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Commitment outline

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

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



January 31, 2019

Steven Koshere, Environmental Health and Safety Manager
Lucas-Milhaupt
5656 Pennsylvania Ave.
Cudahy, WI 53110

Subject: Green Tier transition from Tier 2 to Tier 1

Dear Steve,

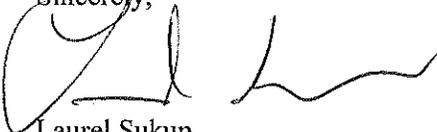
This letter confirms Lucas-Milhaupt, Inc's move from Green Tier's Tier 2 to Tier 1 level. We are supportive of your decision and hope Tier 1 participation will meet your needs. Please keep in mind that if you would like to seek the flexibility opportunities that Tier 2 provides, we would be happy to help you through the process to transition back to Tier 2 at any time. Lucas-Milhaupt has been a long standing, respected participant since September 2007 and we value your participation in the program at any level.

Jerry Demers will continue to be your single point of contact. He can be reached at (414) 263-8594 or at Gerald.Demers@wisconsin.gov. Please continue to contact him with any questions concerning communications, required approvals, or technical assistance you may need. As a backup, you and your staff are also welcome to contact Erika Kluetmeier, project coordinator, at (608) 267-0865 or Erika.Kluetmeier@wisconsin.gov.

For your convenience, the attached Commitment Outline summarizes benefits, commitments and important dates that affect your participation at the Tier 1 level.

On behalf of the Department of Natural Resources, we look forward to continuing to work with Lucas-Milhaupt to help you reach your environmental performance goals. Please let us know if you have any questions about Tier 1 participation in Green Tier.

Sincerely,



Laurel Sukup
Sustainability and Business Support Section Chief

Cc: Erika Kluetmeier, project coordinator
Gerald Demers, SPOC
File

Attachment: Green Tier Commitment Outline

Green Tier Commitment Outline for Lucas-Milhaupt, Inc. – Cudahy, WI

Approval Date – January 31, 2019

Commitment Outline Updated: 02/20/2020

The updates since participation started are:

- Initial Tier 2 participation began on September 28, 2007
- Updated general content, format and links

I. Environmental Management Systems (EMS) & Audit Requirements

Your EMS must either be ISO-certified, or you must demonstrate that it is functionally equivalent. For information on how to demonstrate the functional equivalency of your EMS, please see: <https://dnr.wi.gov/files/PDF/pubs/co/C0503.pdf>

You have supplied us with a copy of your ISO 14001 certification, satisfying initial Green Tier EMS requirements.

To maintain good standing with Green Tier EMS requirements:

- A. On or before, **March 1, 2020** and every year after that, you must perform an environmental management system audit. The department recommends that your first audit be completed by a DNR-approved outside environmental auditor.
- B. On or before, **March 1, 2022** and every third year, this audit **must** be completed by a DNR-approved outside EMS auditor. The list of approved auditors can be found at: <https://dnr.wi.gov/topic/GreenTier/Auditors.html>

II. Provide an Annual Report

- A. **Annual Report Due Date** - We have mutually agreed that the deadline for your Green Tier annual report is **February 1, 2019** and annually thereafter. (Please feel free to discuss alternative reporting dates with your Project Coordinator should your needs change.)
- B. **Reporting on Environmental Performance Commitments:** Your first report should follow the annual report instructions provided below and should provide data on your progress toward meeting your environmental performance commitments laid out in your Green Tier application or your previous year's Green Tier annual report..
- C. **Annually**, you will need to report progress on the commitments that you have made. For more details about annual reports and metrics, see the annual report instructions provided on the website; <https://dnr.wi.gov/topic/GreenTier/ReportInstructions.html>
- D. Please provide annual Green Tier Reports to both of these email addresses: GreenTier@Wisconsin.gov and to your Single Point of Contact, Gerald.Demers@wisconsin.gov.

III. Work toward Superior Environmental Performance

Implement environmental improvements that aim to achieve Superior Environmental Performance as defined in Green Tier law. This means environmental performance that

results in measurable or discernible improvement in the quality of the air, water, land, or natural resources, or in the protection of the environment, beyond that which is achieved under environmental requirements. More information on Superior Environmental Performance can be found here:

<https://dnr.wi.gov/topic/GreenTier/SuperiorEnvironmentalPerformance.html>

IV. Green Tier - Tier 1 – DNR Commitments

- A. **Single Point of Contact (SPOC):** Your single point of contact or SPOC is your liaison to the department, answering your questions or making connections within DNR or with other experts. Your SPOC is: Gerald Demers - DNR, Phone 414-263-8594, Gerald.Demers@wisconsin.gov
- B. **Green Tier Logo:** Green Tier participants may use the Green Tier logo on stationery, promotional and educational materials related to your facility. Logo files as well as the Green Tier Style Guide with additional guidelines and information are available online at: <https://wi-dnr.widencollective.com/portals/nkc57xuv/GreenTierBranding>. Your Project Coordinator can provide you with the current access code.
- C. **Recognition:** Along with the certificate of recognition, the department will host a [participant web page](#) for easy reference. Participants should provide information and pictures on their environmental efforts to populate the webpage. We will also promote your successes throughout your tenure in Green Tier using a variety of DNR communication channels.
- D. **Project Coordinators:** You should also feel free to contact your Project Coordinator for Green Tier specific information. Project Coordinators provide support to SPOCs and participants providing reminders on Green Tier requirement dates and by promoting a participant's successes. Your project coordinator is: *currently vacant, please contact your SPOC.*
- E. **Minimum Inspection Frequency:** Because you have implemented an EMS, you are entitled to inspections at the lowest frequency permitted by the programs under law. The department will work with you to determine how this will work for you.
- F. **Deferred Civil Action:** You are entitled to Deferred Civil Enforcement as described in statutes (299.83(6m)(d)). If you discover a violation of an existing environmental requirement, you are entitled to protection from any civil penalties that the department might otherwise impose if you:
 - 1. Notify the department
 - 2. Provide a corrective action plan and documentation of your Environmental Management System (EMS) adjustments that ensure the violation will not happen again, and
 - 3. Correct the violations within 90 days