



Residents working to chart a “Path Forward” for our Village

[www.middleport-future.com](http://www.middleport-future.com)

E-Mail: [Feedback@middleport-future.com](mailto:Feedback@middleport-future.com)

Regular Mail: PO Box 33 Middleport, NY 14105

The members of the Middleport Community Input Group (MCIG) appreciate your interest.

This packet contains some material which may help you become more familiar with the group.

### Contents of this package.

1. Middleport Community Input Group Brochure
2. Mission Statement
3. Overview of web site (<http://www.middleport-future.com>)
4. Government agency organization chart. Involved agencies are:
  - a) United States Environmental Protection Agency (EPA)
  - b) New York State Department of Environmental Conservation (DEC)
  - c) New York State Department of Health (DOH)
5. Introduction of the EPA Citizen Participation Plan  
More is available in the web site’s Document Repository
6. A few terms and acronyms

The MCIG meets once a month at the Masonic Hall at 20 Main St. in the Village. During the first hour to hour and fifteen minutes our meetings include personal from FMC and the government agencies. Occasionally we also have someone from an elected official's office, typically Jim Ward from Senator Maziarz's office. During this time, we get an update of the projects from FMC, bring up any concerns we have with FMC or with the agencies, ask questions we may have or request modifications to plans we feel are necessary. After that part of the meeting we have about a 10 minute break then reconvene with only MCIG members and residents. FMC and agency personal are excused. This allows us to discuss the projects among ourselves, talk about what decisions the MCIG needs to make and answer any questions residents may have. Although the meeting runs from 5:30 to 8:00, people come when they can and may not be able to stay for the whole meeting. Notes taken during the meeting are posted on our web site and distributed to members and those who attended the meeting. A lite meal is available during the meetings.

**You do not need to become a member of the group to attend meetings, However joining shows other involved parties such as FMC, the government agencies (EPA, DEC and DOH) and our elected officials there is an interest in the community's residents to have a say on how this remediation project will proceed and how it will affect our community and our properties. If you decide to join the group, your name will be added to the MCIG brochure as a member and to the member list which is printed on our official correspondences.**

**So please consider becoming a member of the group. If you have decided to join, welcome.**

**Members: Bill Arnold (Chairman), Lisa Allen, Barb Albone, Lynn Andrews, Tom Arlington, Fr. Joe Badding, Elizabeth Bateman, Jennifer Bieber, Mary Cedeno, Tom Conley, Pat Cousins, Susan Crafts, Dan Dodge, Margaret Droman, Dori Green, Julie Haley, Christa Lutz, Larry Lutz, Julie Maedl, Harold Mufford, Dick Owen, Frank Sarchia, Michael Seefeldt, Villa Seefeldt, Elizabeth Storch, John Swick, Dick Westcott, Ann Howard (Facilitator), Dan Watts (Technical Advisor)**

## MIDDLEPORT COMMUNITY INPUT GROUP MEMBERS

Barb Albone  
Lisa Allen  
Lynn Andrews  
Tom Arlington  
Liz Bateman  
Jennifer Bieber  
Mary Cedeno  
Mike Conley  
Tom Conley  
Pat Cousins  
Dr. Susan Crafts  
Dan Dodge  
Margaret Droman  
Gloria Fierch  
Dori Green  
Julie Haley  
Christa Lutz  
Larry Lutz  
Julie Maedl  
Harold Mufford  
Dick Owen  
Frank Sarchia  
Michael Seefeldt  
Villa Seefeldt  
Liz Storch  
John Swick  
Dick Westcott

Bill Arnold - Chairman  
Facilitator – Ann Howard  
Technical Advisor – Dr. Dan Watts

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**COMMUNITY  
INPUT  
GROUP**

*Residents  
working  
with  
government  
and  
industry to  
chart a  
“Path  
Forward”  
for our  
Village*

For the past several years, FMC and state and federal regulatory agencies have been involved in investigation and remediation activities associated with the FMC Middleport plant. As required by federal regulations, numerous public meetings have been held to keep the community informed of the progress and of the work that took place as part of this program.

