

Table of Contents

Commitment outline

Acceptance letter

Application

Attachment 2

Green Tier Commitment Outline for Veolia ES Technical Solutions – Menomonee Falls, WI

Approval Date – July 15, 2008

Commitment Outline Updated: 02/20/2020

The updates since participation started are:

- Change of project coordinator
- Change of SPOC
- 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 agreed to implement your EMS on or before **July 15, 2009**. Within 30 days please email your EMS implementation date to: GreenTier@Wisconsin.gov and your Project Coordinator.

To maintain good standing with Green Tier EMS requirements:

- A. On or before, **July 15, 2009** 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.
- B. On or before, **July 15, 2011** 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 **March 31, 2009** 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, Randall.Malek@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: Randy Malek - DNR, Phone 262-521-5012, Randall.Malek@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:** 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
 - 3. Correct the violations within 90 days



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

July 15, 2008

Tom Daly
Veolia ES Technical Solutions
W124 N9451 Boundary Road
Menomonee Falls, WI 53051

Subject: Green Tier Acceptance Letter for Tier 1

Dear Mr. Daly:

Congratulations! The Wisconsin Department of Natural Resources (DNR) is pleased to approve your application and accept you into Green Tier. This letter of acceptance covers Veolia ES Technical Solutions, L.L.C. facility in Menomonee Falls, WI (identified in your application). 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 Veolia has demonstrated superior environmental performance; implementing numerous internal recycling programs wherever possible. Veolia has acted aggressively on several fronts to minimize the volume and toxicity of the waste it generates as well as that which it receives. These reductions have been accomplished in part through the preparation of waste lab-packs (formerly sent off site for incineration) for fuel blending, and the treatment of on-site wastewater through a pre-treatment system. Moreover, Veolia is dedicated to reusing materials such as metal and plastic drum containers whenever possible before pursuing recycling options. These practices satisfy the standards of the Green Tier program for superior environmental performance.

In addition to continuing the specific efforts described above, you have also agreed to implement the following measures toward superior environmental performance.

- Continued pursuit of beneficial reuse and recycling options for you customers' waste
- Fuel consumption reduction in corporate vehicles
- Reduction in energy usage at facility
- Continued review of operations to identify other areas in which waste generation may be minimized
- Increased volume of plastic and metal containers that are recycled
- Implementation of an EMS consistent with ISO 14001

With this letter, you are encouraged to use the Green Tier logo on written materials that are related to your facility. 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.

If you choose not to certify your EMS under ISO 14001, please document that your EMS is functionally equivalent to an ISO 14001 EMS by following the guidance attached. As you know, Veolia ES 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 will need to have audited your EMS by the end of the first year of this agreement.

Once your EMS is in place, 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 Veolia ES 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 violation of law or regulation.

You are asked to update the DNR annually, beginning in March, 2008, on your progress in meeting your objectives and targets and implementing your EMS. You are also asked to update the DNR annually on your consultation with interested persons in the area. 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 Veolia ES'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.

We also ask that you use the attached list of indicators to gather information on the overall success of the Green Tier program. The information that you gather on these broad indicators is designed to supplement any measures that you gather to demonstrate the effectiveness of your EMS.

Finally, if you have any questions about your interaction as a Tier 1 participant with the DNR, Dolores Hayden has been assigned as your single point of contact. Please coordinate with Dolores 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 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.

We want to welcome you as a Tier 1 company and encourage you to work toward Tier II status in the future.

Sincerely,

/u!Matthew J. Frank

Matthew J. Frank, Secretary
Wisconsin Department of Natural Resources

Attachment: Tier 1 Application
 Environmental Results Program Logo Guidance
 Functional Equivalency Guidance (attached)
 Generic Suite of Green Tier Indicators (attached)



Green Tier Application

Form 4800-022 (Rev. 3/06)
Page 1 of 2

Notice: Collection of this information is authorized under s. 299.83 Wis. Stat. 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.). If you need to request confidential treatment of any information in order to protect a trade secret, please contact a DNR representative *prior* to submitting this form. Applications must be considered complete by the DNR in order to be processed. For complete application instructions, see "Green Tier Application Instructions," publication number CO-501.

This application is for... (check one): Tier 1 Tier 2 (attach Letter of Intent to this form)

I. Applicant Information

Contact Name	Title		
Tom Daly	EHS & T Mgr		
Street Address	City	State	ZIP Code
W124 N9451 Boundary Road	Menomonee Falls	WI	53051-0000
Telephone Number	Fax Number	E-mail Address	
(262) 255-6655	00255-7990	tom.daly@veoliaes.com	

II. Facility Information

Facility Name	County		
Veolia ES Technical Solutions, L.L.C.	Waukesha		
Street Address	City	State	ZIP Code
W124 N9451 Boundary Road	Menomonee Falls	WI	53051-0000
Mailing Address	City	State	ZIP Code
W124 N9451 Boundary Road	Menomonee Falls	WI	53051-0000

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

III. Scope of Green Tier Participation (check one)

- This application covers all activities at the facility listed in Section II.
- This application covers all activities at more than one facility. For each facility to be covered under this application provide the information from Section II on a separate page labeled **Attachment 1**.
- This application **does not** cover all activities at every covered facility. Please describe the exact scope of activities and facilities to be covered in the program on a separate page labeled **Attachment 1**.

IV. Environmental Performance

Please provide the following information on a separate page labeled **Attachment 2**. Refer to the *Application Instructions* for definitions of environmental performance and superior environmental performance.

Tier 1 Applicants:

- Describe your past and current environmental performance with respect to each covered facility or activity included in this application. Within this attachment establish a baseline date against which future progress can be measured.
- Describe your future plans for enhancing the environment with respect to the same facilities/activities.

