

HAZARDOUS WASTE FACILITY PERMIT

In compliance with the provisions of the Vermont Waste Management Act, as amended,
(10 V.S.A. Chapter 159)

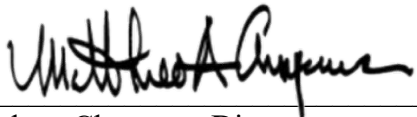
GLOBALFOUNDRIES U.S. 2 LLC
1000 River Street
Essex Junction, VT 05452-4299

is authorized to operate a hazardous waste storage facility at the above location in accordance with the conditions and requirements set forth in this permit.

This permit shall become effective on the date of signing.

Signed this 3rd day of September 2024

Julia S. Moore, Secretary
Vermont Agency of Natural Resources

By 

Matthew Chapman, Director
Waste Management & Prevention Division
Vermont Department of Environmental Conservation
1 National Life Drive, Davis 1
Montpelier, Vermont 05620-3704

Appeals

Any person aggrieved by this certification or permit may appeal to the Superior Court – Environmental Division within 30 days of the issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules Environmental Court Proceedings. If this certification or permit relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. §248, any appeal must be filed within 30 days of the issuance with the Vermont Public Service Board in accordance with Board rules.

**State of Vermont
Agency of Natural Resources**

HAZARDOUS WASTE FACILITY PERMIT

**10 V.S.A. Chapter 159
Vermont Hazardous Waste Management Regulations § 7-504**

Applicant: GLOBALFOUNDRIES U.S. 2 LLC
Essex Junction, Vermont 05452-4299

EPA ID No: VTR000524868

Facility: GLOBALFOUNDRIES U.S. 2 LLC
1000 River Street
Essex Junction, Vermont

Permit Period: November 18, 2019 – November 17, 2029

FINDINGS OF FACT

1. GLOBALFOUNDRIES U.S. 2 LLC (hereafter called GLOBALFOUNDRIES) owns and operates a hazardous waste treatment and storage facility (hereafter called facility or GLOBALFOUNDRIES facility) located at 1000 River Street, Essex Junction, Vermont. A description and drawings of the GLOBALFOUNDRIES facility are provided in **Section 1** (RCRA Part A Application) and **Section 2** (Facility Description) of this permit.
2. GLOBALFOUNDRIES develops and manufactures semiconductors for computer and office product circuitry at its Essex Junction, Vermont facility, and generates the hazardous wastes identified in **Section 1** (Part A Application) and **Section 3** (Waste Characteristics and Waste Analysis) of this permit.
3. This permit governs hazardous waste storage, treatment, and corrective action activities for releases occurring on or after July 1, 2015, at the GLOBALFOUNDRIES facility pursuant to 10 V.S.A. Chapter 159 and the Vermont Hazardous Waste Management Regulations (hereafter called VHWMR).
4. The facility was first issued a hazardous waste facility permit on June 11, 1986, when owned and operated by the International Business Machines Corporation (hereafter called IBM). The facility was issued renewal permits on March 3, 1994, and May 7, 2007, and September 23, 2014, also while owned and operated by IBM.
5. On July 1, 2015, ownership of the facility was transferred to GLOBALFOUNDRIES.

6. A separately issued National Pollutant Discharge Elimination System ("NPDES") Wastewater Treatment and Discharge Permit will regulate the quantity and quality of wastewater discharged from the facility's industrial waste treatment plant and the treatment of any hazardous wastes introduced into that system.
7. Other permits issued to GLOBALFOUNDRIES by the Vermont Agency of Natural Resources are identified in **Section 1** (RCRA Part A Application) of this permit.
8. On June 25, 2024, GLOBALFOUNDRIES requested modification of its Hazardous Waste Facility Permit, for the construction and operation of a conveyance and collection system to segregate Top Anti Reflective Coating (TARC) wastewater for offsite disposal. The proposed system would consolidate TARC wastewater from semiconductor manufacturing tools in pump stations that would pump through force mains to a new 10,000-gallon collection tank at the 974 Chemical Distribution Center (CDC) Tank Farm.

