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## Green Tier Commitment Outline for Roundy's Distribution Facility

Approval Date – December 22, 2006

Commitment Outline Updated: (02/07/2020)

The updates since participation started are:

- Updated SPOC information
- Updated general content, format and links
- Updated Project Coordinator Information
- Updated Annual Report Date
- EMS established

### 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 agreed to implement your EMS on or before **December 22, 2007**. Within 30 days please email your EMS implementation date to: [GreenTier@Wisconsin.gov](mailto:GreenTier@Wisconsin.gov), your Project Coordinator, and your Single Point of Contact (SPOC).

To maintain good standing with Green Tier EMS requirements:

- A. On or before, **December 22, 2007** and every year after that, perform an environmental management system audit. The department recommends that your first audit 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>
- B. On or before, **December 22, 2009** and every third year, this audit **must** be completed by a DNR-approved outside EMS auditor.

### II. Provide an Annual Report

- A. **Annual Report Due Date** - We have mutually agreed that the deadline for your Green Tier annual report is **March 15**. (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: [GreenTier@Wisconsin.gov](mailto:GreenTier@Wisconsin.gov) and your Single Point of Contact.

### 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: Kristina Betzold, Phone 414-507-4946, [Kristina.Betzold@wisconsin.gov](mailto:Kristina.Betzold@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: Weston Wegener, Phone: 608-264-9753, Cell: 608-284-0908, [Weston.Wegener@Wisconsin.gov](mailto:Weston.Wegener@Wisconsin.gov).
- E. **Minimum Inspection Frequency:** When 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



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary

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Box 7921  
Madison, Wisconsin 53707-7921  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY Access via relay - 711

December 22, 2006

Mike Schmitt  
Roundy's Supermarkets, Inc  
PO Box 473  
Milwaukee, WI 53201

Subject: Green Tier Acceptance Letter for Tier 1

Dear Mr. Schmitt:

Thank you for completing an application for a Tier 1 agreement. The Department of Natural Resources (DNR) is pleased to approve your application and accept you into the Green Tier program. This letter of acceptance covers the Roundy's Supermarkets Inc. Oconomowoc Distribution Center, Oconomowoc, Wisconsin. This letter of acceptance is authorized by The Environmental Results Program Act, § 299.83, Wis. Stats., created by 2003 Wisconsin Act 276 (effective on May 1, 2004), which is commonly called the "Green Tier Law."

This letter recognizes that Roundy's has already satisfied one of its Green Tier commitments by voluntarily retrofitting more than one quarter of its Class 8 truck fleet with diesel oxidation catalysts (DOC). 32 Fleetguard DOCs were installed as direct replacements to the existing exhaust system on its 2001-2004 model year tractors. The DOCs are designed to reduce the emissions of certain air pollutants contained in diesel exhaust. As you will recall, this commitment was identified in your Indirect Source permit issued on May 18, 2004. Roundy's participation in the Green Tier program reflects your continuing commitment to superior environmental performance and continuous improvement. If future circumstances necessitate stepping back from this commitment, please notify us.

In addition to the DOC upgrade mentioned above, you have also agreed to the following examples of superior environmental performance:

- a) Continue to implement energy use minimization ideas, including occupancy sensors, daylighting, and use of high efficiency replacement bulbs and ballasts.
- b) Minimize waste cardboard and packaging waste from the distribution facility
- c) Evaluate whether certain technological and operational equipment, processes, and/or devices present an actual benefit to reducing mobile emissions and improved fuel economy. The scope of this evaluation will be developed and implemented on an ongoing basis with Mike Friedlander. Roundy's will commit to sharing this information with the DNR in a mutually agreed format.
- d) Educate stakeholders about the benefits of daylighting and green design

With this letter, you are encouraged to use the Green Tier Program logo on written materials that are related to your facilities. Attached to this Acceptance Letter is a unique certificate that recognizes you for participating in the Green Tier Program. The DNR will work with you to

annually celebrate your participation in the Green Tier program through a joint press release to local newspapers and will maintain your company's name on a list of participants that is available on the DNR's website.

