

Todd Fitzsimmons
ForeverChemicals CNY
7401 Totman Road
North Syracuse, NY 13212
toddfitzsimmons@me.com

May 7, 2026

Records Access Officer
Empire State Development
655 3rd Avenue — 4th Floor
New York, NY 10017

Submitted via: Email to FOIL@esd.ny.gov

Re: FOIL Request — Micron Technology, Inc. Green CHIPS Sustainability Plan and Related Records

Dear Records Access Officer:

Pursuant to the New York State Freedom of Information Law (Public Officers Law, Article 6, §§ 84–90), I respectfully request the following records concerning Micron Technology, Inc.’s participation in the Green CHIPS program administered by Empire State Development (ESD):

1. Micron Technology’s submitted Green CHIPS Sustainability Plan, including all draft versions, revisions, and the currently approved version.
2. The ESD-developed Sustainability Plan template referenced on ESD’s Green CHIPS program page (esd.ny.gov/green-chips), and any associated guidance documents provided to Green CHIPS applicants.
3. All annual progress reports submitted by Micron Technology to ESD under the Green CHIPS program from program inception through the date of this request, including any reports or supplemental submissions addressing greenhouse gas emissions, water use, water reuse, wastewater management, biosolids management, and chemical management.
4. ESD’s approval documentation for Micron’s Sustainability Plan, including: (a) the approval letter or written determination; (b) any conditions, modifications, or supplemental requirements imposed by ESD or NYSERDA; and (c) any compliance reviews, non-compliance findings, corrective action requests, or remediation requirements issued to Micron Technology to date.
5. All communications (including emails, letters, memoranda, meeting minutes, and presentations) between Empire State Development and/or NYSERDA on one side, and Micron Technology, Inc. (and any of its agents, consultants, or representatives) on the other, from January 1, 2022 to the date of this request, concerning: (a) Micron’s Green

CHIPS Sustainability Plan generally; (b) water reuse, water recycling, wastewater management, or wastewater discharge from the Clay, NY facility; (c) per- and polyfluoroalkyl substances (PFAS) or other process chemicals used or discharged at the Clay, NY facility; (d) the Oak Orchard Industrial Wastewater Treatment Plant, the Onondaga County Department of Water Environment Protection, or any other third-party industrial wastewater treatment facility intended to receive wastewater from the Micron Clay, NY facility; and (e) Micron's compliance with any condition required for receipt of Excelsior tax credits at the Green CHIPS rate.

6. The Community Investment Plan and/or Community Benefits Plan submitted by Micron Technology under the Green CHIPS program, including all drafts and the approved version, and any annual reports submitted thereunder.
7. Any internal ESD or NYSERDA analyses, evaluations, or memoranda assessing Micron's Sustainability Plan against the eligibility requirements of Article 21 of the New York Economic Development Law and the Green CHIPS implementing regulations.

Date Range. January 1, 2022 to the date of this request.

Format Requested. Electronic delivery (PDF or native file format) via email to toddfitzsimmons@me.com or via the ESD FOIL Records Access Center portal.

Fees. I am willing to pay reasonable reproduction fees up to \$50 without prior approval. Please contact me before assembling records that would exceed that amount.

Redactions. To the extent any portion of a responsive record is exempt from disclosure, please provide the non-exempt portions with redactions and a written statement of the specific statutory basis for each redaction, as required by Public Officers Law § 89(3)(a). For records withheld in whole or in part under the inter- and intra-agency materials exemption (Public Officers Law § 87(2)(g)), please produce the statistical or factual data, instructions to staff that affect the public, and final agency policy or determinations contained therein, as expressly required by that subsection.

Acknowledgment. Please acknowledge receipt of this request within five business days, as required by Public Officers Law § 89(3).

Thank you for your time and assistance.

Sincerely,



Todd Fitzsimmons

Founder, ForeverChemicals CNY

foreverchemicalsny.com