CONDITIONS

Part 1: General Conditions

- 1.1 For the purposes of this permit, the terms used herein shall have the same meaning as those in the VHWMR and 40 CFR Parts 124, 264, 266, 268 and 270, unless this permit specifically states otherwise. Where terms are not defined in the VHWMR, 40 CFR, or the permit, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.
- 1.2 As used in this permit, the term "permit" has the same meaning as "certification" as used in the VHWMR and 10 VSA § 6606.
- 1.3 As used in this permit, the term "Director" means:

Division Director - Waste Management & Prevention Division
Department of Environmental Conservation
Vermont Agency of Natural Resources
- 1.4 "Secretary" means the Secretary of the Vermont Agency of Natural Resources or his or her duly authorized representative. When implementing the provisions of **10 V. S. A. §§ 6608a and 6608b** relating to economic poisons and low-level radioactive wastes, the term Secretary includes the Secretary of Agriculture, Food & Markets and the Commissioner of Health.
- 1.5 "RCRA" means Resource Conservation and Recovery Act (RCRA) of 1976, (42 USC § 6901 et seq.).

- 1.6 Unless otherwise specified, when reference is made to a specific subchapter, section or subsection of the VHWMR, the reference is to the VHWMR which became effective December 31, 2016.
- 1.7 GLOBALFOUNDRIES shall maintain compliance with the VHWMR as amended. GLOBALFOUNDRIES shall modify the permit in accordance with **Condition 2.5** if an amendment to the VHWMR results in conflict between the permit and the amended VHWMR.
- 1.8 The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid, such a determination shall not have any effect on the validity of the remainder of the permit, or on the application of the provision to other circumstances.
- 1.9 The permit does not convey any property rights of any sort, or any exclusive privilege.
- 1.10 This permit is not transferable to any person except after notice to the Secretary. The Secretary may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under **40 CFR § 270.40**.
- 1.11 GLOBALFOUNDRIES shall comply with all applicable statutes, rules, and regulations of any federal, state, or local authority as may be amended. This permit shall not be a shield to the continued conformance to regulatory requirements.
- 1.12 All hazardous waste received by GLOBALFOUNDRIES shall be managed according to the terms of this permit, as renewed and modified.

Part 2: Duration, Modification and Renewal of Permit

- 2.1 This permit shall be effective until November 17, 2029.
- 2.2 If GLOBALFOUNDRIES wishes to continue an activity regulated by this permit after the expiration date of this permit, GLOBALFOUNDRIES must apply for and obtain a new permit.
- 2.3 If GLOBALFOUNDRIES wishes to continue an activity regulated by this permit after the expiration date of this permit, GLOBALFOUNDRIES shall submit a new application at least 180 days before the expiration date of this permit, unless permission for a later date has been granted by the Secretary. (**see 40 CFR § 270.10(h)**)
- 2.4 This permit and all conditions will remain in effect beyond the permit's expiration date, if GLOBALFOUNDRIES has submitted an administratively complete application for a renewed permit at least 180 days before the expiration date of this permit, and, through

no fault of GLOBALFOUNDRIES, the Secretary has not issued a new permit. Permits continued under this section remain fully effective and enforceable.

- 2.5 If any of the causes for modification found in **VHWMR §7-507(e)** apply, GLOBALFOUNDRIES shall seek a permit modification according to the procedures of **VHWMR §7-507** prior to making physical alterations or operational changes. Class I modifications for which prior approval is not required under **40 CFR § 270.42** may be implemented without prior notice or approval by the Secretary if notice of the modification is submitted to the Director within seven (7) calendar days after the change is put into effect.
- 2.6 This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by GLOBALFOUNDRIES for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

Part 3: Compliance and Enforcement

- 3.1 GLOBALFOUNDRIES shall allow the Secretary, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:
- (a) Enter at reasonable times upon the GLOBALFOUNDRIES premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 - (d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.
- 3.2 GLOBALFOUNDRIES shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. GLOBALFOUNDRIES may not treat, store, or dispose of hazardous waste in any modified portion of the facility except as provided in **40 CFR § 270.42**, until:
- (a) GLOBALFOUNDRIES has submitted to the Director by certified mail or hand delivery a letter signed by GLOBALFOUNDRIES and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and

