STAKEHOLDER OUTREACH PLAN

IBM East Fishkill Facility
F006 Sludge Recycling Project

JUNE 2000

Project XL
Environmental Excellence and Leadership

International Business Machines Corporation

EAST FISHKILL FACILITY/
HUDSON VALLEY
RESEARCH PARK
HOPEWELL JUNCTION, NY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

PREPARED BY

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RLA/IBM1506(6/2/00)

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East Fishkill Facility
1580 Route 52
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June 6, 2000

George C. Meyer, P.E.
Chief, RCRA Compliance Branch
Division of Enforcement and Compliance Assistance
United States Environmental Protection Agency
Region 2
290 Broadway, 22nd Floor
New York, NY 10007-1866

Re: Stakeholder Outreach Plan
Project XL F006 Sludge Recycling Project
International Business Machines Corporation
East Fishkill Facility

Dear Mr. Meyer:

In an effort to advance the Project XL F006 Sludge Recycling Project for the International Business Machines Corporation (IBM) East Fishkill Facility, IBM has prepared a Stakeholder Outreach Plan. Enclosed please find for your review, a copy of the document entitled:

Stakeholder Outreach Plan for
Project XL Proposal
International Business Machines Corporation
East Fishkill Facility
F006 Sludge Recycling Project

George C. Meyer, P.E.
Chief, RCRA Compliance Branch
Division of Enforcement and Compliance Assistance
United States Environmental Protection Agency
Region 2
June 6, 2000

Please contact me at (914) 892-1629 if you have any questions and/or comments.

Sincerely,

Salvatore J. Tranchina

Salvatore J. Tranchina, P.E.
Manager, Environmental
Engineering and Operations

SJT/RMW/cmc
Enclosure
cc w/encl:

P. Flax (EPA – Region 2)
A. Dobkowski (EPA – Region 2)
J. Benforado (EPA – Washington, D.C.)
S. Kerns (EPA – Region 2)
L. Nadler (NYSDEC – Albany)
N. Ayengar (IBM)
R. Walka (WFC)

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STAKEHOLDER OUTREACH PLAN
for
PROJECT XL PROPOSAL
INTERNATIONAL BUSINESS MACHINES CORPORATION
EAST FISHKILL FACILITY
F006 SLUDGE RECYCLING PROJECT

Prepared for:

INTERNATIONAL BUSINESS MACHINES CORPORATION
EAST FISHKILL FACILITY
HOPEWELL JUNCTION, NEW YORK

Prepared by:

WILLIAM F. COSULICH ASSOCIATES, P.C.
WOODBURY, NEW YORK

JUNE 2000

STAKEHOLDER OUTREACH PLAN
FOR PROJECT XL PROPOSAL
INTERNATIONAL BUSINESS MACHINES CORPORATION
EAST FISHKILL FACILITY
F006 SLUDGE RECYCLING PROJECT

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1.0 INTRODUCTION

Project XL, which stands for "e**X**cellence and **L**eadership," is a national initiative that tests innovative ways of achieving better and more cost-effective public health and environmental protection. The experience and lessons learned from Project XL will assist EPA in redesigning its current regulatory and policy-setting approaches. In accepting proposals for initial XL projects, EPA established a criteria of demonstrated stakeholder support as one of the conditions for obtaining EPA approval of the project. When Project XL was first announced in May 1995 in the *Federal Register*, EPA outlined its desire for stakeholder involvement, but did not make specific recommendations regarding the design of the stakeholder process. As a result, it left the responsibility for creating a process that would meet the performance criteria to the project sponsor or applicant.

In September of 1998, the EPA published a report entitled, "Evaluation of Project XL Stakeholder Processes - Executive Summary." That report provides a review of the design and conduct of the stakeholder outreach processes at four of the initial XL projects to reach Final Project Agreements (FPAs). It evaluated the various models developed by company sponsors, and reports on stakeholder perspectives regarding the processes as gathered in a stakeholder survey.

