



February 23, 2017

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

SUBJECT: Compliance Issues at
Mid-America Steel Drum Company Inc/Kitzinger, 2529 E Norwich Avenue,
St. Francis, WI
WDNR FID #241063570; BRRTS # 02-41-560089

Dear Mr. Higgins:

On December 2, 2012, you were notified by the Department of Natural Resources (DNR) of your responsibility to investigate and, as needed, clean up contamination located at the above-referenced property. As the responsible party you have certain legal responsibilities to take action to restore the environment to the extent practicable as outlined in Wis. Stat. § 292.11(3), also known as the hazardous substances spill law. Due to a lapse of activity in addressing the identified contamination, the DNR issued you a 'Notice of Noncompliance' on April 3, 2015. This Notice required you to hire an environmental consultant and provide a schedule for completing the site investigation. In response, the DNR was notified that Key Engineering Group, Ltd. (Key) was hired as your consultant. The DNR received a letter outlining the next steps to complete the investigation on May 18, 2015.

Since receiving this letter, the DNR has received no indication that further investigation or cleanup activities had occurred. The semi-annual updates provided to the DNR regarding this site between August 2015 and January 2017 stated that no additional work has been conducted to investigate or remediate the identified contamination. **This letter reiterates that you are still out of compliance and will remain out of compliance until the following actions are completed within the Wis. Admin. Code § NR 700.11 specified timeframes:**

1. Within the next **14 days, March 10**, you must submit a work plan for completing the investigation. The work plan must comply with the requirements in the Wis. Admin. Code § NR 700 Wis. Adm. Code rule series and should adhere to current DNR technical guidance documents. The work plan must propose a schedule for completing the investigation.
2. You must initiate the site investigation within 90 days of submitting the site investigation work plan. You may proceed with the field investigation upon DNR notification to proceed. If the DNR has not responded within 30 days from submittal of the work plan, you are required to proceed with the field investigation. If a fee for DNR review has been submitted, the field investigation must begin within 60 days after receiving DNR approval.
3. Within 60 days after completion of the field investigation and receipt of the laboratory data, you must submit a Site Investigation Report or a Work Plan for additional investigation.

4. Within 60 days of completing the Site Investigation, you must submit a remedial actions options report (RAOR). The RAOR shall include an evaluation of Green and Sustainable Remediation opportunities as required by Wis. Admin. § NR 722.09 (2m).

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

Please forward the requested information and all future correspondence to the address at the top of this letter. I may be contacted at (608) 266-0941 or by email at paul.grittner@wisconsin.gov if you have any questions regarding any of the requirements outlined within this correspondence.

Sincerely,



Paul Grittner
Contaminated Material Management Specialist
Remediation and Redevelopment Program

cc: SER case file