- (b) (i) The Director has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or
 - (ii) Within 15 days of the date of submission of the letter in **paragraph (a)** of this condition, GLOBALFOUNDRIES has not received notice from the Director of his or her intent to inspect, prior inspection is waived and GLOBALFOUNDRIES may commence treatment, storage, or disposal of hazardous waste.
- 3.3 Notwithstanding any other provisions of this permit, enforcement actions may be brought pursuant to **10 V.S.A. Chapters 159, 201, and 211**.
- 3.4 It shall not be a defense for GLOBALFOUNDRIES in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- 3.5 Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under **10 V.S.A. Chapters 159, 201, or 211**, or Sections 3008(a), 3008(h), 3013, or 7003 of the Resource Conservation and Recovery Act (RCRA) of 1976, (42 USC 6901 et seq.) or § 106(a), 104 or 107 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980 (42 U.S.C. 9601 et seq.), or any other law providing for protection of public health or the environment.
- 3.6 In the event that the land on which the facility is located is transferred to a new owner, any actions or inactions of the land owner, or refusal by the land owner to provide access to GLOBALFOUNDRIES or the Secretary, shall not be a defense for GLOBALFOUNDRIES for any non-compliance with this permit or the VHWMR.

Part 4: Duties of the Permit Holder

- 4.1 GLOBALFOUNDRIES must comply with all conditions of this permit, except that GLOBALFOUNDRIES need not comply with the conditions of this permit to the extent and for the duration such noncompliance is authorized in an emergency permit. (**See VHWMR § 7-503**). Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of the appropriate Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- 4.2 In the event of noncompliance with the permit, GLOBALFOUNDRIES shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.
- 4.3 GLOBALFOUNDRIES shall furnish to the Secretary, within a reasonable time, any relevant information which the Secretary may request to determine whether cause exists

for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. GLOBALFOUNDRIES shall also furnish to the Secretary, upon request, copies of records required to be kept by this permit.

- 4.4 GLOBALFOUNDRIES shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility.
- 4.5 The Contingency Plan contained in **Section 9** of this permit shall be reviewed by GLOBALFOUNDRIES and, if necessary amended, whenever:
- (a) This permit is amended;
 - (b) The Contingency Plan is implemented;
 - (c) The facility changes (in its design, construction, operation, maintenance or other circumstances) in a way that materially increases the potential for fires, explosions, or the release of a hazardous waste or its constituents, or changes the response to an emergency;
 - (d) The list of emergency coordinators changes; or
 - (e) The list of emergency equipment changes.
- 4.6 GLOBALFOUNDRIES shall submit a copy of the Contingency Plan, and all amendments of that plan, to the local police department, fire department, hospital(s) and any other state or local emergency service provider(s) that may be called upon in the event of an emergency. A record of transmittal of the Contingency Plan to each service provider named above shall be maintained at the facility.
- 4.7 GLOBALFOUNDRIES shall attempt to maintain emergency service arrangements with the state and local authorities specified in **Condition 4.6**. If any of these authorities decline to enter into such an arrangement, GLOBALFOUNDRIES must document this refusal in the facility operating record.
- 4.8 GLOBALFOUNDRIES shall retain copies of all reports required by the terms and conditions of this permit and records of all data used to complete its permit application for at least three (3) years from the date of the report or the submission of the application. This retention period and other retention periods required by the terms and conditions of this permit shall be automatically extended during the pendency of any unresolved enforcement action involving GLOBALFOUNDRIES.
- 4.9 GLOBALFOUNDRIES shall maintain a written operating record, either at the facility or at an alternative location approved by the Secretary, which includes all applicable requirements of **40 CFR § 264.73** and any additional requirements listed below. The following information shall be maintained, as it becomes available, in the operating record until facility closure is completed in accordance with **Part 9** of this permit:

