Message

**From**: Chachakis, Dan [chachakis.daniel@epa.gov]
**Sent**: 8/9/2018 9:39:18 PM
**To**: Francis, Walt [francis.walt@epa.gov]; Whitney, Brenda [whitney.brenda@epa.gov]; Kennedy, Brian [kennedy.brian@epa.gov]
**Subject**: FW: EPA silent on its case against chemical barrel plants; Sen. Tammy Baldwin is asking why

Greetings;

FYI: Interesting article.

Dan

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**From:** Arcaute, Francisco
**Sent:** Thursday, August 09, 2018 1:28 PM
**To:** Kelley, Jeff <kelley.jeff@epa.gov>; Singer, Joshua <Singer.Joshua@epa.gov>
**Subject:** EPA silent on its case against chemical barrel plants; Sen. Tammy Baldwin is asking why

https://www.jsonline.com/story/news/investigations/2018/08/09/epa-silent-case-against-chemical-barrel-plants-months-after-violations/923789002/

# EPA silent on its case against chemical barrel plants; Sen. Tammy Baldwin is asking why

John Diedrich, Milwaukee Journal Sentinel Published 7:00 a.m. CT Aug. 9, 2018 | Updated 12:59 p.m. CT Aug. 9, 2018

A new stack is installed Wednesday at Mid-America Steel Drum plant on South Pennsylvania Avenue in St. Francis. The company is installing new equipment, called a regenerative thermal oxidizer, which is intended to remove odor and pollution from the plant's discharge. The plant refurbishes used 55-gallon drums and plastic containers. Federal and state regulators have issued a series of violations against this and other facilities.(Photo: Mike De Sisti, Milwaukee Journal Sentinel)

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Months after issuing violations against a chain of industrial barrel refurbishing plants, the U.S. Environmental Protection Agency has said nothing publicly about the case. U.S. Sen. Tammy Baldwin is asking why.

Citing a Milwaukee Journal Sentinel investigation that documented danger in the plants to workers and residents in surrounding neighborhoods, Baldwin (D-Wis.) sent a letter to the EPA this week calling for action.

"While multiple agencies have found dozens of violations at the site, the EPA has not completed its investigation or provided the public confidence that the illegal practices have ended," Baldwin wrote in a letter Monday to EPA Acting Secretary Andrew Wheeler and Regional Administrator Cathy Stepp.

"I am deeply concerned the EPA has not taken swift, substantial action to protect residents by addressing the company's negligence."

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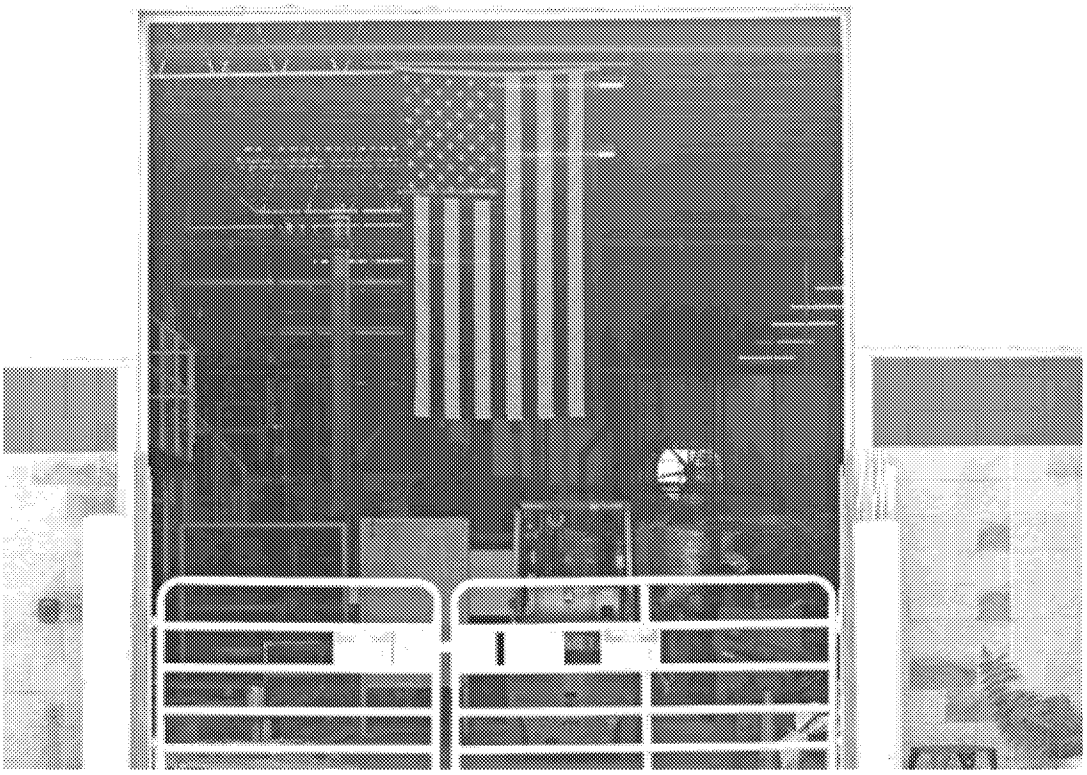

