

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711



May 12, 2014

Michelle Maxson
Fairmont Minerals
N5628 580th St
Menomonie, WI 54751

Subject: Welcome to Green Tier – Tier 1

Dear Michelle:

Congratulations! We are glad to welcome your additional facilities into Tier 1 of Green Tier. You join a group of companies who are not only committed to superior environmental performance but also to superior economic performance.

In recognizing your past accomplishments and future commitments we promise to work towards promoting and recognizing your facilities for taking the lead in environmental protection while assuring economic stability and growth. We are committed to publicizing Fairmont Minerals, FML Sand & Wisconsin Industrial Sand Company as Green Tier participants on the DNR website. Undoubtedly, there will be other opportunities to bring attention to your accomplishments, and we hope to assist you in doing so as a Green Tier partner.

John Stoffel has been assigned as your single point of contact. He can be reached at 715-684-2914 ext 121 or at John.stoffel@wisconsin.gov. Please contact John Stoffel with any questions concerning communications, required approvals, or technical assistance you may need. For your convenience the attached Commitment Outline points out your benefits and important dates that affect your participation.

On behalf of the Wisconsin Department of Natural Resources, I am proud to extend this welcome to you. We are committed to working with you to build a customized relationship under the Green Tier program. I am excited to embark on our new relationship and my staff is ready to assist as your business grows.

Sincerely,

/s/ Cathy Stepp

Cathy Stepp
Secretary

Attachments: Green Tier Commitment Outline
 Green Tier Logo Files and Guidance CD
 Green Tier Annual Report Guidance

UPDATE: The Oakdale facility was sold on September 16, 2014 and is no longer in Green Tier.

Green Tier Commitment Outline for Fairmont Minerals Ltd. – Wisconsin Industrial Sand Company - Menomonie, Maiden Rock, Hager City & FML Sand - Oakdale, Readfield

I. Approval Date – May 12, 2014 (FML Sand) and January 11, 2012 (Wisconsin Industrial Sand Company). This commitment summary replaces the previous summary written on January 11, 2012.

II. Green Tier - Tier 1

- **Deferred Civil Action:** You are entitled to Deferred Civil Enforcement as described in statutes (299.83(6m)(d)). In brief, if you discover a violation of an existing environmental requirement, provide us notice of your discovery and a corrective action plan and documentation of your EMS changes that ensure the violation will not happen again, you are entitled to protection from any civil penalties that the DNR might otherwise impose.
- **Green Tier Logo:** You can use the Green Tier logo on materials related to your facility. The CD provided in your packet provides additional guidelines and information.
- **Single Point of Contact (SPOC):** John Stoffel - WDNR, 715-684-2914 ext. 121, John.stoffel@wisconsin.gov. You should also feel free to call Roberta Walls, 608-785-9272, Roberta.Walls@Wisconsin.gov for any additional information that you might need.
- **Minimum Inspection Frequency:** Because you have implemented an EMS you are entitled to inspections at the lowest frequency permitted by the programs under law. We will work with you to determine how this will work for you.
- **Recognition:** Along with the numbered certificate of recognition, the department will host a participant web page for easy reference. This web page hierarchy will be:
 - Fairmont Minerals Ltd.
 - a. FML Sand LLC
 - 1. Oakdale
 - 2. Readfield
 - b. Wisconsin Industrial Sand Company
 - 1. Menomonie
 - 2. Maiden Rock
 - 3. Hager City

III. Environmental Management Systems (EMS)

- You have demonstrated that your EMS is functionally equivalent thus satisfying initial Green Tier EMS requirements.
- At least one time prior to May 1, 2015 and every year after that, perform an environmental management system audit. Every third year this audit must be done by an outside environmental auditor approved by the Department or certified by RABQSA. Your first external audit should be completed on or before May 12, 2017. For a list of auditors see: <http://dnr.wi.gov/topic/GreenTier/Auditors.html>

IV. Annual Reporting

- **Reporting on Environmental Performance Commitments:** Your first annual report should provide data on your progress toward meeting your environmental performance commitments laid out in your Green Tier application.

- **First Annual Report Due Date** - By mutual agreement we have agreed to May 1, 2015 and annually thereafter. (Please feel free to discuss alternative reporting dates with ~~Gregg~~ Roberta Walls, 608-785-9272, Roberta.Walls@Wisconsin.gov should your needs change.) There will be specific reports for FML Sand LLC and Wisconsin Industrial Sand Company.
- Annually you will need to report progress on the commitments that you have made. You will need to report your progress on the specific commitments and information which will give us context for those commitments. If you have a goal to reduce energy consumption then the context would be total energy consumed. We will work with you to find the context reporting that will work best for you. For more details about annual reports and a metrics reporting spreadsheet see:
<http://dnr.wi.gov/files/PDF/pubs/co/CO521.pdf>
<http://dnr.wi.gov/topic/GreenTier/documents/SustainabilityMetricsSpreadsheet.xlsx>
- Please provide annual Green Tier Reports to both this email address: GreenTier@Wisconsin.gov, Roberta.Walls@wisconsin.gov and to your SPOC, John.stoffel@wisconsin.gov. Electronic submission is preferable.