- (a) A description and the quantity of each hazardous waste received at the facility and the method(s) and date(s) of its receipt, treatment or storage.
- (b) A current inventory of each hazardous waste stored within the facility and the quantity at each location. This information must include cross-references to specific manifest document numbers, if the waste is accompanied by a manifest.
- (c) Records and results of any waste screening or analysis performed (**Section 3** of this permit).
- (d) The Contingency Plan and all amendments, and a notation of the time, date and details of any incident that requires implementation of the Contingency Plan (**Section 9** of this permit).
- (e) Records and results of inspections (except these data need be kept only 3 years).
- (f) Monitoring, testing or analytical data and corrective action where required by 40 CFR § 264.191, § 264.193, § 264.195 and § 264.1064.
- (g) Notices to generators as specified in 40 CFR § 264.12(b) (notice of appropriate permits and waste acceptance).
- (h) The closure plan initial closure cost estimate; and all subsequent closure cost estimates prepared under **Conditions 9.2 and 9.3**.
- (i) Plans submitted in accordance with 10 V.S.A., § 6629 (Toxic Use Reduction and Hazardous Waste Reduction Plan).
- (j) Records demonstrating that storage of hazardous waste at the facility was necessary for a period beyond one year for the purpose of accumulating such quantities of hazardous waste necessary to facilitate proper recovery, treatment or disposal. These records shall be required beginning when storage has been for a period of one year.
- (k) A record of refusal by any state and local authority as stated under **Condition 4.7** of this section, who declines to enter into an arrangement to provide emergency services to the facility.
- (l) Any certification provided to GLOBALFOUNDRIES by a qualified independent Vermont licensed professional engineer for the purpose of bringing a tank back in service in accordance with **Section 5** (Tank Storage Information) of this permit.
- (m) A copy of the current information provided to state and local authorities and first responders for the purpose of emergency preparedness and prevention pursuant to **Condition 4.18**.

- (n) The following records required to meet the 40 CFR Part 264 Subparts BB and CC Air Emission Standards:
 - (i) A copy of the current list of equipment subject to monitoring under the Subpart BB and CC Standards;
 - (ii) A copy of the current annual fugitive emissions testing report and copies of the two previous annual fugitive emissions testing reports (these reports shall be kept for three years);
 - (iii) A copy of the current compilation of vapor pressures of the waste solvents stored in each hazardous waste storage tank;
 - (iv) A copy of the inspection log maintained pursuant to **Section 11, Attachment 11-1 (paragraph 14.5)** of this permit; and
 - (v) Copies of the drawings, referred to in the current list of equipment subject to monitoring and the current annual fugitive emissions testing report, which identify the location of each monitoring point.

- 4.10 GLOBALFOUNDRIES shall maintain the following personnel documents and records at the facility:
 - (a) A listing of the job title for each position at the facility related to hazardous waste management and the name of the employee filling that position;
 - (b) A written job description for each position listed above which includes the requisite skill, education, or other qualification, and duties of employees assigned to the position;
 - (c) A written description of the employee training required for each position listed in **Section 12** of this permit; and
 - (d) Records verifying that the employee training program contained in **Section 12** of this permit has been presented to, and completed by, appropriate facility personnel.

- 4.11 Training records on current personnel shall be kept until facility closure is completed in accordance with **Part 9** of this permit. Training records on former employees shall be kept for at least three (3) years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the company.

- 4.12 GLOBALFOUNDRIES shall follow the waste analysis procedures contained in **Section 3** of this permit.

- 4.13 Prior to accepting waste from a source, GLOBALFOUNDRIES shall follow the waste approval process described in the Waste Analysis Plan contained in **Section 3** of this

permit. At a minimum, the waste approval process shall identify for each waste all of the information necessary for shipment to, and acceptance by, an appropriate treatment, storage and disposal facility. In addition, the waste approval process shall be followed in the event that GLOBALFOUNDRIES is notified or has reason to believe that the process generating the waste has changed.

- 4.14 All sampling, monitoring, and/or analysis performed in relation to activities covered by this permit shall be performed according to the appropriate method specified in the latest edition of “Test Methods for Evaluating Solid Waste, SW-846, Standard Methods of Wastewater Analysis”, or an equivalent method, such as those developed by the American Society for Testing and Materials (ASTM) incorporated in the VHWMR by reference or approved by EPA through rulemaking or by the Secretary in writing. If other methods are to be used, GLOBALFOUNDRIES shall receive approval from the Secretary prior to utilizing the methods. The Secretary may reject any data that does not meet the requirements of EPA analytical methods and may require re-sampling and additional analysis.
- 4.15 GLOBALFOUNDRIES shall document the name(s), address(es), and telephone number(s) of any consultant(s) and/or analytical laboratory(ies) used to perform sampling, monitoring, and/or analysis activities related to this permit.
- 4.16 GLOBALFOUNDRIES shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, the certification required by **40 CFR § 264.73(b)(9)**, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, certification, or application. This period may be extended by request of the Secretary at any time. GLOBALFOUNDRIES shall maintain records from all ground-water monitoring wells and associated ground-water surface elevations, for the active life of the facility, and for disposal facilities for the post-closure care period as well.

