

The NYSDEC is reviewing permit applications relating to construction of the proposed Micron Technology memory chip factories in Clay, NY and has opened two distinct public comment periods.

PLEASE SEND YOUR COMMENTS TO New York State Dept of Environmental Conservation (DEC) to keep pollution from Micron's massive semiconductor factory out of our air and water.

Written comments are due December 17th, 2025 for the Air Quality permit

Individuals and parties may mail written comments to the Contact Person listed below or may submit comments electronically to Comments.Micron2025@dec.ny.gov. All comments submitted electronically must be received by 5pm on December 17, 2025.

and December 23, 2025 for the wastewater and wetland permits

submit comments electronically to Comments.OakOrchard2025@dec.ny.gov. All comments submitted by mail must be postmarked by December 23, 2025. All comments submitted electronically must be received by 4:45pm on December 23, 2025. Equal weight is given to written and oral comments.

PART 1: COMMENTS ON THE AIR PERMIT

Air Quality (Title V) Permitting: Micron Factory (Fab 1 & 2)

Re: **air emissions permit**, pursuant to **Environmental Conservation Law Article 19 Air Title V Facility**, for emissions from the operation of Micron Fab 1 and Fab 2.

First, the draft air permit is premature. The public was informed on November 8th that construction of the memory chip factories would be delayed by two to three years. The start of construction of the first plant has been pushed back to the middle of 2026, with operations starting towards the end of 2030. So what's the rush? Technologies to treat and monitor air pollutants—especially fluorinated gases—continue to improve. So the permit will be out of date by the time it goes into effect in 2030.

Therefore, we urge the DEC to **delay the release of the Title V Air Permit to mid-2027**, which is still three years before the facility will go into operation.

Second, the permit comment period should be extended. The agency has released for public comment three permits related to the Oak Orchard wastewater plant in addition to this air permit for Micron. This comes on the heels of the release of the final EIS, and public hearings held by the county's industrial development agency, all related to Micron. The time of year could not be worse—the holiday season when the public is traveling or otherwise preoccupied with family and other community events. **A 6-month extension is therefore requested.**

In addition, the Department can and should hold informational meetings to engage with the public in a meaningful way. I recommend at least two such meetings. Micron staff and its consultants should be brought in to describe the air emissions and steps the company is taking to mitigate them.

I also have significant concerns about the lack of disclosure, limitations and monitoring requirements for forever chemicals, which include both PFAS (per- and polyfluorinated alkyl substances) and perfluorinated gases. Micron has stated it will use both classes of chemicals in its fabrication plants. The permit has no monitoring or limitations being imposed on these substances. This represents a serious omission, as these compounds can be highly toxic, very persistent in the environment, and many PFAS bioaccumulate in plants and animals. The NYS Dept. of Health has issued consumption advisories for fish near PFAS-contaminated sites across the state. This demonstrates that releases of PFAS into the environment can contaminate fish such that they are no longer safe to eat. We do not want to see that happen in the Oneida and Oswego Rivers which are receiving treated effluent from Micron, nor do we want to see that happen in Oneida Lake, which is immediately downwind of the Micron manufacturing campus.

PART 2: COMMENTS ON THE SPDES PERMIT

Water Quality Permitting: Oak Orchard wastewater treatment plant (SPDES Permit # NY0030317; DEC 7-3124-00018/00001)

Re: Upgrades to wastewater treatment systems to be expanded by Onondaga County at the Oak Orchard treatment facility

First, the permit comment period should be extended. The agency has released for public comment three permits related to the Oak Orchard wastewater plant in addition to this air permit for Micron. This comes on the heels of the release of the final EIS, and public hearings held by the county's industrial development agency, all related to Micron. The time of year could not be worse—the holiday season when the public is traveling or otherwise preoccupied with family and other community events. **A 6-month extension is therefore requested.**

Adequate and thoughtful public input for this permit is not possible given the scope of the permits and the length of the draft permit documents and the volume of supporting documentation. The SPDES permit alone is 143 pages. There are nearly 20 supporting documents, including two lengthy engineering reports (1,425 pages). Commenters must download over 270 megabytes of material from the Onondaga County website JUST to get started. Again, a much longer commenting period is warranted due to the volume of materials which need to be reviewed to provide meaningful comments.

In addition, **the Department can and should hold informational meetings to engage with the public in a meaningful way.** I recommend at least three such meetings. Onondaga County WEP Dept. staff and the design consultants should be brought in to describe the proposed wastewater treatment processes.

Secondly, **the wastewater discharge permit is premature.** The public was informed on November 8th that construction of the memory chip factories would be delayed by two to three years. According to the Micron Final EIS, the construction of the Onondaga Co wastewater treatment facilities at Oak Orchard are slated to begin in the fourth quarter of 2027, a full two years from now. There is ample time available to consider comments and release a final permit. The Department has been in no rush to renew the SPDES permit for the existing Oak Orchard wastewater treatment plant. That permit expired on June 30, 2019.

Third, I am disappointed to see that:

- 1) Testing for PFAS (per- and polyfluorinated alkyl substances) is limited to four times per year. Moreover, this testing is limited to only 40 compounds
- 2) No quantitative limits are imposed on any of the 40 compounds tested. Rather, “action levels” are set at 10 ng/L only for PFOA and PFOS. Neither PFOA nor PFOS are currently used by the semiconductor industry.

Thirdly, the SPDES permit needs to be revised to adequately monitor and eliminate the discharge of PFAS into our waterways. Our waterways, which includes Lake Ontario, already are burdened with dangerously high levels of PFAS. Lake Ontario provides drinking water for over 8 million people in the U.S. and Canada. The Department needs to be proactive to not allow the introduction of new sources of PFAS.

Testing for forty compounds is simply inadequate because there are hundreds if not thousands of PFAS compounds produced in the semiconductor manufacturing process. Therefore we urge the DEC to require the applicant to regularly test (at least weekly) for Total Organic Fluorine in the effluent from the Industrial Wastewater Treatment Plant (Outfall 01A). Monthly testing should be required for the 40 PFAS compounds in Method 1633, supplemented by non-targeted PFAS analysis to identify unlisted compounds found in semiconductor water. Discharge limits

need to be imposed on those PFAS which are present in the IWWTP wastewater. The Department should consult with other state agencies with experience regulating PFAS in wastewater. Minnesota, in particular, has developed robust monitoring strategies for the 3M plant at Cottage Grove.