At the meetings prior to the remediation of the homes on Vernon Street, Main Street and FMC's property near the railroad tracks, the Village residents in attendance made it very clear that they would have wanted more meaningful participation at an earlier stage of the ongoing environmental process.

Following the guidelines recommended by the EPA, Village residents formed the Middleport Remediation Advisory Group (MRAG) approximately three years ago as a direct result of a meeting with the Agencies and the Mayor where it was expressed that such a committee be formed as a liaison between the community and the agencies.

The overall sentiment of those meetings set the stage for what has evolved as the **Middleport Community Input Group**. This group is made up of individuals from the FMC CAP Committee, an ongoing community group that meets regularly with FMC and the Agencies, the MRAG (Middleport Remediation Advisory Group), Village residents and Village officials.

Since the formation of the **Middleport Community Input Group**, members of MRAG, CAP, Village representatives, residents and local elected officials have been meeting with FMC and the Agencies to share ideas about Middleport's "path forward" and attempt to direct remediation projects to a conclusion beneficial to the community. Future meetings will include discussions about the study areas to be addressed and various accepted remedial options will be discussed. Input from the community and property owners will be built into the work plans. The public will have an opportunity to review and comment further on these work plans before they are approved and implemented by the Agencies.

The **Middleport Community Input Group** will continue to meet on a regular basis to provide the needed information and guidance from the community to FMC and the Agencies as they prepare formal work plans for future projects. Interested residents of Middleport are encouraged to attend.

The group has a website at [www.middleport-future.com](http://www.middleport-future.com) where meeting notes and information about the group can be found.

If you have questions or concerns that you would like to be brought to the **Middleport Community Input Group**, please drop off the enclosed form at Village Hall or contact Bill Arnold, CIG chair, at 735-3920. The CIG's E-Mail address is [feedback@middleport-future.com](mailto:feedback@middleport-future.com) and their mailing address is PO Box 33, Middleport, NY 14105.

## ***Middleport Community Input Group - CIG***

### Middleport Community Input Group Mission Statement

As a group of stakeholders representing the residents of Middleport we list the following as our mission statement:

- Assure the remediation process in Middleport has an outcome favorable to Middleport residents, which concludes in a reasonable time frame, has due consideration to the specific needs of Middleport residents, provides a reasonably safe community, retains landscapes and tree-lined streets, secures alternate means of remediation wherever appropriate that are eco-friendly, reduces vacancies and properties for sale and encourages economic development opportunities.
- Be an active participant in the remediation process.
- Build our credibility by being fair, open, and respectful.
- Encourage public input and feedback.
- Understand the values and interests of other Middleport residents before coming to any conclusions.
- Allow for different levels of understanding and provide an opportunity for everyone to know all the facts.
- Provide a means in which Middleport residents can have access to an information repository.
- Recognize that people have concerns that go beyond the scientific or technical details.
- Realize that decisions made during the remediation process can have profound economic and social impacts. These decisions are very real and important; people will live and work with them every day.

***To contact the CIG, E-mail [feedback@middleport-future.com](mailto:feedback@middleport-future.com)***

**MIDDLEPORT CIG**

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**ENVIRONMENTAL TOPICS**

**WELCOME TO THE MIDDLEPORT COMMUNITY INPUT GROUP**

Welcome to the Middleport Community Input Group's Web site. Please download our brochure, read our Goals and Mission Statement as well as our meeting notes and materials, which are all available here.

**Information: RFI/CMS Process Explained by Dr. Dan Watts**

An overview of the RFI/CMS process was presented to the CIG at their March 2007 meeting. Since some progress has been made toward the next steps in this process, the points he addressed are pertinent.