Tier 2 Applicants:

- Provide information demonstrating your record of superior environmental performance. Within this attachment establish a baseline date against which future progress can be measured.
- Describe the measures you propose to take to maintain and improve your superior environmental performance.

V. Environmental Management System (EMS)

- a. Have you implemented an EMS that is certified to the ISO 14001 standard? Yes No (circle one)
- b. Have you implemented an EMS that is functionally equivalent to ISO 14001? Yes No (circle one)

If you circled "No" for both questions, you are not eligible for Tier 2. Please proceed to Section VI only if you are applying for Tier 1.

If you circled "Yes" for either question, please provide a copy of the following documents labeled as **Attachment 3**:

- Proof of ISO 14001 certification OR functional equivalence (refer to *Application Instructions* for details)
- Environmental policy statement and scope statement
- Documented objectives and targets for the covered facilities/activities

VI. Public Notice/Stakeholder Identification

Please provide in a separate document labeled **Attachment 4** a list of stakeholders whom you know or expect will have a strong interest in your Green Tier application, as well as contact information for those stakeholders. This information will help DNR expedite the processing of your application. Tier 2 applicants must provide additional information about stakeholder involvement in a Letter of Intent. Refer to *Application Instructions* for details.

VII. Enforcement Record

Please review the Enforcement Record requirements described in the *Application Instructions* very carefully, and then check the appropriate box:

- All enforcement record requirements relevant to this application are satisfied.
- All enforcement record requirements relevant to this application are **not** currently satisfied. A waiver of the enforcement record requirements is requested.

If a waiver is requested, please provide information describing any requirements not met and a justification for the waiver request on a separate page labeled **Attachment 5**. Note that waivers will be granted only in exceptional circumstances.

VIII. Tier 1 Applicant Statement of Commitments

I commit with my signature to the following statements and certify that all information provided in this application is true and correct under penalty of law:

- Implement, within one year of the date of this application, an EMS for each covered facility or activity that is certified to the ISO 14001 standard or is functionally equivalent to ISO 14001 as determined by DNR.
- Conduct annual EMS audits, with every 3rd EMS audit performed by a DNR-approved outside environmental auditor.
- Submit to DNR an annual report on each EMS audit that is in compliance with s. 299.83(6m)(a), Wis. Stats.
- Submit to DNR an annual report on progress towards meeting objectives related to improved environmental performance for aspects regulated under chs. 29 to 31, 160, or 280 to 299, Wis. Stats., unregulated environmental aspects, or voluntary actions to restore, enhance, or preserve natural resources.

Applicant Signature 	Date Signed 12-28-06
------------------------------------------------------------------------------------------------------------	-------------------------

IX. Tier 2 Applicant Statement of Commitments

I commit with my signature to the following statements and certify that all information provided in this application is true and correct under penalty of law:

- Conduct annual EMS audits performed by a DNR-approved outside environmental auditor.
- Conduct or have another person conduct an annual audit of compliance with environmental requirements that are applicable to the facilities and activities covered under Green Tier.
- Submit to DNR an annual report on each EMS audit that is in compliance with s. 299.83(6m)(a), Wis. Stats.
- Submit to DNR an annual report on each compliance audit that is in compliance with s. 299.83(6m)(a), Wis. Stats.

Applicant Signature 	Date Signed 12-28-06
------------------------------------------------------------------------------------------------------------	-------------------------

X. For Department Use Only

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

Attachment 2

Tier 1 Applicant:

- Describe your past and current environmental performance with respect to each covered facility or activity included in this application. Within this attachment establish a baseline date against future progress can be measured.

Veolia ES Technical Solutions (Veolia) is a treatment and storage facility that is fully permitted by USEPA and WDNR that services primarily the upper midwestern region. Veolia is committed to improving the environment through the services that we offer and to providing our services in a manner that is protective of human health and the environment. Our facility is operated to minimize the volume and toxicity of waste generated by us as well as others. In addition, internal recycling programs are incorporated into our processes whenever possible.

As a facility we are always looking for new options for disposal and recycling of the different types of waste we receive. One such option is our facility depack process that began in 1999. In this process, waste labpacks, that were traditionally sent offsite for incineration, are now bulked and if possible sent for other treatment options such as fuel blending or wastewater treatment.

The stabilization treatment process, which has been in operation since 1991, reduces the toxicity of wastes generated by customers. The wastes treated by stabilization become de-characterized and exit the RCRA system.

Veolia also stabilizes non-RCRA hazardous liquid wastes that are not amenable to waste water treatment. This process utilizes cement kiln dust and other wastes for beneficial purposes by incorporating them into the process.

Veolia reuses metal and plastic drum for onsite bulking activities whenever possible to get a second beneficial use prior to the containers being sent for recycling or disposal. In addition, all pallets not used onsite are sent offsite to a recycling company.

Veolia also operates a household hazardous waste redistribution center. Unused materials that are brought to our permanent household hazardous waste collection facility that are in good condition are redistributed to citizens who have a use for them and complete a waiver form.

- Describe your future plans for enhancing the environment with respect to the same facilities/activities.

Going forward, Veolia will continue to review its operations to identify other areas that waste generation may be minimized. This includes continually searching for beneficial reuses and recycling options for our customers' waste. One specific area of focus in the short term will be to increase the volume of containers, both plastic and metal, that we are able to send for recycling. In addition by implementing an Environmental Management System (EMS), we will continue to systematically seek out alternative treatment methods and recycling options that will have the best environmental as well as economic impact for all involved.