

U.S. Department of Labor

Occupational Safety and Health Administration
Washington, D.C. 20210



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Reply to the attention of:

APR - 6 2017

The Honorable Tammy Baldwin
United States Senate
633 W. Wisconsin Ave., Suite 1920
Milwaukee, WI 53203

Dear Senator Baldwin:

Thank you for your letter dated February 15, 2017, regarding the report by the Milwaukee Journal Sentinel describing the mishandling of chemicals and hazardous waste by Grief, Inc. / Container Life Cycle Management, LLC dba Mid-America Steel Drum Company, Inc. with sites in Milwaukee, St. Francis, and Oak Creek, Wisconsin.

The Occupational Safety and Health Administration (OSHA), Milwaukee Area Office opened an inspection on October 27, 2016, at the 2300 W. Cornell Street, Milwaukee, WI location. This inspection was opened as a result of a worker complaint that alleged similar hazards to those noted in the Milwaukee Journal Sentinel report. The inspection is currently on-going.

A call was held on March 15, 2017, with members of your staff. During the call, a status of the current inspection was provided along with an explanation of OSHA's procedures and policies on handling any future concerns brought to our attention. OSHA also provided an overview of what OSHA's burden of proof is when issuing citations to an employer.

In addition, the company has started to abate, or has already abated, a number of concerns raised in the initial complaint items. Some of these were confirmed based on site visits and follow-up conversations with the complainant. At this point, OSHA has not received any other complaints from workers at any of the three sites located in the Milwaukee Area Office's jurisdiction.

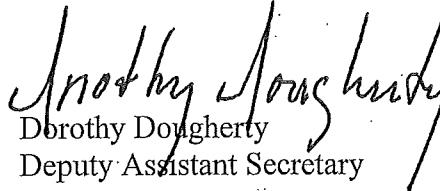
Your letter urges OSHA to engage with workers to ensure they understand their rights under federal law and have access to health information to address questions they may have. During the opening conference with employers, it is standard procedure for the OSHA Compliance Officer to inform the employer of worker rights. When conducting worker interviews, worker rights and responsibilities are also covered with the individuals. Workers were also made aware of their rights through the required OSHA poster, which is posted in both English and Spanish in the lunchroom at the worksite.

Your letter also urges OSHA to review the handling of hazardous waste as there is an impact to public health and it is unfair to companies that work to do the right thing for their workers. The Milwaukee Area Office has been working cooperatively and exchanging information with other

governmental agencies, both at a state and federal level, to share information that could impact public health.

I hope this information is helpful to you. If additional information is needed, please feel free to contact the Office of Congressional and Intergovernmental Affairs, at 202-693-4600.

Sincerely,


Dorothy Dougherty
Deputy Assistant Secretary

cc: The Honorable Gwen Moore
U.S. House of Representatives

Christine Zortman, Area Director
OSHA Milwaukee Area Office