTH KOWALSKI: It's probably the little things, that I have had neighbors stop me and thank me. I received a card from a neighbor that said something that I didn't realize there were people out there yet that did things without expecting something. It was a very nice card. It's those little things that all of us want to feel appreciated and valued or-- I'm hopeful. Like I said, it probably won't be in my lifetime, but we're going to get there.

RICHELLE WILSON: You're laying the foundation.

RUTH KOWALSKI: Yeah, hope so.

[CHUCKLES]

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RICHELLE WILSON: Public Trust is a podcast for Midwest Environmental Advocates and Wisconsin Sea Grant. This episode was produced by Bonnie Willison and me, Richelle Wilson, script editing by Peg Scheaffer, sound mixing by Bonnie Willison, Music by Josh Wilson, visual design by Ryan Staciewicz. Public Trust is recorded in the studios of WORT FM Madison. You can learn more about PFAS at MidwestAdvocates.org and SeaGrant.Wisc.edu.