As part of creating this project-specific Stakeholder Outreach Plan (SOP), the International Business Machines Corporation (IBM) East Fishkill Facility utilized a number of sources of information. First, it utilized guidance documents, such as the Executive Summary cited above, published by the EPA. Second, it reviewed and evaluated examples of Stakeholder Outreach Plans provided by the EPA - Region 2, which were developed by other project sponsors including those from outside Region 2. Lastly, as applicable, it considered policy and guidance relative to general public participation and public relations specific to IBM.

1.1 Background

The purpose of this Stakeholders Outreach Plan is to outline an overall plan and initiate the implementation of a stakeholder participation program in support of the Project XL Proposal at IBM's East Fishkill Facility located in Hopewell Junction, New York. The Project XL Proposal is being advanced to allow IBM to utilize an F006 sludge as a raw material in the production of cement. The F006 sludge is generated as a result of the treatment of electroplating wastewater. Specifically, IBM is requesting that the hazardous waste management regulations found at 40 CFR 261.2(e)(1)(I) (federal regulations) and 6 NYCRR 371.1(c)(6)(i) (New York State regulations) be applicable to this project. Those regulations make provision for a hazardous waste which is utilized as an ingredient in the manufacture of a commercially available product to be exempt from being classified as a solid waste.

One of the requirements of EPA's Project XL program is that stakeholders participate in the development and implementation of the project. EPA defines "stakeholders" as

> *"communities near the project, federal, state, tribal or local governments, businesses, environmental (local, regional and national) and other public interest groups or other similar entities."*

The goal of this participation is to develop a collaborative working relationship between Project Sponsor(s) (in this case IBM) and stakeholders. In this case, stakeholders would be targeted by IBM and consist of local, regional and national environmental groups as well as individuals who believe that they or their community could be affected by implementation of this particular XL project. In this manner, the public is aware of the environmental aspects of the project and participates in preparing the Final Project Agreement.

Section 2 of this document presents an overview of the procedure for notifying the public with regard to the basic elements of this specific "XL project" at the IBM East Fishkill Facility. The initial identification of stakeholders along with a description of planned meetings are provided in Section 3. Ground rules for public involvement are described in Section 4. Section 5 discusses the typical role of a stakeholder during the development of the Final Project

Agreement. Lastly, the role of the stakeholder during project implementation is discussed in Section 6.

Appendix A presents a sample fact sheet which will be distributed to the interested public and stakeholders describing the project. A list of the proposed stakeholder contacts is provided in Appendix B. Appendix C presents EPA-Region 2's database of environmental groups. EPA's guidance document entitled, "Project XL Stakeholder Involvement: A Guide for Project Sponsors and Stakeholders," is provided as Appendix D. Appendix E presents an agenda and information package for the stakeholder meeting.

2.0 INITIAL NOTIFICATION AND OUTREACH PROGRAM

This section presents the initial notification procedures that will be utilized to inform the public of the Project XL program being proposed for the IBM East Fishkill Facility. The purpose of this notification is to solicit any additional stakeholders, including Direct Participants, Commentors and/or members of the general public, who could assist IBM in advancing and ultimately finalizing a project agreement for this Project XL proposal.

2.1 Project Fact Sheet

In order to describe the Project XL proposal to the local public and prospective stakeholders, a fact sheet will be considered at various points during the development of the project to provide a brief summary overview of the project, identify the intended goals, provide a list of project contacts and identify the location of project documents. A copy of the initial project fact sheet prepared for this F006 Sludge Recycling Project is provided in Appendix A of this document.

