

Public Notice on an Application for Participation in Tier I of Green Tier

Pursuant to Section 299.83, Wis. Stats., the Department of Natural Resources (DNR) hereby gives notice that DNR has received an application for participation in Tier I of Green Tier from Frito-Lay, Inc. – Beloit, for their facilities at 2810 Kennedy Drive and 3050 Cranston Road, Beloit, Rock County, WI 53511. Frito-Lay, Inc. – Beloit manufactures various popular snack foods. The facilities have also applied to the U.S. Environmental Protection Agency National Performance Track program and intend to report environmental improvement through both programs. Their goals include waste reduction, increased reuse and recycling of packaging materials, and decreased energy use.

As part of the departments' due diligence in determining eligibility for this candidate under the Green Tier Program it was discovered that civil judgments were assessed for non-compliance with sewer use ordinances under the jurisdiction of the City of Beloit. These civil judgments are not outstanding. The department in consultation with the City of Beloit has determined no substantial harm to public health or the environment nor presented an imminent threat to public health or the environment resulted from the reported activities.

Additional information available

Specific information on this application for participation in Tier I of Green Tier, on Frito-Lay, Inc. - Beloit and on the Green Tier program can be accessed via the Internet at:

<http://dnr.wi.gov/org/caer/cea/environmental/comment/index.htm>

or by contacting:

Kim McCutcheon
Department of Natural Resources
3911 Fish Hatchery Rd.
Fitchburg, WI 53711
kim.mccutcheon@wisconsin.gov
(Phone) 608-275-3207
(Fax) 608-273-5610

Reasonable requests for the information in an alternate format will be provided to qualified individuals with disabilities.

Opportunity for public to comment or request a public meeting

DNR will accept written comments from the public regarding the application through March 16, 2009. Comments may be submitted to Kim McCutcheon (see above).

Also within the 30-day comment period, individuals may request a public informational meeting concerning this application by submitting a written request to the DNR contact. If DNR determines there is significant interest in this application, DNR will hold a public informational meeting.

How DNR will make final decisions

DNR will determine whether the applicant has satisfied all of the eligibility requirements in sec. 299.83(3), Wis. Stats. If all eligibility requirements are met, DNR will approve this

application unless doing so is not in the best interest of the Green Tier program. A decision by DNR to approve or deny an application for Tier I of Green Tier is not subject to review under state laws governing contested case hearings.

For the Secretary:

_____/s/ Mark McDermid
Mark McDermid, Director
Bureau of Cooperative Environmental Assistance

_____/02/09/2009
Date