

**State of Vermont**  
**Department of Environmental Conservation**  
**Waste Management & Prevention Division**  
**1 National Life Drive – Davis 1**  
**Montpelier, VT 05620-3704**  
**(802) 828-1138**  
**chuck.schwer@state.vt.us**

February 3, 2015

Ms. Candice Callahan, Environmental Compliance Program Manager  
International Business Machines Corporation  
1000 River Road  
Essex Junction, VT 05452

Re: Class 1 Permit Modifications Requiring Prior Approval – Transfer of Ownership & Removal of RCRA  
Corrective Action Components  
IBM Essex Junction, VT (EPA ID No. VTD002084705)

Dear Ms. Callahan:

The Waste Management & Prevention Division (WM&PD) is in receipt of IBM's letter dated January 14, 2015, from Thom Jagielski requesting prior approval of two Class 1 modifications to IBM's hazardous waste facility permit. As stated in that letter, the two Class 1 modifications for which IBM is requesting prior approval are as follows:

1. "The transfer of ownership of IBM's hazardous waste facility permit to a new owner or operator (Appendix I to 40 CFR 270.42 A. 7.). Global Foundries U.S. Inc. will be taking over ownership and operation of the permitted Treatment, Storage, and Disposal facility located in Essex Junction, VT. The anticipated date of transfer of ownership is May 1, 2015."
2. "The removal of RCRA corrective action components from the existing facility permit upon transfer of ownership or approval of equivalent replacement to the existing RCRA corrective action permit requirements. Specifically, Part 11, Section 13, and other applicable Findings of Fact and permit conditions will be removed. RCRA corrective action requirements will not be applicable to Global Foundries U.S. Inc. as compliance to those requirements will remain with IBM. (Appendix I to 40 CFR 270.42 A. 8.)."

The WM&PD concurs with IBM that the requested modifications to its hazardous waste facility permit represent Class 1 modifications that require approval by the WM&PD prior to implementation. Both modification requests are approved as follows:

1. IBM's request to modify its permit to transfer ownership of IBM's hazardous waste facility and the facility permit to Global Foundries U.S. Inc. on or about the anticipated date of May 1, 2015, is approved.
2. IBM's request to modify its permit to remove RCRA corrective action components as specified in its January 14, 2015, letter is approved only with respect to those corrective action components that address historic contamination at the facility (EPA ID No. VTD002084705). Components of the permit specifying general corrective action requirements (e.g., Conditions 11.17, 11.18 and 11.20) shall remain in the permit.



The approved modifications shall be implemented in accordance with § 7-507 of the Vermont Hazardous Waste Management Regulations and 40 CFR §§ 270.40 and 270.42. As such, IBM must send a notice of these permit modifications to all persons on IBM's facility mailing list within 90 days of this approval.

Please contact Steve Simoes of my staff at (802) 522-0386 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles Schwer", with a long horizontal flourish extending to the right.

Charles Schwer, Director  
Waste Management & Prevention Division