

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee WI 53212-3128

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 414-263-8500
FAX 414-263-8606
TTY Access via relay - 711



Notice of Non-Compliance

April 3, 2015

Mr. Mike Higgins
Mid-America Steel Drum Company
9750 South Chicago Road
Oak Creek, WI 53225

SUBJECT: Request for Status Update
Mid-America Steel Drum Company Inc/Kitzinger, 2529 E Norwich Avenue,
St. Francis, WI
WDNR FID #241063570; BRRTS # 02-41-560089
Sent via Certified Mail # 7010 1670 0002 3141 0391

Dear Mr. Higgins:

On December 2, 2012, you were notified by the Wisconsin Department of Natural Resources (WDNR) of your responsibility to investigate and, as needed, clean up contamination located at the above-referenced property. As the responsible party of this property you have certain legal responsibilities to take actions to restore the environment to the extent practicable as outlined in Section 292.11(3), Wisconsin Stats., also known as the hazardous substances spill law.

Our files indicate that the last written correspondence for this case was a "Project Summary" report dated August 15, 2013. The report recommended that the available data be reviewed to determine the next steps for this project. The DNR has received no updates since that time. The WDNR has previously attempted to contact you by mail on February 25, 2014, to request an update regarding the current status of this project and the actions planned to move this site towards closure. To date, no response has been received. The WDNR is now requiring you to take the following actions.

1. Within the next **30 days, May 4**, you must submit written verification (such as a letter from a consultant) that you have hired an environmental consultant and have finalized an agreement to continue the environmental investigation. You or your environmental consultant may arrange to review the Department's case file by contacting David Hanson at (414) 263-8680.
2. Within the next **60 days, June 2**, your consultant must submit documentation summarizing the current status of the project and a work plan outlining the schedule for completing the investigation. The consultant must comply with the requirements in the NR 700 Wis. Adm. Code rule series and should adhere to current Department technical guidance documents.

Failure to respond to this letter may result in the initiation of formal enforcement actions against you.

STAFF
of SOILS

Please forward the requested information and all future correspondence to:

Ms. Victoria Stovall
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
2300 N. Dr. Martin Luther King, Jr. Drive
Milwaukee, WI 53212

If you have any questions regarding this letter, please feel free to contact me at (414) 263-8541 or by email at paul.grittner@wisconsin.gov.

Sincerely,



Paul Grittner
Hydrogeologist
Remediation and Redevelopment Program

cc: SER case file