Records for monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurements;
 - (b) The individual(s) who performed the sampling or measurements;
 - (c) The date(s) analyses were performed;
 - (d) The individual(s) who performed the analyses;
 - (e) The analytical techniques or methods used; and
 - (f) The results of such analyses.
- 4.17 GLOBALFOUNDRIES shall submit to the Director, upon request, the results of all sampling and/or tests or other data generated pursuant to **Part 11** (Corrective Action) of this permit.

- 4.18 GLOBALFOUNDRIES shall provide written information regarding waste quantities, types, and locations at the facility, to state and local authorities (including SERCs and LEPCs) and first responders for the purpose of emergency preparedness and prevention, and place a copy of this information in the facility's operating record. Such information shall be updated as necessary, and the updates shall be provided to state and local authorities and first responders. The written information shall also describe the layout of the facility, locations where personnel normally work, and entrances and possible evacuation routes.

Part 5: Facility Design and Operation

- 5.1 GLOBALFOUNDRIES shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by GLOBALFOUNDRIES to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.
- 5.2 GLOBALFOUNDRIES shall design, maintain and operate the facility in a manner which minimizes the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of a hazardous waste or hazardous waste constituents to air, soil, surface waters or groundwater which could threaten human health or the environment. At a minimum, GLOBALFOUNDRIES shall maintain and operate the facility in accordance with the preparedness and prevention procedures contained in **Section 8** of this permit.
- 5.3 GLOBALFOUNDRIES shall immediately carry out the provisions of the Contingency Plan contained in **Section 9** of this permit whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.
- 5.4 Spills, leaks, drips and other discharges which occur as a result of the storage, loading, transfer, or other handling of hazardous waste shall be immediately cleaned up in accordance with the procedures in the Contingency Plan contained in **Section 9** of this permit. Any spill debris generated from such events shall be managed in accordance with this permit and the VHWMR.
- 5.5 GLOBALFOUNDRIES shall inspect the facility for malfunctions and deterioration, operator errors, and discharges which may be causing, or may lead to, release of hazardous waste constituents to the environment, or a threat to human health. GLOBALFOUNDRIES shall conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment. At a minimum, GLOBALFOUNDRIES shall follow the facility inspection schedules contained in **Section 7** of this permit.

- 5.6 GLOBALFOUNDRIES shall remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately in accordance with the Contingency Plan contained in **Section 9** of this permit.
- 5.7 Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- 5.8 All monitoring equipment required by this permit shall be properly installed, used and maintained and the appropriate monitoring methods used.
- 5.9 Hazardous waste treatment, storage, or disposal activities other than those specified in this permit are prohibited.
- 5.10 GLOBALFOUNDRIES may receive from off-site, store, treat and/or transfer for disposal only those hazardous wastes specified in **Section 1** (Part A Application) and **Section 3** (Waste Characteristics and Waste Analysis) of this permit.
- 5.11 GLOBALFOUNDRIES shall store, treat and/or transfer for disposal hazardous waste only in those areas specified in **Section 1** (RCRA Part A Application), **Section 2** (Facility Description), **Section 4** (Container Storage Information), and **Section 5** (Tank Storage Information) of this permit.
- 5.12 The maximum quantity of containerized hazardous waste that may be stored in the CDC Waste Storage Room at any point in time is 1104 55-gallon drums or its equivalent. No more than 545 of the drums, or drum equivalents, may consist of liquids.
- 5.13 The maximum quantity of containerized ignitable hazardous waste that may be stored in the CDC Flammable Waste Storage Room at any point in time is 96 55-gallon drums or its equivalent.
- 5.14 The maximum quantity of bulk liquid hazardous waste that may be stored at any point in time shall not exceed 70,000 gallons at the CDC Tank Farm and 9,800 gallons at the Building 963 hazardous waste tank area.
- 5.15 GLOBALFOUNDRIES shall maintain aisle space between rows of containerized hazardous wastes stored at the facility that is sufficient to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment. In no circumstance shall the aisle space be less than 24 inches wide.
- 5.16 GLOBALFOUNDRIES shall manage all containerized hazardous waste stored at the facility in accordance with the procedures contained in **Section 4** (Container Storage Information) and **Section 8** (Preparedness and Prevention) of this permit.

