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U.S. Department of Labor

Occupational Safety and Health Administration  
230 South Dearborn Street, Room 3244  
Chicago, Illinois 60604  
(312) 353-2220



AUG 30 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 July 28, 2017, to Dorothy Dougherty, former Deputy Assistant Secretary of Labor for the Occupational Safety and Health Administration (OSHA) concerning the report by the Milwaukee Journal Sentinel describing the handling of chemicals and hazardous waste by Grief, Inc./Container Life Cycle Management, LLC d/b/a Mid-America Steel Drum Company, Inc. with sites in Milwaukee, St. Francis and Oak Creek, Wisconsin.

We have carefully evaluated the information you provided and discussed the current operation of these facilities with representatives from the U.S. Environmental Protection Agency (EPA). Based on information provided to the agency by EPA, we obtained sufficient substantiated information to base an investigation. Consequently, in accordance with OSHA procedures, an OSHA inspection of the St. Francis location was opened on August 3, 2017. Upon the conclusion of that inspection, OSHA has six months from the occurrence of a violation to issue additional citations. Please note that OSHA may only inspect a workplace when it has administrative probable cause to believe a violative condition exists. OSHA will continue to work with our state and federal partners – including the U.S. Department of Transportation (Office of Hazardous Materials Safety), the Wisconsin Department of Natural Resources, and EPA – who have visited all three facilities to determine if there are any on-going or recurring hazardous conditions. If OSHA receives information sufficient to provide probable cause for an inspection of these, or any facilities, it may conduct an inspection pursuant to Section 8(f)(1) of the Occupational Safety and Health Act.

I hope this addresses your concerns regarding this matter. If additional information is needed, please feel free to contact me at (312) 353-2220.

Sincerely,

Ken Nishiyama Atha  
Regional Administrator

cc: Christine Zortman, Area Director

CCU #836600