Posted by: Admin on Mar 29, 2008 - 08:03 PM [Read full article: 'RFI/CMS Process Explained by Dr. Dan Watts'](#) (56 more words)

**Update: Grant Update by Sue Taruo at April 10 Meeting**

An overview of the recent grant applications submitted for the Village will be presented at the April 10 meeting.

Posted by: Admin on Mar 29, 2008 - 07:55 PM [Read full article: 'Grant Update by Sue Taruo at April 10 Meeting'](#) (36 more words)

**COMMUNITY ISSUES**

**Meeting Notes & Agendas**

Download CIG meeting notes and agendas from 2006 to the present [here](#).

**Next Meeting Dates**

**April 10 and May 12** - both at 5:30 p.m. at the Masonic Lodge, Main St.in the Village.

**The CIG Brochure**

To download the CIG's brochure in pdf format just [click this link](#).

**Survey**

Is one CIG meeting a month enough?

• Yes

## Middleport CIG Web site for Members

This site is a Content Management Site:

- **That is an online library.**
- **You can post news stories.**
- **You can leave comments on stories.**
- **You can vote on polls.**
- **You can send each other messages.**
- **You can get e-mails from Bill at the same time.**
- **Bill can post messages for anyone to read.**

### ----- HOME MENU OVERVIEW

My Account - optional. Can set up some personal preferences there.

Administration - only for administrators

Messages - be sure to check if anyone has sent you any messages by clicking this. You can send a message.

Logout - click this when you want to log out

Document Repository - meeting notes, agendas, presentations and a library of online documents.

Topics - the general headings of all news stories here.

Submit News - click to add a news story yourself.

Terminology - definitions

FAQ - frequently asked questions. You can ask yours here or look over those already posted.

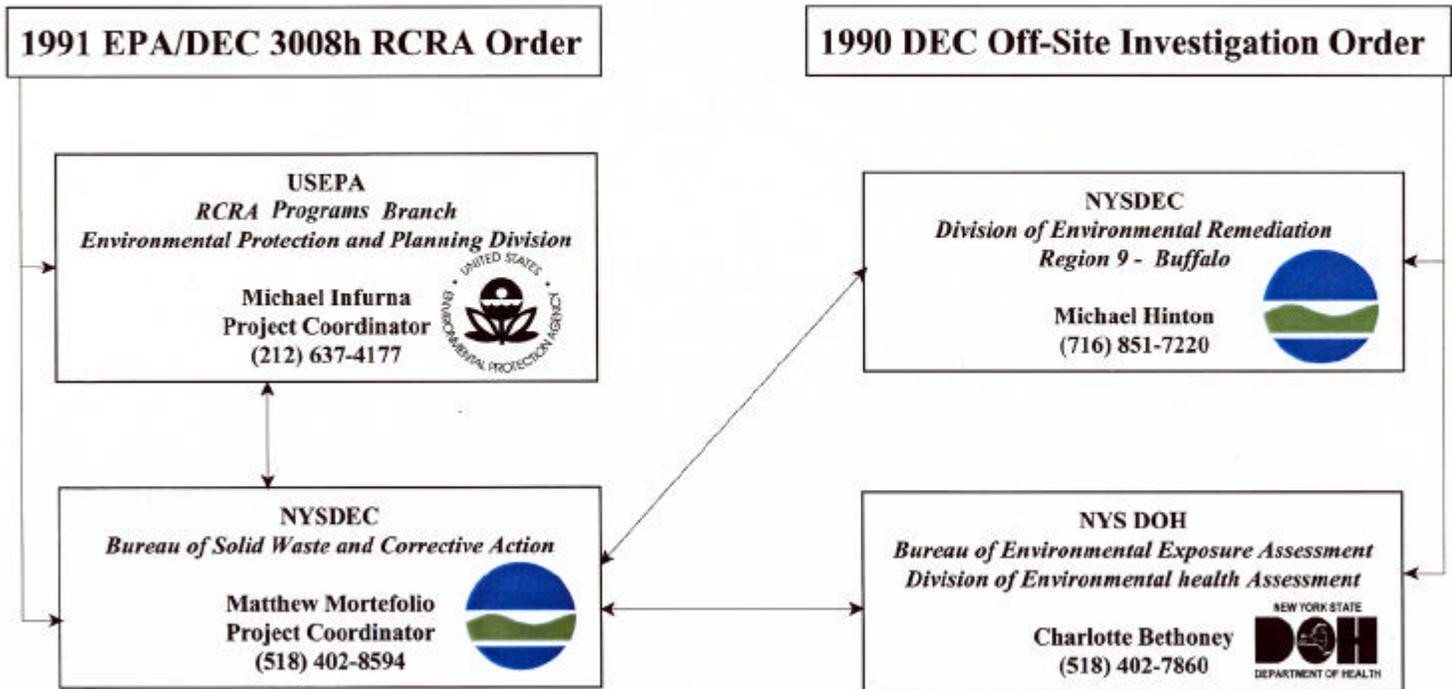
Reviews - add a longer review of an article. This is like an Editorial Page.