2.2 Identification of Contacts

The following list presents the names, addresses and telephone numbers of the IBM, EPA and New York State Department of Environmental Conservation (NYSDEC) personnel familiar with the Project XL F006 Sludge Recycling Project currently being proposed for the East Fishkill Facility:

<u>International Business Machines Corporation (IBM) - East Fishkill Facility Contacts</u>:

Mr. Salvatore J. Tranchina, P.E.
Manager, Environmental Engineering and Operations
International Business Machines Corporation
2070 Route 52, Building 325
Hopewell Junction, N.Y. 12533
(845) 892-1629

Mr. Narayan Ayengar
International Business Machines Corporation
2070 Route 52, Building 325
Hopewell Junction, N.Y. 12533
(845) 892-1624

US Environmental Protection Agency (USEPA) Contacts:

Mr. George C. Meyer, P.E., Chief
RCRA Compliance Branch
U.S. Environmental Protection Agency - Region 2
22nd Floor
Division of Enforcement and Compliance Assistance
290 Broadway
New York, N.Y. 10007-1866
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Mr. Jay Benforado
Deputy Associate Administrator
Office of Policy, Economics and Innovation
Mail Code 1803A
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460
(202) 260-4332

New York State Department of Environmental Conservation (NYSDEC) Contact:

Mr. Lawrence J. Nadler, P.E.
Chief
Technical Determination Section
Bureau of Hazardous Waste Management, Room 448
Division of Solid and Hazardous Materials
New York State Department of Environmental Conservation
50 Wolf Road
Albany, NY 12233-7251
(518) 457-5696

2.3 Announcement in Local Newspaper

In order to advance the dissemination of information regarding the proposed project to the general public in the immediate area, IBM proposes to publish an announcement in the Poughkeepsie Journal (the local newspaper in Hopewell Junction). The announcement will include a brief description of the recycling project, an overview of the EPA Project XL program, as well as request the participation of interested individuals and groups in the development of the project. An example of such an announcement is presented below:

The International Business Machines Corporation (IBM) East Fishkill Facility is currently considering a project to recycle wastewater treatment sludge as a raw material in the manufacture of Portland Cement. Specifically, IBM is proposing to recycle F006 sludge generated from treatment of electroplating wastewater as a raw material in the production of cement. IBM East Fishkill has submitted a proposal to the Environmental Protection Agency (EPA) and the New York State Department of Environmental Conservation (NYSDEC) under the EPA's Project XL program to seek approval for this project.

The next step in the process is for IBM to assemble a Stakeholder Group to review the proposed plan, comment on environmental concerns and assist in developing and implementing the project.

Individuals or groups interested in participating in the project are encouraged to submit their name, address and phone number to the following address:

Project XL Stakeholder Group
International Business Machines Corporation
2070 Route 52, B/325
Hopewell Junction, N.Y. 12533
Attn: Salvatore J. Tranchina, P.E., Manager
Environmental Engineering and Operations

2.4 Mailing to Local Officials and Other Representatives

In addition to publishing an announcement in the local newspaper, the IBM East Fishkill Facility will notify individual local officials and other representatives in writing of the details of the project and seek their participation in the stakeholder group. IBM will consider any environmental concerns expressed by the local community through its elected officials and will seek the involvement of the local community in addressing any concerns. Provided in Appendix B is a preliminary list of stakeholder contacts.

In addition, IBM will notify the environmental groups identified in EPA-Region 2's database provided in Appendix C.

2.5 Internal Announcements

A number of the employees working at the IBM East Fishkill Facility reside within the local community. As such, IBM will make an announcement to its employees in an effort to involve additional individuals in the stakeholder group. Additional information regarding this project will also be made available on the East Fishkill Facility's internal website.

3.0 NOTIFICATION FOLLOW-UP

This section describes how the IBM East Fishkill Facility will identify and manage any individuals and groups interested in participating as stakeholders associated with this XL Project as well as the manner in which IBM plans to familiarize these individuals and groups with the pertinent facts surrounding the proposal and relevant facility operations.

3.1 Identification of Stakeholders as Direct Participants, Commentors or Members of General Public

Subsequent to receiving notification from individuals and groups interested in participating in the stakeholder process, IBM will contact each respondent to discuss the role that each individual or group wishes to perform in the Project XL process.

The three main stakeholder categories specified by EPA, along with a brief description of the overall role of each, are as follows:

- ***Direct Participants*** – Members in this category will work closely with IBM to develop the project from the initial stages to the final design. Direct Participants will influence the details of the project as well as EPA's ultimate decision in approving or disapproving the project.