As a participant in the Green Tier program, you are entitled to Deferred Civil Enforcement, as described in §299.83(6m)(d). In brief this means that if you discover either a non-conformance in your EMS, or you discover a violation with an existing environmental requirement, and if you provide us notice of your discovery along with a corrective action plan that conforms to the requirements in the statute, and if you successfully and timely implement the corrective action plan, we will not seek to impose penalties on Roundy's for the non-conformance or violation. You are reminded that nothing in this acceptance letter replaces any obligation that you have to report on, and correct, any violations of law or regulation.

If you choose not to certify your EMS under ISO 14000, please document that your EMS is functionally equivalent to an ISO 14000 EMS by following the guidance attached. As you know, Roundy's needs to have in place within one year of this letter an EMS that either is demonstrated to be functionally equivalent to an ISO 14001 EMS, or is certified to ISO 14001. As a reminder, you also need to have audited your EMS by the end of the first year of this agreement.

You are also asked to update the DNR annually, beginning in March, 2008, on your consultation with interested persons in the area. You are also asked to update the DNR annually on your progress in meeting your objectives and targets and implementing your EMS. Both of these requirements can be incorporated into your annual report to the DNR on your environmental performance accomplishments, and any EMS non-conformances or violations. Please also provide the DNR with documentation of your management review of your environmental management system at that time.

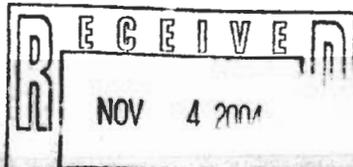
We would encourage you, as part of your annual report, to prepare an executive summary of your accomplishments over the last year that can be placed on the DNR's web site, and which could also be posted on Roundy's web site.

As a reminder, by the third year of your participation in the Green Tier program you must have your EMS audited by an outside environmental auditor. The results of this audit should also be reported to the DNR.

Finally, if you have any questions about your interaction as a Tier 1 participant with the DNR, Mike Friedlander has been assigned as your single point of contact. Please coordinate with Mike on an annual meeting that will be used to brief the DNR on your environmental performance, and the progress made on the objectives and targets. This meeting may also be used to gather input on the objectives and targets to be set for the coming year.

Your acceptance into the Green Tier Program is good for 5 years, and your status as a Green Tier company can be extended as we mutually agree. You may withdraw from the program at any time by notifying us of your decision to withdraw. We may also withdraw you from the program if we believe that it is in the best interests of the Green Tier program to end the relationship that is created with this letter.





Notice: Collection of this information is authorized under s. 299.83 Wis. Stats. Participation in Green Tier and completion of this form are voluntary. Personal information collected on this form, including such data as your name, address, phone number, etc., will be used in the implementation of Green Tier and will be made broadly available under the Green Tier program. Information will also be made accessible to requesters under Wisconsin's Public Records Law (ss. 19.32 - 19.39, Wis. Stats.). Applications must be considered complete by the Department of Natural Resources in order to be processed. For application instructions, see "Green Tier Application Instructions," publication number CO-501.

This application is a:  Tier 1 Participation Request  Tier 2 Participation Request

**I. Applicant Information** (add additional forms for each entity that is part of the applicant group)

Person or Entity Name <b>Roundy's Inc.</b>		Title	
Street Address <b>875 E. Wisconsin Avenue</b>		City <b>Milwaukee</b>	State <b>WI</b>
		ZIP Code <b>53202</b>	
Telephone Number <b>(414) 231-5000</b>	Fax Number	E-Mail Address	

**II. Facility Information** (add additional forms for each facility or activity that is to be included in Green Tier)

Facility Name <b>Roundy's Warehouse</b>		County <b>Waukesha</b>	
Street Address <b>Pabst Farms</b>		City <b>Oconomowoc</b>	State <b>WI</b>
		ZIP Code <b>53066</b>	
Mailing Address <b>875 E. Wisconsin Avenue</b>		City <b>Milwaukee</b>	State <b>WI</b>
		ZIP Code <b>53202</b>	

Please identify all Facility Identification numbers (FID #) that apply to the covered facility or activity

**III. Scope of Green Tier Participation**

Materials in support of this section should be labeled Attachment 1.