Search - type in a term and see where to find it on this site.

Stats - see the traffic (how busy) this site has been.

Member List - see the members and their names. Useful when you want to send someone a message.

## Agency Organizational Chart - July 2004



**United States Environmental Protection Agency  
RCRA Program Branch**

**New York State Department of Environmental Conservation  
Division of Solid & Hazardous Materials**

**New York State Department of Health  
Bureau of Environmental Exposure Investigation**

**Citizen Participation Plan  
FMC Corporation - RCRA Corrective Action Program  
Village of Middleport**

**INTRODUCTION**

The United States Environmental Protection Agency, the New York State Department of Environmental Conservation and the New York State Department of Health (Agencies) are committed to conducting a citizen participation program as a part of the Resource Conservation and Recovery Act (RCRA) Corrective Action Program.

This Citizen Participation Plan, or CPP, establishes a framework for upcoming public information and community outreach activities related to the FMC Middleport - RCRA Corrective Action Program underway in the Village of Middleport, Niagara County, NY. These activities are designed to actively involve the public as a partner in the RCRA related environmental activities that are ongoing or are being planned in the Middleport community. Beginning on page 5, the CPP will outline the methods that the Agencies intend to use to communicate information on this project to the public.

Through these efforts the Agencies hope to promote public understanding of the Agencies' responsibilities and the RCRA corrective actions in the Village of Middleport. This CPP will describe how the Agencies will solicit and receive information from the public that will assist the Agencies in administering a comprehensive program that is protective of both public health and the environment and responsive to the concerns of the community. This CPP is meant to be a living document that will be evaluated from time-to-time throughout the corrective action program and may be modified to best fit the community's needs.

## SITE BACKGROUND

The FMC facility occupies about 91 acres and is located in the southwest corner of the Village of Middleport, about 30 miles east of Niagara Falls. It is surrounded by commercial properties to the south, agricultural property to the east, and residential properties to the north and west. The site has been used for manufacturing and/or formulation of pesticide products since the 1920s. FMC began manufacturing pesticides at this facility in 1943. Pesticide manufacturing at this site ended in 1985.

Past waste management practices and industrial processes at this facility associated with pesticide manufacturing resulted in the release of various pesticides and other chemicals involved in the manufacturing process. Contaminants of concern associated with this site include: arsenic and lead containing waste, various chlorinated pesticides, methylene chloride, ammonia, and a variety of other pesticides and herbicides such as ethylene thiourea and carbofuran. In addition, past manufacturing of inorganic pesticides have resulted in air emissions of certain hazardous metals (e.g. arsenic, lead). These past operational practices at this facility have resulted in hazardous wastes and/or hazardous constituents contaminating the soil, groundwater and surface waters in and around the facility.