- ***Commentors*** – Members in this category will have an interest in the project but do not necessarily want to participate in its development in the same manner as Direct Participants. Commentors will periodically review the project and provide comments which will be submitted to IBM and the Direct Participants who will determine the manner in which the comments should be addressed and/or incorporated into the final design.

- ***Members of the General Public*** – Members in this category will have access to both the project development process and information concerning the environmental aspects of the project once it is implemented. Members of the general public will have the ability to participate more actively in the stakeholder group, if they choose.

Under the Project XL program, EPA has specified the role of these three stakeholder categories during each step of the project from pre-proposal to implementation. Details of the involvement of each stakeholder category during each step of the process will be discussed

during the stakeholder meeting. A thorough description of the stakeholder involvement process is described in EPA's guidance manual entitled, "Project XL Stakeholder Involvement: A Guide for Project Sponsors and Stakeholders," provided as Appendix D.

3.2 Informational Meetings

Subsequent to identification of individuals and groups interested in participating in the development of the project, IBM will conduct an informational meeting. The meeting will provide attendees with a description of the project, inform them of the current status of the project and introduce them to the IBM East Fishkill Facility, EPA and NYSDEC contacts responsible for interfacing with the stakeholder group. It is anticipated that an information package describing the entire project will be distributed to each member of the stakeholder group. Provided in Appendix E is an information package for the stakeholder meeting.

The exact details regarding the date and time of any informational meeting will be determined in the future.

4.0 PUBLIC INVOLVEMENT GROUND RULES

This section describes the manner in which IBM will communicate with the Direct Participants, Commentors and the members of the general public as Project XL stakeholders. In addition, the location of information and reports relevant to the Project XL F006 Sludge Recycling Project is discussed.

4.1 Ground Rules on Authority of Direct Participants with Respect to the Project Sponsors

In accordance with the EPA's recommendations for conducting a Project XL program, IBM East Fishkill will meet with Direct Participant stakeholders and agree on the ground rules to guide the development of the project. The ground rules will provide the mechanism for interaction between IBM and the Direct Participants and set forth procedures for membership changes, third-party facilitators, documentation of meetings, complying with the timeline and milestones of the project, communicating the project status and group's decisions with Commentors and members of the general public, and involving the general public in the process.

It is anticipated that the minutes of meetings held between representatives of the IBM East Fishkill Facility and Direct Participants will be available for review by the Commentors and general public stakeholders along with comments received from regulatory agencies on the project.

4.2 Ground Rules for Communicating to Commentors and the General Public

As discussed above, the ground rules for communicating with Commentors and the members of the general public as Project XL stakeholders will be determined by IBM and the Direct Participants. The ground rules will provide the mechanism for Commentors and general public stakeholders to communicate with IBM and the Direct Participants.

4.3 Access to Information

In order to provide project stakeholders access to the information and reports prepared for the Project XL F006 Sludge Recycling Project, interested parties are requested to visit the United States Environmental Protection Agency Project XL website at www.epa.gov/projectxl.

5.0 STAKEHOLDER ROLE DURING DEVELOPMENT OF FINAL PROJECT AGREEMENT

As discussed in Section 4.0 of this document, the role of the various types of stakeholders during each step of the Project XL process, including the negotiation of the Final Project Agreement, will be determined at the initial meeting between IBM and the Direct Participants.

It is anticipated that the role of stakeholders during the negotiation of the Final Project Agreement (FPA) will be the same as during all other steps in the process. The decisions regarding what will be included in the FPA will be determined by IBM after discussion with the Direct Participants. The Commentors and members of the general public participating in the project as stakeholders will review a draft of the FPA and submit their comments to IBM and the Direct Participants. Next, IBM and the Direct Participants will discuss the manner in which the comments raised by the Commentors and the general public should be addressed in the final FPA. Once the FPA has been determined to be complete, it will be signed and submitted to the EPA. A record of the comment/response process by IBM and the Direct Participant, Commentors and general public stakeholders will be documented and made available for review by any individual, group or regulatory agency.