- 5.17 GLOBALFOUNDRIES shall manage all bulk liquid hazardous waste stored at the facility in accordance with the procedures contained in **Section 5** (Tank Storage Information) and **Section 8** (Preparedness and Prevention) of this permit.
- 5.18 GLOBALFOUNDRIES shall maintain at the facility the equipment identified in **Section 9** (Contingency Plan) of this permit.
- 5.19 GLOBALFOUNDRIES shall prevent the unknowing entry of, and minimize the possibility for unauthorized entry of, persons or livestock onto any portion of the facility. GLOBALFOUNDRIES shall maintain security devices and warning signs in accordance with the Security Plan contained in **Section 6** (Security Procedures) of this permit.
- 5.20 Using the procedures identified in **Sections 2, 4 and 5**, GLOBALFOUNDRIES may transfer characteristic hazardous waste listed in **Section 3** that meets the definition of Corrosive Liquids, Low TOC Ignitable Liquids (40 CFR 268.42 – less than 10 % Total Organic Carbon), High TOC Ignitable Liquids (40 CFR 268.42(b) – greater than or equal to 10% Total Organic Carbon), and wastes that are identified by the VT02 and VT08 hazardous waste codes to the biological wastewater treatment plant for treatment under that facility's NPDES permit.
- 5.21 GLOBALFOUNDRIES shall follow the procedures contained in **Section 11** of this permit for compliance with the Organic Air Emission Standards for Process Vents, Equipment Leaks, and Tanks, Containers, and Surface Impoundments.
- 5.22 Any work plans developed for the purposes of closure, post-closure, or corrective action shall be approved by the Secretary prior to implementation.
- 5.23 All wastes accepted by the GLOBALFOUNDRIES shall be shipped to a designated facility within one year, unless it can be demonstrated that insufficient quantities exist to facilitate proper recovery, treatment or disposal. Records demonstrating the storage of hazardous waste at the facility that was necessary for a period beyond one year shall be recorded in the written facility operating record pursuant to **Condition 4.9(j)**.

Part 6: Reporting Requirements

- 6.1 All applications, reports, or information submitted to the Director shall be signed and certified in accordance with **VHWMR § 7-108**.
- 6.2 All reports, notifications, and submissions required by this permit shall either be sent by certified mail with shipment tracking and receipt documentation to the address below *or* submitted via ANR/NRB Online Services Portal at the web address below:

Division Director, Waste Management & Prevention Division

*Vermont Agency of Natural Resources
1 National Life Drive – Davis 1
Montpelier, Vermont 05620-3704*

<https://anronline.vermont.gov>.

- 6.3 Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- 6.4 Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- 6.5 Reporting noncompliance.
- (a) GLOBALFOUNDRIES shall orally report any noncompliance which may endanger health or the environment immediately upon discovery of the noncompliance, including:
- (i) Information concerning release of any hazardous waste that may cause an endangerment to public drinking water supplies.
 - (ii) Any information of a release or discharge of hazardous waste or of a fire or explosion at the facility, which could threaten the environment or human health outside the facility.
- (b) The description of the occurrence and its cause shall include:
- (i) Name, address, and telephone number of the owner or operator;
 - (ii) Name, address, and telephone number of the facility;
 - (iii) Date, time, and type of incident;
 - (iv) Name and quantity of material(s) involved;
 - (v) The extent of injuries, if any;
 - (vi) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
 - (vii) Estimated quantity and disposition of recovered material that resulted from the incident.
- (c) A written submission shall also be provided within five days of the time GLOBALFOUNDRIES becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the

period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Secretary may waive the five-day written notice requirement in favor of a written report within fifteen days.

