



Legislation Text

File #: 001164, **Version:** 1

001164 SUBSTITUTE

Substitute resolution relative to approving an administrative order by consent between the City and the Environmental Protection Agency relative to the Marina Cliffs Barrel Dumpsite.

Substitute resolution to approve a settlement with the United States Environmental Protection Agency and the City for costs of environmental liability relative to the Marina Cliffs Barrel Dump Site.

Whereas, The U.S. Environmental Protection Agency ("EPA") has determined that the City, along with a number of other Wisconsin municipalities, was a potentially responsible party ("PRP"), for hazardous materials deposited at an environmental superfund site, the Marina Cliffs Barrel Dump Site in South Milwaukee, Wisconsin ("Site"), during the years 1941 to 1965; and

Whereas, The EPA has proposed an Administrative Order by Consent Pursuant to secs. 106 and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA") referred to herein as the "Settlement Agreement" with these municipal PRP's (attached hereto as Exhibit A); and

Whereas, The Settlement Agreement would categorize the City of Milwaukee as a "de minimus" responsible party in the investigation and clean up of this environmental "superfund" site; and

Whereas, The Settlement Agreement would protect the City from suits or administrative action by EPA for any past activity at the Site; and

Whereas, The Office of City Attorney recommends adoption of this resolution in order to limit any exposure the City may have in this matter; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and hereby are authorized and directed to execute the Administrative Order by Consent Pursuant to secs. 106 and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and/or any other documents required for settlement of this matter or necessary to effect implementation of the Settlement Agreement; and, be it

Further Resolved, That the Comptroller, is authorized and directed to issue a check made payable to the U.S. Environmental Protection Agency in the amount of \$12,375.00 out of the Damages and Claims Fund, 0001-1490-0001-S118-2000-006300, at such time as notified by the City Attorney's Office to issue such check.

City Attorney

HAS:bal
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