An American flag hangs inside the Mid-America Steel Drum plant on S. Pennsylvania Avenue in St. Francis. The company is installing new pollution-control equipment. (Photo: Mike De Sisti, Milwaukee Journal Sentinel)

U.S. Sen. Tammy Baldwin (D-Wis.) sent a letter to the EPA this week calling for action on industrial barrel plants. (Photo: Journal Sentinel)

In November, the EPA determined the plants in St. Francis, Oak Creek and Milwaukee were breaking the law by transporting, storing and treating hazardous waste without required licenses, among other violations.

EPA inspectors said plant officials initially blocked their entry and when they got in, inspectors suspected operations were being "staged."

EPA investigators who spent time outside the St. Francis plant interviewing residents reported feeling sick themselves, ailments they attributed to discharge from the plant.

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Known locally as Mid-America, the plants are operated by Container Life Cycle Management, a joint venture majority owned by Greif Inc., a $3.3 billion Ohio-based firm. CLCM also operates plants in Arkansas and Tennessee.

In January, EPA officials said the agency was negotiating a settlement with CLCM but added the agency may sue the company to force compliance if negotiations break down.

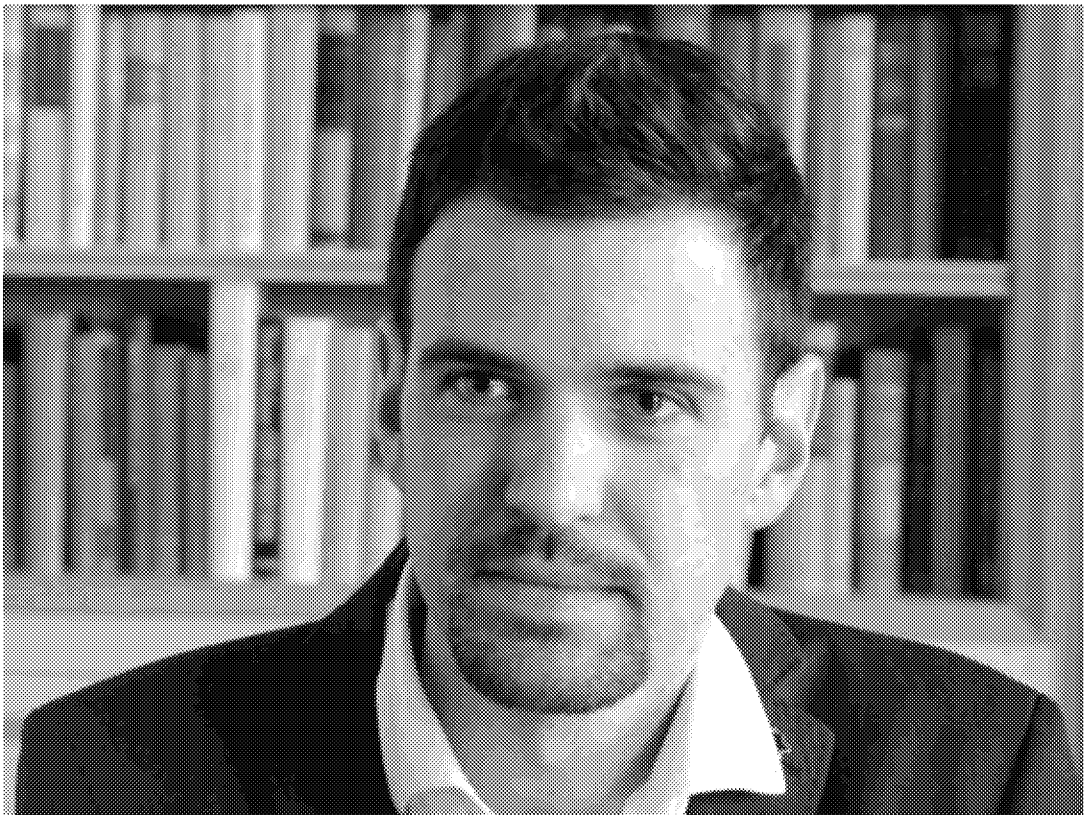
Contacted last week, an EPA spokesman said the agency has no updates on the case.