## PROJECT DESCRIPTION/OBJECTIVES OF THE CORRECTIVE ACTION PROGRAM

Contamination from the FMC Middleport site is being addressed under the Agencies' RCRA Corrective Action Program. Corrective Action is being conducted by FMC under the legal authority of an Administrative Order on Consent (AOC) with United States Environmental Protection Agency (USEPA) and the New York State Department of Environmental Conservation (NYSDEC). The New York State Department of Health (NYSDOH) is responsible for addressing health-related matters. The Agencies have been coordinating with representatives from FMC, local officials and the public to address the various contaminants detected in the groundwater, soils and sediments in the Middleport area. The Draft RCRA Facility Investigation (RFI) Report (January 1999) provides a summary of most of the corrective actions that were done prior to 1999. The Draft RFI Report, and other documents which provide information on corrective actions conducted from 1999 to the present, are available in the Document Repository (see page 7).

## ONGOING AND FUTURE CORRECTIVE ACTION PROGRAMS FOR THE SITE

Below is a summary of various components of the FMC Middleport RCRA Corrective Action Program by environmental media. This portion of the CPP outlines the corrective actions and investigations that are ongoing, being planned or may be needed as the corrective action program progresses:

### Groundwater:

#### Ongoing Activities-

Under the AOC, FMC is required to collect groundwater samples for chemical analysis on a regular basis (quarterly) from over 100 on-site and off-site monitoring wells. This groundwater sampling is intended to better define the nature and extent of groundwater contamination, and monitor its movement. Additional monitoring wells will be installed as they are needed. FMC is also conducting an Interim Corrective Measure (ICM) at their facility to remove and treat contaminated groundwater on a continual basis. This ICM is performed by pumping groundwater from a number of on-site extraction wells, and is intended to remediate and limit the off-site migration of groundwater contamination.

#### Planned and/or Potential Future Activities-

FMC is required to sample groundwater on a regular basis. Additional on-site and/or off-site monitoring wells may be installed to help define the extent of groundwater contamination and monitor its migration. FMC will also continue to operate their groundwater collection and treatment system. Additional measures may be taken to enhance the performance of this system based on the groundwater monitoring data that is collected.

### Soil & Sediments:

#### Ongoing Activities-

With approval and oversight of the Agencies, FMC is conducting an Interim Corrective Measure (ICM) to remove arsenic contaminated soil from 14 residential properties west of FMC's Middleport facility. This project includes removal of contaminated soil, backfilling and restoration of each of the 14 properties. Details on this project are presented in FMC's August 2003 "West Properties Soil & Sewer Removal Interim Corrective Measures Work Plan" and is available in the Document Repository.

#### **Planned and/or Potential Future Activities-**

Soil sampling and analysis is being planned for a number of off-site areas to both define the extent of soil contamination and provide the data necessary for making remedial decisions. These areas include the FMC-owned rail property north of the FMC plant, floodplain properties along Tributary One from Francis Street to Pearson Road, properties along the Culvert 105 ditch from just south of the Barge Canal to Pearson Road, and properties potentially impacted by past arsenic air deposition from the FMC Plant. Also, it is anticipated that soil and sediment sampling and analysis will be necessary along Tributary One north of Pearson Road and north of its discharge into Jeddo Creek.

Interim Corrective Measures (ICMs) are anticipated for the FMC-owned rail property and some residential properties along Tributary One and Culvert 105 south of Pearson Road, based on the Agencies' evaluation of current soil/sediment sampling data and human exposure concerns. These ICMs could entail soil removal activities on the contaminated portions of each property. Additional ICMs may be needed in the future as additional information is obtained through soil/sediment sampling activities.

Once there is sufficient soil and sediment data to define the extent of contamination, FMC's Draft RFI Report will be finalized. Subsequent to Agencies' approval of FMC's RFI Report, a Corrective Measures Study (CMS) will be undertaken. The CMS will evaluate cleanup options for on-site and off-site contaminated soil and sediment. From this evaluation a final corrective measure, or corrective measures, will be selected and approved for implementation by the Agencies.