Comments received from EPA will be addressed by IBM and the Direct Participants. Subsequent to comment review, the FPA will be submitted to the EPA for final approval.

6.0 STAKEHOLDER ROLE DURING PROJECT IMPLEMENTATION

As discussed in Section 4.0 of this document, the role of the various types of stakeholders during each step of the Project XL process, including project implementation, will be determined at the initial meeting between IBM and the Direct Participants.

The Final Project Agreement will define the role of the Direct Participants and Commentors during implementation of the project. An appropriate level of stakeholder involvement will be developed based on the stakeholder group's level of interest. This may include discussions of interim reports and study results, periodic project status meetings, or only a review of the final project documentation. IBM will work with the stakeholders to develop a plan that balances their interests with the need for continued public participation in the project.

APPENDIX A

PROJECT FACT SHEET

INTERNATIONAL BUSINESS MACHINES CORPORATION
EAST FISHKILL FACILITY

EPA PROJECT XL PROPOSAL
F006 SLUDGE RECYCLING PROJECT FACT SHEET #1

What is Project XL

Project XL, which stands for "e**X**cellence and **L**eadership", is a national initiative that tests innovative ways of achieving better and more cost-effective public health and environmental protection. The experience and lessons learned from Project XL will assist EPA in redesigning its current regulatory and policy-setting approaches. Project XL encourages testing of **cleaner, cheaper, and smarter** ways to attain environmental results superior to those achieved under current regulations and policies, in conjunction with greater accountability to stakeholders. Project XL is limited in scope, having a goal commitment of 50 pilot projects. Therefore, it is vital that each project test new ideas with potential for wide application and broad environmental benefits. As of August 1998, nine pilot experiments are being implemented and twenty additional projects are currently being developed.

Project Summary

As an integral part of the semiconductor manufacturing process, wastewater containing dissolved fluoride and certain metals is generated by electroplating processes in various buildings located throughout the IBM East Fishkill facility in Hopewell Junction, New York. This wastewater is conveyed via piping and pump stations to one of two on-site wastewater treatment facilities for treatment. As a result of the wastewater treatment process, a wastewater treatment sludge is generated. EPA lists such wastewater treatment sludges from electroplating operations as a hazardous waste with a code of F006. This XL Project proposes to reuse the F006 sludge from one of its wastewater treatment plants as a raw material in cement manufacturing. It is anticipated that the F006 sludge would represent less than 1.5% of the total raw material feedstock for one day.

Currently, this sludge is being disposed in a permitted landfill. However, since the composition of the F006 sludge is very similar to the raw materials utilized in the manufacture of cement (see Table 1), it is technically possible for this material to be recycled in the production of cement. From a regulatory perspective, the federal and state rules which regulate the management of hazardous waste already include provision for such a recycling project.

The reuse of approximately 2300 tons of this wastewater treatment sludge in the manufacture of cement was accomplished from 1988-1991 in accordance with approvals from NYSDEC and USEPA. The project was discontinued when there was a reinterpretation of the applicable regulations by the USEPA.

Superior Environmental Performance

There are several benefits to this XL Project that further environmental protection:

- Movement of the sludge to the top of the waste management hierarchy (from landfill to reuse).
- Conservation of raw materials currently used in cement manufacturing.
- Decreased requirements for mining operations.
- Utilization of limited landfill capacity for wastes requiring this management option.

The above environmental benefits will be maximized with the implementation of F006 sludge recycling on a national basis.

INTERNATIONAL BUSINESS MACHINES CORPORATION
EAST FISHKILL FACILITY

Flexibility

The feasibility of using F006 as a raw material in the manufacture of cement has been proven during IBM's prior project during 1998 - 1991. This project utilized the exemption for hazardous waste used/reused in the manufacture of commercial products, but was discontinued when there was a reinterpretation of the applicable regulations by the USEPA.

The flexibility being requested as part of this XL Project is the recognition that the sludge undergoes a physical and chemical transformation during the cement manufacturing process, and thus is no longer identifiable in the cement product. As such, use of the cement in or on the ground would not be considered disposal of the F006 sludge.