- 6.6 If a significant discrepancy in a manifest is discovered, GLOBALFOUNDRIES must attempt to reconcile the discrepancy. If not resolved within fifteen days, GLOBALFOUNDRIES must submit a letter report, including a copy of the manifest, to the Director. (See **VHWMR § 7-704 (g)**)
- 6.7 An unmanifested waste report must be submitted to the Director within 15 days of receipt of unmanifested waste. (See **VHWMR § 7-704 (h)**)
- 6.8 A biennial report must be submitted by March 1st, or an alternative date specified by the Secretary, of each even numbered year covering facility activities during the previous odd numbered calendar year. The biennial report shall be submitted electronically in file and data formats compatible with the software that the EPA and Secretary use to process biennial report data.
- 6.9 GLOBALFOUNDRIES shall report all instances of noncompliance not reported under **Conditions 6.3, 6.4, and 6.5** of this permit, at the time monitoring reports are submitted. The reports shall contain the information listed in **Condition 6.5** of this permit.
- 6.10 Where GLOBALFOUNDRIES becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

Part 7: Waste Transport

- 7.1 GLOBALFOUNDRIES shall comply with the manifest requirements of VHWMR Subchapter 7.
- 7.2 Any hazardous waste removed from the facility shall be transported by a Vermont-permitted hazardous waste transporter, in accordance with the VHWMR, to an appropriate facility.
- 7.3 GLOBALFOUNDRIES shall not accept any shipment of hazardous waste which is not accompanied by a manifest, unless the waste is both generated and delivered by a conditionally exempt generator who is exempt from the manifest requirements of the Hazardous Waste Management Regulations pursuant to **VHWMR § 7-306(c)(3)**.
- 7.4 GLOBALFOUNDRIES shall notify the Director and the EPA Region I RCRA Import/Export Coordinator, in writing, at least four weeks in advance of the date GLOBALFOUNDRIES expects to receive hazardous waste from a non-U.S. source, as

required by **40 CFR § 264.12(a)** and **VHWMR § 7-706**. Notice of subsequent shipments of the same waste from the same foreign source in the same calendar year is not required.

Part 8: Personnel Training

- 8.1 All facility personnel involved in the handling of hazardous waste shall successfully complete a program of classroom instruction or on-the-job training that prepares them to perform their hazardous waste management duties. This introductory training shall be conducted in accordance with the Training Plan contained in **Section 12** of this permit.
- 8.2 All facility personnel shall complete their introductory training within six (6) months after the date of their employment at the facility. An employee may not work in an unsupervised position until completing the introductory training program.
- 8.3 All facility personnel involved in the handling of hazardous waste shall take part in an annual training program which includes a review of the introductory training program. This annual training shall be conducted in accordance with the Training Plan contained in **Section 12** of this permit.

Part 9: Facility Closure

- 9.1 GLOBALFOUNDRIES shall close the facility in a manner that eliminates threats to human health or the environment due to the post-closure escape of a hazardous waste or its constituents, directly or through leachate or surface run-off, or the escape of waste decomposition products to the ground or surface waters or ambient air. At a minimum, closure shall be conducted in accordance with the Closure Plan contained in **Section 10** of this permit. The Closure Plan shall be amended whenever changes in operations or facility design affect the plan or when there is a change in the expected year of closure.
- 9.2 GLOBALFOUNDRIES shall maintain a written estimate of the cost of closing the facility and shall amend that estimate pursuant to **Condition 9.3** and whenever a change is made to the facility, facility operations, or to the existing Closure Plan contained in **Section 10** of this permit, that increases the estimate. Any amended closure cost estimate shall be equal to the cost of closing the facility at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive, as indicated in the Closure Plan.
- 9.3 GLOBALFOUNDRIES shall annually update the closure cost estimate for inflation according to applicable requirements of **40 CFR 264.142(b)**. The initial closure cost estimate, and all subsequent closure cost estimates shall be maintained in the written facility operating record pursuant to **Condition 4.9(h)**.