Please describe the discrete activities to be covered in the program, if the application is not for whole-facility participation in Green Tier.

**IV. Enforcement Record**

Materials in support of this section should be labeled Attachment 2. Eligibility requirements are established in s. 299.83 (3) and (5), Wis. Stats.

Has the applicant, managing operators of the applicant or any person with 25% or more ownership interest in the applicant:

- |                          |                                     |   |
|--------------------------|-------------------------------------|---|
| Yes                      | No                                  |   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | a. Had a judgment of conviction entered against them for a criminal violation of an environmental regulation involving a covered facility or activity?<br>If yes, please provide the date(s) of conviction and the nature of the violation(s).<br><b>Applicants convicted of a criminal violation within 60 months before the date of application for Tier 1 and 120 months for Tier 2 that resulted in substantial harm to public health or the environment or that presented an imminent threat to public health or the environment are ineligible for the program.</b> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | b. Had a civil judgment entered against them for a violation of an environmental regulation involving a covered facility or activity?<br>If yes, please provide the date(s) of the judgment and the nature of the violation(s).<br><b>Applicants with a civil judgment entered against them within 36 months before the date of application for Tier 1 and 60 months for Tier 2 that resulted in substantial harm to public health or the environment are ineligible for the program, unless the applicant requests a waiver of enforcement record requirements.</b>      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | c. Been referred to the Department of Justice for enforcement of an environmental regulation involving a covered facility or activity?<br>If yes, please provide the date(s) of referral and the nature of the violation(s).<br><b>Applicants referred to the Department of Justice within 24 months before the date of application for Tier 1 and Tier 2 are ineligible for the program, unless the applicant requests a waiver of enforcement record requirements.</b>  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | d. Been issued an environmental citation by the Department of Natural Resources involving a covered facility or activity?<br>If yes, please provide the date(s) of the citation and the nature of the violation(s).<br><b>Applicants issued an environmental citation within 24 months before the date of application for Tier 1 and Tier 2 are ineligible for the program, unless the applicant requests a waiver of enforcement record requirements.</b>  |

Are you requesting a waiver from enforcement record requirements?

- |                          |                                     |
|--------------------------|-------------------------------------|
| Yes                      | No                                  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- If yes, please attach a justification. Waivers may be granted in exceptional circumstances.

**V. Environmental Performance**

Please provide information on the following Tier 1 or Tier 2 activities. **Materials in support of this section should be labeled Attachment 3.** For definitions of environmental performance and superior environmental performance, refer to Application Instructions.

**Tier 1**

- Baseline environmental performance report that addresses each covered facility or activity to be included in Green Tier. Within this report establish a baseline date against which future progress may be measured.
- Current environmental performance (measured against the baseline).
- Future plans for enhancing the environment.

**Tier 2**

- Describe the applicants' record of superior environmental performance and the measures that it proposes to take to maintain and improve its superior environmental performance.

**VI. Environmental Management System (EMS)**

**Materials in support of this section should be labeled Attachment 4.**

Yes No

- a. Do you have an EMS certified to the International Organization for Standardization standard 14001?
- b. Do you have an EMS that is functionally equivalent as determined by the Department of Natural Resources?

If no to both questions, please proceed to next section if you are applying for Tier 1. Tier 2 applicants must have implemented an EMS to be eligible for the program.

If yes to either a. or b., please attach a copy of the following to this application:

- Third Party Certification
- Environmental Policy Statement
- Scope Statement
- Documented Objectives and Targets for the Facility or Activity

**VII. Tier 1 Applicant Statement of Commitments**

I commit to:

- a. implement, within one year of the date of this application, an EMS that is third party certified to the International Organization for Standardization or is functionally equivalent as determined by the Department of Natural Resources for each covered facility or activity under Green Tier.
- b. conduct annual EMS audits, with every 3rd audit performed by an outside environmental auditor approved by the Department of Natural Resources.
- c. submit to the Department of Natural Resources an annual report on the EMS audit that is in compliance with s.299.83 (6m) (a) and progress towards meeting objectives related to improved environmental performance for aspects regulated under chs. 29 to 31, 160, and 280 to 299, unregulated environmental aspects, or voluntary actions to restore, enhance, or preserve natural resources.

