R5-18-001-0100-C

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONAL ADMINISTRATOR
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590
SEP 11 2018

The Honorable Gwen Moore
House of Representatives
Washington, D.C. 20515

Dear Congresswoman Moore:

Thank you for your August 15, 2018, letter requesting an update from the U.S. Environmental Protection Agency (EPA) about the progress made by EPA in its investigation into the practices and operations of the three Container Life Cycle Management LLC (CLCM) (d/b/a Mid-America Steel Drum Company, Inc.) facilities in, and around, Milwaukee, Wisconsin.

In recent developments, EPA took soil samples at the tractor trailer storage yard at the St. Francis facility and received the results of that sampling event on July 18, 2018. Based on its initial review of the sampling results, EPA does not believe there is any immediate threat to human health or the environment requiring a federal cleanup response. EPA is working with the Agency for Toxic Substances and Disease Registry and the Wisconsin Department of Natural Resources (WDNR) to further assess the data. The sample results will be posted on EPA's website at https://www.epa.gov/wi/epa-investigating-milwaukee-company-potential-environmental-violations after the review.

EPA also is working with WDNR to determine the appropriateness of air pollution control technology (a regenerative thermal oxidizer) proposed by CLCM for installation at its St. Francis facility.

As your letter notes, the three CLCM facilities in, and around, Milwaukee, Wisconsin, are already the subject of investigations by EPA. EPA strives to advance all law enforcement investigations as quickly as practicable. Untimely disclosures of investigations can harm them. EPA's longstanding policy of not disclosing the status of enforcement matters was memorialized in the March 8, 2006, memorandum titled "Restrictions on Communicating with Outside Parties Regarding Enforcement Actions." A copy of the memorandum is enclosed.

EPA appreciates the keen public interest in this matter and has shared its sampling and other data with interested parties and the public as it becomes available through the website noted above. As to the matters addressed in the notices of violation, EPA will promptly provide any new information that can be disclosed consistent with the 2006 memorandum.

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Denise Fortin, the Region 5 Congressional Liaison, at 312-886-3000.

Sincerely,

James Payne

James Payne
Acting Deputy Regional Administrator

Enclosure