

United States Senate

WASHINGTON, DC 20510

September 5, 2017

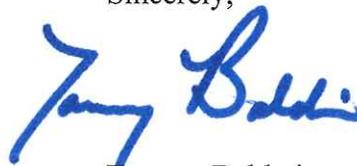
The Honorable Dorothy Dougherty
Deputy Assistant Secretary of Labor
Occupational Safety and Health Administration
200 Constitution Avenue NW
Washington, D.C. 20210

Dear Secretary Dougherty:

I am writing in regards to the investigations at the Oak Creek and St. Francis Greif facilities that the Occupational Safety and Health Administration (OSHA) initiated following my July 28, 2017 request. I would encourage you to take into account the documented history of the company's efforts to defeat regulatory inspections when investigating the company. I would also recommend that you review the Department of Justice (DOJ) and Occupational Safety and Hazardous Administration's memorandum of understanding that provides for enhanced enforcement through charging for other serious offenses that occur in association with Occupational Safety and Health Act violations such as false statements, obstruction of justice, and conspiracy. I have attached the memo to U.S. Attorneys and the memorandum of understanding to this letter.

I believe it is appropriate to explore using these enhanced enforcement tools because a June 30, 2017 Milwaukee Journal Sentinel story reported that Environmental Protection Agency (EPA) investigations of Greif facilities in Wisconsin suggested that workers had been instructed to stage work processes to make it appear as if they were following regulations.¹ In response, EPA secured a search warrant from a federal judge to authorize a surprise inspection.² The enforcement tools made available to you in the memos provided were specifically created to deter and punish workplace safety crimes. In light of this report, I hope that you consider using these tools to their fullest extent, to ensure t workplace safety.

Sincerely,



Tammy Baldwin
United States Senator

¹ <http://www.jsonline.com/story/news/investigations/2017/06/30/epa-investigators-get-sick-barrel-plants/435413001/>

² <https://www.documentcloud.org/documents/3882913-Application-for-EPA-Warrant.html>