Stakeholder Involvement

IBM is soliciting input regarding this XL Project from local officials and environmental groups, national environmental groups, industry representatives and the general public. The stakeholders group will assist IBM in preparing the final proposal to EPA by attending meetings with IBM, reviewing project-specific documents and reports, reviewing the final proposal and expressing any concerns in regard to safeguarding public health and the environment.

Table 1: Comparison of IBM F006 Sludge to Cement Manufacturing Raw Materials

Constituent	Typical Raw Mix (%)	IBM F006 Sludge (%)
SiO_2	14.3	13.09
Al_2O_3	3.03	5.94
Fe_2O_3	1.11	0.36
CaO	44.38	41.33
MgO	0.59	0.89
S	nil	nil
SO_3	0.07	8.45
Loss on Ignition	35.86	28.65
K_2O	0.52	0.04
Na_2O	0.13	0.08
Total	99.99	98.83

Project Contacts

If you have any questions and or comments regarding this project, any of the following individuals may be contacted:

IBM:	Mr. Salvatore J. Tranchina, P.E.	(914) 892-1629
	Mr. Narayan Ayengar	(914) 892-1624
EPA:	Mr. George C. Meyer, P.E.	(212) 637-4144
	Mr. Philip D. Flax	(212) 637-4143
NYSDEC:	Mr. Lawrence J. Nadler, P.E.	(518) 457-5696

APPENDIX B

PRELIMINARY LIST OF STAKEHOLDER CONTACTS

INTERNATIONAL BUSINESS MACHINES CORPORATION
EAST FISHKILL FACILITY
EPA PROJECT XL PROPOSAL
F006 SLUDGE RECYCLING PROJECT
PRELIMINARY LIST OF STAKEHOLDER CONTACTS

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USEPA

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New York State Department of Environmental Conservation

Marc Moran, Director
New York State Department of Environmental Conservation
Region 3 Office
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Lawrence J. Nadler, P.E.
Chief
Technical Determination Section
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50 Wolf Road
Albany, NY 12233-7251
(518) 485-8988

Dutchess County

Richard Anderson
Dutchess County Clerk
22 Market Street
Poughkeepsie, NY 12601
(845) 486-2120

Michael C. Caldwell, MD, MPH
Commissioner
Dutchess County Health Department
387 Main Mall
Poughkeepsie, NY 12601
(845) 486-3404

C. Scott Daniels, Executive Director
Dutchess County Resource Recovery/Solid Waste
41 Sand Dock Road
Poughkeepsie, NY 12601
(845) 463-2050

Barbara Kendall, Director
Dutchess County Environmental Management Council
2715 Route 44, Suite 2
Millbrook, NY 12545
(845) 677-8223 ext. 126

Local

John M. Osborne, Administrator
Conservation Advisory Committee
Town of East Fishkill
330 State Route 376
Hopewell Junction, NY 12533
(845) 226-4553

Steven Conti, Chief
East Fishkill Fire District
Station 1
Route 376
Hopewell Junction, NY 12533
(845) 226-8880

Kiln

George Hubin, General Manager
St. Lawrence Cement LLC
Route West #9
Catskill, NY 12414
(518) 943-4040 ext. 187

Interest Groups

Samuel H. Sage, Executive Director
Atlantic States Legal Foundation, Inc.
107 West Newell Street
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(315) 475-1170

APPENDIX C

EPA-REGION 2'S DATABASE OF ENVIRONMENTAL GROUPS

(Appropriate database information available from EPA – Region 2)

APPENDIX D

EPA'S "PROJECT XL STAKEHOLDER INVOLVEMENT: A GUIDE FOR PROJECT SPONSORS AND STAKEHOLDERS"

(This document is available at the EPA Project XL web site at http://www.epa.gov/projectxl/guidexl.htm)

APPENDIX E

INFORMATION PACKAGE FOR STAKEHOLDER MEETING

(This information is available at the EPA Project XL web site for the IBM Fishkill Project under "Other Information". See http://www.epa.gov/projectxl/fishkill/page6.htm)