I commit to the above statements and certify that all information provided is true and correct under penalty of law.

Signature of Applicant

*Michael G. Schmidt* Group Vice President

Date Signed

11-05-04

**VIII. Tier 2 Applicant Statement of Commitments**

I commit to:

- a. conduct annual EMS audits performed by an outside environmental auditor approved by the Department of Natural Resources.
- b. conduct or have another person conduct an annual audit of compliance with environmental requirements that are applicable to the covered facilities and activities eligible under the program.
- c. submit to the Department of Natural Resources an annual report on the EMS audit and the environmental requirements compliance audit and reporting the results in compliance with 299.83 (6m) a. Wis. Stats.

I commit to the above statements and certify that all information provided is true and correct under penalty of law.

Signature of Applicant

Date Signed

**IX. For Department Use Only**

Date Received	Initials of Reviewer	Status	Date Returned to Applicant for Additional Information	Date Denied	Date Approved

**ROUNDY'S SUPERMARKETS, INC.**

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PO Box 473  
Milwaukee, WI 53201

414-231-5000

March 3, 2006

Mr. Tom Eggert  
Senior Lecturer, Ethics, Sustainability and Systems  
Wisconsin Department of Natural Resources  
101 South Webster  
Madison, Wisconsin 53707

RE: Draft Superior Environmental Performance Objectives for Roundy's Corporation Oconomowoc Distribution Center.

Dear Mr. Eggert:

On behalf of Roundy's Corporation (Roundy's), I am pleased to present the last piece to our application for a Tier 1 Green Tier applicant. This letter provides information on our intent to achieve Superior Environmental Performance under the Wisconsin Green Tier Act.

We understand that the 12-month clock to fully implement the environmental management system (EMS) officially starts with your acceptance of this letter. This letter provides the information necessary to consider our application complete. To this end, Roundy's Corporation will work against a start date of March 6, 2006 with completion of the EMS system including completion of one-full round of internal audits on or before March 6, 2007.

**Current Environmental Performance Improvement Accomplishments**

During construction of the Oconomowoc Distribution Center, Roundy's agreed to install catalytic oxidizers on each of the Roundy's fleet vehicles. All of this was accomplished in accordance with our Indirect Air Source Construction Permit. What you may not know is that other initiatives occurred to protect the environment and reduce energy usage at the facility. Each of these initiatives is described below:

Installation of lighting timers throughout the Oconomowoc Distribution Center. Appropriate light is provided when needed. When an office or portion of the warehouse is not occupied, no lighting is needed or supplied.

Design for the environment considerations including the use of daylight to reduce the demand for lighting along the west side of the building.

Protection of water quality from use of sand only on all parking lots and drives during winter ice conditions. The use of road salt is prohibited at the Oconomowoc Distribution Center.

Design and construction of redundant secondary containment at the fuel storage and distribution center. This additional containment provides assurance beyond the federal requirements for secondary containment at petroleum storage locations.



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Milwaukee, WI 53201

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Green thinking through the installation of an attractive landscape including berms, trees, and grasses that provide habitat for wildlife and further screen the facility.

Recycling of cardboard, plastics, and pallets. Where implemented, conformance to this policy was observed to be high.

**Looking Forward; Superior Environmental Performance Objectives**

As part of our commitments to Green Tier, Roundy's will implement a formal environmental management system. As part of our commitment Roundy's will expand upon existing initiatives and may identify new programs to further our progress in achieving Superior Environmental Performance. This may include programs and activities associated with air quality, waste reduction, and/or water quality improvements.

On behalf of Roundy's, we all look forward to implementing our EMS and participating as a Green Tier applicant. Thank you for the opportunity to provide this information to you. Please contact me if you have any questions or need further information. We look forward to pursuing completion of this very important program.

Sincerely,

ROUNDY'S SUPERMARKETS, INC.



Michael Schmitt  
Group Vice President

MS/skh

3-3-06EggertLtr