See the appendix of this CPP for specific details concerning public participation activities associated with these projects. These appendices will be updated periodically to reflect the most recent planned or proposed projects.



## **SOME TERMINOLOGY USED AT CIG MEETINGS**

**Agencies** — the United States Environmental Protection Agency, the New York State Dept. of Environmental Conservation and the New York State Dept. of Health.

**Brownfield site**- means any real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

**Contaminant** - or “contamination” means the presence of a contaminant in any environmental media, including soil, surface water, sediment, groundwater, soil vapor, ambient air or indoor air.

**CAMU** - or Corrective Action Management Unit consists of a designated area within a facility for the management of wastes generated in the course of cleanup or remediation of releases at the facility. The United States Environmental Protection Agency and delegated states are authorized under federal regulations to designate CAMUs, subject to controls and conditions, to implement faster and more aggressive cleanup and to remove some of the disincentives that the application of Resource Conservation and Recovery Act (RCRA) requirements can sometimes impose.

**CMS or Corrective Measures Study** - Part of the RCRA process. This study uses information from soil and water testing to determine if remediation is needed and the way it would be done.

**CMI** — Corrective Measures Implementation - Part of the RCRA Process. The CMI phase

involves the design and implementation of a chosen remedy.

**Environmental Easement** - means an interest in real property, created under and subject to the provisions of ECL article 71, title 36 which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls; provided that no such easement shall be acquired or held by the state which is subject to the provisions of article fourteen of the constitution of the State of New York.

**Financial Assurance** - means financial mechanisms, which include but are not limited to surety bonds, trust funds, letters of credit, insurance or a multiple of financial mechanisms, as determined to be adequate by the Department, to ensure the long term implementation, maintenance, monitoring and enforcement of the engineering and institutional controls at a remedial site.

**Groundwater** - means water below the land surface in a saturated zone of soil or rock. This includes perched water separated from the main body of groundwater by an unsaturated zone.

**Hazardous Waste** - means a waste which appears on the list or satisfies the characteristics promulgated by the Commissioner and any substance which appears on the list, however, that the term "hazardous waste" does not include Natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of natural gas and such syn-

thetic gas; nor the residue of emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine; nor Source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the atomic energy act of 1954, and Petroleum.

**Off-site contamination** - means any contamination which has emanated from a remedial site beyond the real property boundaries of such site, via movement through air, indoor air, soil, surface water or groundwater.

**On-site contamination** - means any contamination located within the real property boundaries of a remedial site.

**Remedial Investigation** - at a site or operable unit of a site. The remedial investigation emphasizes data collection and site characterization, and generally is performed in support of the selection of a remedy.

**Remedial Program** - means all activities undertaken to investigate, design, eliminate, remove, abate, control, or monitor existing health hazards, existing environmental hazards, potential health hazards, potential environmental hazards in connection with a site, and all activities including, but not limited to, the following undertaken to manage waste and contamination from a site.

**RCRA** — Resource Conservation and Recovery Act. A federal law enacted in 1976 to protect human health and the environment with respect to the management and disposal of solid wastes and to support the recovery and reuse of materials.

**RFA - RCRA Facility Assessment** means a study that is performed at a facility to de-

termine the existence of any continuous or non-continuous releases of wastes. During the RFA, regulators gather information on solid waste management units and other areas of concern at RCRA facilities, evaluate this information to determine whether there are releases that warrant further investigation and action, and determine the need to proceed to a RCRA Facility Investigation.

**RFI — RCRA Facility Investigation.** Soil and water are tested to see if past activities have affected the environment. The tests characterize the nature, extent and rate of releases.

**Risk Assessment** - The process of identifying and documenting actual and perceived risks to human health or the environment, to allow further evaluation and appropriate responses.