

**Middleport Community Input Group
Meeting at Masonic Lodge Hall
March 1, 2007 – 5:30 to 7:30 p.m.**

In Attendance:

Village Mayor Julie Maedl	Facilitator – Ann Howard, RIT
Village Coordinator Dan Dodge	DEC (Albany) – Matt Mortefolio
Village Trustee Liz Bateman	DEC (Buffalo) – Mike Hinton
MRAG Co-Chair Pat Cousins	FMC – Patt Fagan
MRAG Adviser Dan Watts – NJIT	FMC – Dana Thompson
MRAG – Margaret Droman	Geomatrix – Wai Chin Lachell
MRAG – Dr. Susan Crafts	Arcadis (BBL) – Sue Tauro
CAP – Larry Lutz	Arcadis (BBL) – Erin Rankin
CAP – Christa Lutz	Secretary – Glen White
CAP – Police Chief John Swick	Carr Marketing Comm.
CAP – Barb Albone	
CAP – Father Joe Badding	
William Arnold – Resident/Property Owner Adjacent to Plant	

1. Welcome, Introductions, Agenda Review, New Information

- P. Fagan explained that facilitator A. Howard would be a bit late due to the wintry weather.
- After introductions, J. Maedl reviewed the agenda.

2. Group Communications Update

- P. Fagan distributed copies of the group’s new informational brochure for distribution in the community at various key locations and to various groups.
- P. Fagan updated the group on its new Web site at www.middleport-future.com, noting that meeting minutes, agendas, and other documents can now be accessed via the site. She has provided all MCIG members with a password to access the non-public portion of the site and once again encouraged participation and ideas for the site’s survey portion.
- D. Watts volunteered to answer the group’s questions about the environmental process in a “Dear Dan” column on the site.

3. Restore NY Grant Application Update

- S. Tauro reviewed the timetable for the Village's 2007 Restore NY grant application
- S. Tauro noted provided the results of the group's exercise at the previous meeting to identify project priorities. She said FMC and the Village are using the input in developing an approach for implementing aspects of the village's Local Waterfront Revitalization Program, including the right projects for a successful Restore NY grant application.
- W. Lachell said that when it is ready, the application will be presented to the Village Board for its support.

4. Feedback on Proposed Onsite Corrective Action Management Unit (CAMU)

- W. Lachell briefly reviewed the key points about the proposed CAMU that FMC presented at the Feb 5 meeting.
- J. Maedl said that especially with the view from the Roy-Hart campus, she believes people will be more comfortable with the 40-foot height and that trees should be planted to camouflage the CAMU.
- In response to a question from D. Dodge, W. Lachell noted placement of soils would be completed to the maximum approved height for each phase before beginning placement at another phase (location).
- P. Cousins suggested proposing a 60-foot height to ensure there will be enough space to accommodate all of the off-site soils that might be removed.
- W. Lachell noted that FMC would not propose a 60-foot height if there were objections, or could limit the 60-foot height to only the Phase 2 and 3 areas farther away from the school campus.
- In response to a question from P. Cousins on whether trees could be planted on the CAMU slope, W. Lachell said it would depend on whether a "360 liner," which would prevent tree plantings, is required by the Agencies.
- M. Mortefolio said the RCRA regulations don't require a 360 liner but something similar.
- In response to a question from Mr. Arnold, W. Lachell said the roads on his property used by FMC to access monitoring wells could be modified as a result of the CAMU.
- J. Maedl said that although most Middleport residents do not even know about the current ESI, community perceptions of the CAMU are a concern.
- W. Lachell said no non-FMC-remediation soil (no plant soils or from elsewhere as a commercial facility would accept) would be placed in the CAMU, just as has been the approach with the existing ESI.

- There was some discussion concerning the potential for soils from any FMC-remediation outside of the village limits, such as along the tributary, to be placed in the CAMU. It was agreed there would be additional discussion concerning the CAMU at the next meeting.
- W. Lachell said FMC will contact nearby Route 31 resident Mr. Peters about the proposed CAMU.

5. Update on Proposed 2007 Early Actions and Update on Air Deposition Area

- W. Lachell announced that based on discussions with the Agencies and to ensure the project is completed in 2007, FMC has agreed to additional excavation of soil at the Coe property.
- FMC is obtaining an access agreement with Mrs. Coe that will allow FMC an environmental easement. A deed restriction would be placed on the property.
- M. Hinton said the Coe property might require a soil management plan and ongoing operation and maintenance plan.
- The Village will assist FMC in trying to contact one property owner near Margaret Droman Park so that a survey can be conducted to determine what drainage measures will be needed, if any, concerning work at the park.
- W. Lachell said FMC is awaiting comments from the Agencies on the North Railroad Property workplan. She also noted the area will be used to access the Coe property, keeping truck traffic off of residential streets.
- E. Rankin noted FMC is also making significant improvements to its onsite water treatment plant in 2007.
- W. Lachell said the Agencies had sent 46 property owners in the air deposition area a letter informing them that “no further action (NFA), neither sampling nor remediation, is required on their property. She noted that FMC and the Agencies are continuing discussions about how to address the remaining properties in the air deposition area.
- In response to a question about when other property owners can expect a decision, W. Lachell said FMC’s goal is 2008. M. Mortefolio added that some additional “NFA” properties may be identified sooner. P. Fagan noted FMC’s property price protection program (PPP) is in place through June of 2009.
- M. Mortefolio noted the Agencies and FMC will likely hold a public information meeting on all of the early actions in the spring.

6. Feedback on CIG

- A. Howard distributed a sheet for comments about the usefulness of the group and its meetings. Members provided written comments to A. Howard.

7. Overview of RFI/CMS Process

- J. Maedl introduced MRAG technical adviser Dan Watts of the New Jersey Institute of Technology to make the presentation.
- D. Watts said he has helped other communities get through the Superfund process, such as with communities along the Hudson River dealing with the GE remediation of PCBs in the river.
- In addition to D. Watts' presentation, which is available on the group's Web site, he provided a number of additional insights.
- He noted the RCRA process can be a very long one and that Middleport was a particularly complicated site. He said the RCRA process usually addresses contamination at a plant site, only, and not adjacent residential areas. In that way, RCRA's approach is a bit "clunky."
- He said RCRA guidance calls for community involvement and participation early in the process so that decisions can be an agreement between the community and the regulatory agencies.
- He noted the U.S. standard for acceptable environmental risk – and therefore remediation goals – is one additional death among 1 million people. W. Lachell noted the Agencies' goal can be in the range between 1 in 10,000 and 1 in 1 million.
- After a discussion of the toxicity of arsenic and risk associated with exposure to soil arsenic in Middleport, D. Watts said he would calculate how much soil a person would need to ingest to surpass the federal ATSDR's minimal risk levels.

8. Agenda and Homework for Next Meeting on April 2, 2007 at 5:30 p.m.

- Group communications update
- Funding status report – Restore NY
- Early Actions update
- Information on suggested walking trail (S. Crafts)
- Additional CAMU concept questions and feedback (Homework Assignment)
- Middleport RFI/CMS process
 - Air deposition area data
 - Schedule
 - Feedback
- **Subsequent Meeting Scheduled for May 3**