EPA is one of five agencies to level more than 70 violations of environmental laws against the CLCM plants.

The Wisconsin Department of Natural Resources, which also documented violations at the plants, referred its case to the state Department of Justice for possible prosecution. A DOJ spokeswoman said this week the case remains open.

A Greif spokeswoman wrote in an email, "we continue to work with the regulators on all open matters."

The Journal Sentinel findings were based on 16 hours of audio recordings by a whistle-blower; hundreds of pages of documents, including internal injury reports and safety audits; as well as public records and interviews with workers, regulators and experts.



Will Kramer, a safety consultant with Safety Management Services Company, was the whistleblower against Greif Inc. and the CLCM drum reconditioning plants. While in the plants in 2015 and 2016, Kramer says he witnessed many workplace safety problems and environmental issues. (Photo: Mike De Sisti, Milwaukee Journal Sentinel)

The whistleblower, Will Kramer, said he continues to hear from residents reporting ailments characteristic of toxic exposure and added, "It is past time for regulators to take strong action."

Kramer has launched a GoFundMe site to raise money to pay for residents' ailments that they attribute to the plants' operations. His goal is to raise $80,000, to match the reported amount Container Life Cycle Management has spent on lobbying in Washington, D.C.

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An American flag hangs inside the Mid-America Steel Drum plant on South Pennsylvania Avenue in St. Francis. The company is installing new pollution-control equipment, coming after a Journal Sentinel investigation into problems in plants like these and enforcement action. Mike De Sisti, Milwaukee Journal Sentinel
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Equipment is seen inside the Mid-America Steel Drum plant on South Pennsylvania Avenue in St. Francis. Mike De Sisti, Milwaukee Journal Sentinel
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The exterior of the Mid-America Steel Drum plant on South Pennsylvania Avenue in St. Francis. The company is installing new pollution-control equipment. Mike De Sisti, Milwaukee Journal Sentinel
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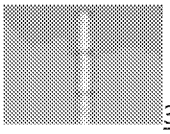
- 
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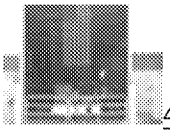
- 
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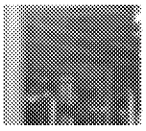
- 
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New equipment is installed at Mid-America Steel Drum plant in St. Francis

## New equipment installed

The company is installing new pollution-control equipment at its St. Francis facility. Officials say will it eliminate odors and will be operational starting next month. The company called it a "multimillion-dollar investment" but did not give a more specific cost.

Announced in January, the regenerative thermal oxidizer, or RTO, uses high temperatures to convert chemicals into water and heat, largely eliminating odors. An environmental consultant said if it is operated properly, the unit could resolve problems with odors in the area.

Several residents living near the plant are dubious. After years of living with putrid odors from the plant, they question if the odor problem will finally be solved.

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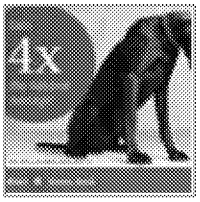


Over the summer, residents continued to report strong odors coming from the plant and feeling sick, posting their comments on Facebook. City public health administrator Kathy Scott smelled strong odors from the plant near her home last week, city administrator Mark Johnsrud said. A Journal Sentinel reporter smelled strong paint and glue odors outside the plant last week as well.

The city of St. Francis has set up a hotline for residents to call and complain. This year, there have been 44 complaints, Johnsrud said.

The city has taken eight air samples following those complaints, sending them to a company testing the air for the EPA. Some of the complaints have come on the same day or could not be verified by city staff. Other times the city has not had air canisters on hand for testing, Johnsrud said.

Johnsrud said he has taken two tours of the plant, both announced, this year and the Fire Department conducted an unannounced inspection following a complaint of foul odors. He said no problems were found in any of the visits.

He said the city has not heard from EPA and the other agencies about the status of the violations and, like Baldwin, officials would like an update.

"We'd all like to know," he said.

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