- 9.4 GLOBALFOUNDRIES shall notify the Director in writing of its intent to close the facility at least six (6) months prior to the date on which it expects to begin final closure.
- 9.5 Within three (3) months after receiving the final volume of hazardous waste, GLOBALFOUNDRIES shall remove all waste from the facility in accordance with the Closure Plan contained in **Section 10** of this permit. Within six (6) months after receiving the final volume of waste at the facility, GLOBALFOUNDRIES shall complete all closure activities in accordance with the Closure Plan.
- 9.6 Facility closure shall not be considered to have been completed until:
- (a) GLOBALFOUNDRIES and an independent Vermont-licensed professional engineer have provided the Director written certification that the closure has been completed in accordance with the provisions of the Closure Plan;
 - (b) The Secretary has inspected the facility; and
 - (c) The Secretary has given written approval of the closure.

Part 10: Financial Requirements

- 10.1 GLOBALFOUNDRIES shall maintain liability coverage for claims arising from sudden accidental occurrences, which occur as a result of the operations of the facility, that cause injury to persons and property in an amount of at least one million dollars (\$1,000,000) per occurrence with an annual aggregate of at least two million dollars (\$2,000,000) until closure of the facility has been completed. This liability coverage must be equivalent to the coverage held by GLOBALFOUNDRIES at the time of issuance of this permit, as evidenced by the documents included in **Section 10** of this permit.
- 10.2 GLOBALFOUNDRIES shall demonstrate liability coverage for claims arising from sudden accidental occurrences in the amount of at least \$1 million per occurrence, with an annual aggregate of at least \$2 million, exclusive of legal defense costs. This liability coverage shall be demonstrated using one of the financial assurance instruments specified in **40 CFR 264.147(a)**. Documentation of proof of insurance shall be included in **Section 10** of this permit.
- 10.3 GLOBALFOUNDRIES shall establish financial assurance for closure as required by **40 CFR 264.143**. GLOBALFOUNDRIES shall also establish financial assurance for corrective action. Financial assurance shall be in at least the total amount required by **Conditions 9.2 and 9.3** of this permit.
- 10.4 GLOBALFOUNDRIES shall maintain financial assurance for closure of the facility until closure has been certified in accordance with **40 CFR 264.115** and the Director approves the release of the financial instrument in accordance with **40 CFR 241.143(i)**.
- 10.5 Any changes in the financial assurance mechanism shall be approved by the Secretary.

- 10.6 GLOBALFOUNDRIES shall notify the Director by certified mail of the commencement of any voluntary or involuntary proceeding under the United States Bankruptcy Code (Title 11, U.S. Code), naming the owner or operator as debtor, within 10 days after commencement of the proceeding.
- 10.7 In the event of the bankruptcy of or suspension of issuing authority of the trust fund trustee or trustee institution issuing any surety bond, letter of credit or insurance policy required by this permit, GLOBALFOUNDRIES shall establish other financial assurance or liability coverage within 60 days after the event and in accordance with **Condition 10.5** of this permit.

Part 11: Corrective Action

- 11.1 If GLOBALFOUNDRIES determines that hazardous waste or hazardous materials have been released or discharged to the environment at the facility or that there is a likelihood of a release or discharge of hazardous waste or hazardous materials to the environment, then GLOBALFOUNDRIES shall immediately notify the Director of any such release or discharge, and comply with the applicable requirements of the **VHWMR § 7-105, and 40 CFR Part 264 Subparts F and S**.
- 11.2 In the event of a release or discharge at the facility, GLOBALFOUNDRIES shall report the release or discharge to the Director and conduct an assessment of the release or discharge in accordance with **VHWMR § 7-105**. Information submitted must be sufficient to determine whether further investigation is necessary.
- 11.3 Corrective action may be required beyond the facility's boundary if the Secretary determines that it is necessary to protect human health and the environment.

ATTACHED SECTIONS

Section 1: RCRA Part A Application

Section 2: Facility Description

Section 3: Waste Characteristics and Waste Analysis

Section 4: Container Storage Information

Section 5: Tank Storage Information

Section 6: Security Procedures

Section 7: Facility Inspection Procedures

Section 8: Preparedness and Prevention

Section 9: Contingency Plan

Section 10: Closure Plan, Post Closure Plan, and Financial Requirements

Section 11: Organic Air Emission Compliance

Section 12: Personnel Training